

VIRGINIA

Muslim cabdriver awarded damages

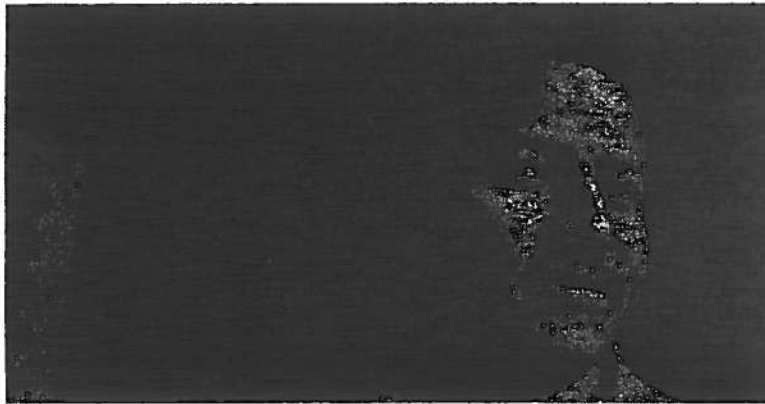
BY MATT ZAPOTOSKY

A civil jury awarded \$350,000 to a Muslim cabdriver Monday who alleged that he was berated over his religion and attacked by a Fairfax County businessman in a 2013 encounter that was partially captured on video.

Jurors in an Alexandria federal court found that a "preponderance of the evidence" in the case showed that Ed Dahlberg assaulted — but did not batter — cabdriver Mohamed A. Salim — and that Dahlberg's actions were motivated by animosity toward Salim's religion. They awarded Salim \$100,000 in compensatory damages and \$250,000 more in punitive damages.

After the verdict was announced, Victor M. Glasberg, Salim's attorney, said Salim, who came to the United States as a refugee from Somalia and is now 42, was "enormously gratified" by the result.

"One of the terrific things



MARK GAIL FOR THE WASHINGTON POST

Mohamed A. Salim, a cabdriver who said he was attacked in 2013 by a passenger who berated him for being a Muslim.

about this verdict is this jury saw fit to recognize the damage done to Mohamed Salim — not physical damage, [but] damage to his security as an American, to his connectedness to this country he loves," Glasberg said. He noted the verdict comes amid increasing, unfair hostility toward Muslims in the wake of terrorist attacks in

Paris and San Bernardino, Calif.

Reached by phone, Dahlberg said: "I'm ruined. I'm absolutely ruined." He declined to comment further.

The encounter between Salim and Dahlberg drew national attention when it first emerged less than two weeks after the Boston Marathon bombing. Salim al-

leged at the time that Dahlberg punched him and fractured his jaw after a diatribe on his Islamic faith. The Washington-based Council on American-Islamic Relations pushed authorities to classify the matter as a hate crime.

Dahlberg, 54, of Clifton, was initially charged with misdemeanor assault, but prosecutors later dropped the case, saying they had concluded that he was innocent. Commonwealth's Attorney Raymond F. Morrogh (D) said at the time that he did not condone Dahlberg's language, but that "some people took this incident and ran with it to make political points." He did not immediately return a message left at his office Monday.

Glasberg said in a statement that the civil jury's verdict showed that the decision to drop the charges was "the product of professional irresponsibility and abdication of a public trust amounting particularly to a slap in the face of the Muslim community."

Salim filed his lawsuit earlier this year, and the civil trial began last week. He faced a lower burden of proof in substantiating his allegations than prosecutors would have in a criminal trial, and

jurors rejected his contention that he was battered.

The video, which Salim captured on a phone, does not show an obvious, sustained attack — though Salim has said the most serious blow occurred when Dahlberg returned to the taxi, after he stopped recording and Dahlberg originally left. The footage does, however, show Dahlberg making undeniably hateful and vulgar statements.

In one instance, shortly after Dahlberg declared, "If you're a Muslim, you're a [expletive] jihadist," Salim, a Muslim and Army Reserve veteran, asks, "So I'm a terrorist?" Dahlberg responds, "Most of you are."

The video shows Dahlberg seeming to slap at Salim after Salim says he plans to call 911. And after Dahlberg appears to get out of the cab, Salim can be heard saying, "Why you punching me?" No assault is obvious at that point, though Dahlberg's voice can be heard.

Through an attorney, Dahlberg has denied from the outset that he assaulted anyone, though he apologized to those offended by his remarks.

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