



Supreme Court of Georgia

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U.S. JUSTICE DEPARTMENT ENDS DISCRIMINATION REVIEW OF GEORGIA COURTS

Atlanta, August 21, 2009 – The Civil Rights Division of the U.S. Department of Justice has closed its review of how Georgia courts handle the wearing of religious head coverings. The review is no longer necessary based on a new policy that permits headgear in court worn for religious or medical reasons, says a recent letter from a Justice Department official. Last month, the Judicial Council of Georgia – the policy-making body of Georgia’s courts – unanimously adopted the measure to take effect in every court in Georgia.

“The Council’s adoption of this policy resolves the issues raised in [our] compliance review,” writes Merrily Friedlander, Chief of the Coordination and Review Section of the Civil Rights Division. “Therefore, we are closing our review as of the date of this letter.”

The Justice Department put the Georgia courts on notice last January following several allegations of discrimination that involved Muslim women and others. The most recent incident was the December 2008 arrest of a woman who refused to remove her hijab, the head scarf worn by Muslim women. A Douglasville judge found Lisa Valentine in contempt of court and ordered her to serve 10 days in jail. In addition to the U.S. Department of Justice, the incident also prompted complaints from the Anti-Defamation League, Council on American-Islamic Relations and American Civil Liberties Union. This past June, Ms. Valentine testified before the Supreme Court of Georgia Committee on Access and Fairness in the Courts.

The new policy balances a court’s security concerns with a person’s right to practice his or her faith in public. Baseball caps and other headgear will continue to be banned from courtrooms, but head coverings worn for religious or medical reasons will be permitted. If a security search is deemed necessary, it can be conducted privately by a security guard of the same gender.

“I congratulate the judges of this state and am grateful to the Justice Department that we have resolved this matter,” said Chief Justice Carol Hunstein, who chairs the Judicial Council. “But this should remind all of us who work in the judicial system that we must remain ever-vigilant to never deny anyone justice or access to our courts.”