

SETTLEMENT ANNOUNCED IN HUSSEIN V. CITY OF OMAHA

The City of Omaha and ACLU Nebraska announced today the parties have reached a settlement in the lawsuit Lubna Hussein v. City of Omaha. The suit was filed in June, 2004, on behalf of a Muslim woman who was not allowed to enter a public swimming pool last summer due to her religious clothing. The City policies in place at the time of the suit did not permit anyone to enter a swimming pool unless they were wearing a bathing suit. Lubna Hussein came to the pool with her small daughters to watch them swim and did not intend to swim herself. Ms. Hussein observes Muslim dress requirements for women by wearing modest clothing and a head scarf to cover her hair.

The suit alleged civil rights violations on the basis of race, national origin, gender and religion. The City's Answer, filed in federal court last year, responded the dress code rules were intended to be neutrally applicable. The parties announced today the City of Omaha has amended its policies to allow a variance in their dress code based on religious and/or medical needs.

"I am so pleased at this change in policy," said Plaintiff Lubna Hussein. "My little girls have been waiting for a chance to try out the water slides and they'll finally get the opportunity this summer. We're happy to feel like part of the community again."

The City has put a copy of the new dress code on its website, along with a copy of the form one should complete to obtain a waiver based on religious beliefs. Forms are also available at the pools.

Bassel El-Kasaby was one of the attorneys representing Lubna Hussein. He said, "I've spoken with other Muslim women who felt they could not use the city pools. The new policy ensures those women--and anyone else with religious dress--can share in this public benefit."

ACLU Nebraska Legal Director Amy Miller said, "This new policy would not be in place if it wasn't for the bravery of someone like Ms. Hussein to speak up about her rights. This is the sort of policy we hoped for when we filed the lawsuit, and we're very pleased at the City's cooperation."

The parties' agreement was made final by a Consent Decree which was submitted today to federal Judge Laurie Smith Camp. A copy of the dress code and request form is available online at: www.ci.omaha.ne.us.