

April 30, 2024

Dear Sheriff Hernandez,

In light of the mass arrests of protesters on The University of Texas at Austin campus and reports across the state of arrested people being forced to remove articles of religiously mandated clothing, we write reminding you of your legal obligation to uphold the religious rights of all people booked into and detained at the Travis County Jail. The Travis County Sheriff's Office must ensure that its officers safeguard the religious rights of detained people by guaranteeing their ability to wear religious headwear such as hijabs, yarmulkes, and turbans, as well as covering their arms and legs.

The forcible removal of religious head coverings violates the Free Exercise Clause of the US Constitution, the Religious Land Use and Institutionalized Persons Act and the Texas Religious Freedom and Restoration Act. Courts interpreting these provisions have held that government policies requiring removal of religious head garments are facially discriminatory and unconstitutional.

Additionally, such forced removal of religious headgear could trigger emotional distress, extreme humiliation, and unnecessary suffering. In Dallas County, the Sheriff's Office forced pro-Palestinian demonstrators to remove their hijabs after arrest and was later sued for violating these demonstrators' federally protected rights.¹

We expect the Travis County Sheriff's Office to uphold the Constitution and respect the religious rights of all people in its custody throughout the booking process and all periods of detention. We are willing to make ourselves available to discuss how to ensure religious freedoms are accommodated at the jail.

Sincerely,

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¹ Juan Salinas II, Kera News, "Pro-Palestinian demonstrators sue Dallas County, sheriff's office for removal of hijabs after arrest" (Apr. 10, 2024), <https://www.keranews.org/news/2024-04-10/pro-palestinian-demonstrators-sue-dallas-county-sheriffs-office-for-removal-of-hijabs-after-arrest>.