

2020



ANNUAL  
REPORT

CENTER FOR  
CONSTITUTIONAL  
RIGHTS

# VISION

The Center for Constitutional Rights fights for a world without oppression—where people use their power to achieve justice and guarantee the rights of all.

# MISSION

The Center for Constitutional Rights stands with social justice movements and communities under threat—fusing litigation, advocacy, and narrative shifting to dismantle systems of oppression regardless of the risk.

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# JUSTICE TAKES A FIGHT.

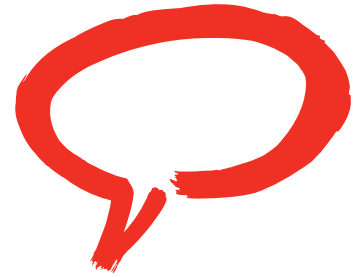
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MESSAGE FROM THE

# BOARD CHAIR



Four years ago, I convened the Center for Constitutional Rights' Board of Trustees to discuss organizational direction and strategies under two different scenarios: Hillary Clinton or Donald Trump as president. We sketched out how we would show up for our key partners with a centrist Democrat or an extreme Republican populist

in the White House. Thankfully, the last 54 years of protecting social justice movements prepared us to respond to the cataclysmic events of the last four years. Now, we face another critical juncture, and once again we're ready for whatever political direction we face domestically and globally.

The Center for Constitutional Rights was born out of the fight against racial injustice, and these critical struggles are woven into our organizational DNA. The communities that we support in our litigation and advocacy – particularly Black and Brown people, immigrants and asylum seekers, Indigenous communities, incarcerated people, trans people, and poor communities – are among the hardest hit by the COVID-19 pandemic and the most at risk to its consequences, both medical and financial.

The Center for Constitutional Rights will continue to show up on the frontlines with activists, lawyers, and movement leaders fighting the deadly effects of structural racism, exacerbated by the COVID-19 pandemic. We are more than ready for the fight.

When the Trump administration made the outrageous claim that asylum seekers at the U.S.-Mexico border were geographically outside the U.S., and therefore beyond protection under U.S. law, we were ready because we had faced a similar argument from the Bush administration when he detained people in Guantánamo in the aftermath of 9/11. When Trump's Justice Department labeled Black Lives Matter activists "domestic terrorists" and illegally monitored their activities, we were ready, having defended the rights of Puerto Ricans who were spied on by the Commonwealth's Police Intelligence Division and placed on a "Subversives List" in 1987. And when Trump's FDA moved to ban over-the-counter access to the Morning-After Pill (also known as "emergency contraception" or "Plan B") we were ready, having brought, in 1972, the first challenge to the constitutionality of abortion statutes in which women were the plaintiffs and the issues raised were those of a woman's right to abortion rather than the right of the doctor to practice medicine. As Vince Warren and Baher Azmy observed in [Episode 25 of our podcast, "The Activist Files"](#): we've been here before, and we're always ready to out-maneuver, outsmart, and outlast the enemies of the people.

We can't do this work without you. Thank you to all of the Center for Constitutional Rights' new and longtime individual and institutional supporters and partners. Special heartfelt thanks to those who have supported the Michael Ratner Campaign for the Next Generation, the Justice Sustainers who contribute monthly, and the Thelma Newman Society members who have so thoughtfully included us in their estate plans. As a result, our family is stronger than ever and we're ready for the fights that lie ahead.

It is often said that who you walk with says all you need to know about who you are. The Center for Constitutional Rights is proud to walk with you, our dedicated donors, hand-in-hand with our movement partners, clients, board, and staff – we are strongest when we walk together.

Peace,

Katherine Franke  
Chair, Board of Trustees

# EXECUTIVE DIRECTOR



It's been quite a year. Not a time for the timid or the fainthearted and, as we've learned, not a time to wait for the government to come and save us. Like many of you, I've had some time to reflect during the first half of 2020 on what's important and what a group of human beings can do when all of our government structures have failed us. I've come

to the conclusion that although this government has failed — and it has done so completely — it was never made to work for all of us, even in its most functional form. So, as the country seeks to fix what is broken within the presidency, I ask you to also remember that — on its best day under any administration — the state creates incalculable harm to the most vulnerable people in our society, including people who look like me. The path forward holds only two options for us: first, to fight all forms of abusive power; and second, to build all forms of liberatory power in our communities so they may define what safety actually looks like for us moving forward.

During the current global and national crises, the Center for Constitutional Rights has doubled down on these two options to successfully support communities at risk this year. And with your crucial support, we can continue to sustain the vital work of supporting our movements, challenging abusive power, and dismantling white supremacy, patriarchy, and oppressive economic structures piece by piece, no matter what gets thrown at us.

Whether it is ending discriminatory curfews, fighting for the rights of transgender folks, or releasing medically vulnerable people from detention centers during a pandemic, we have long known how to move rapidly and creatively during the toughest of times. When courts were open only for criminal and emergency motions in the initial weeks of the pandemic shutdowns, we used the opportunity to create a suite of powerful litigation that released people from immigration detention. Even as we moved to a remote working environment to keep ourselves safe, we remained focused on people more vulnerable than us and halted Trump's Asylum Ban and Public Charge rule.

But crises also create opportunities for change and transformation. This country is in the midst of a historic reckoning around racism, and we are here for it as we prepare for our 55th year of doing this work. Today, we are not just in a fight for reform of the existing system, we are here to dismantle white supremacy, which includes a commitment to abolition. Any society that would rather police than counsel kids, that would rather cage people coming for a better life than support them, that would criminalize LGBTQIA+ people, that would refuse to keep people safe, is a society that needs the Center for Constitutional Rights.

Thank you for joining us in this historic fight, for giving generously and ensuring we have the resources we need to keep going until freedom and justice are here. Please enjoy this annual report and take pride in the wins we have achieved in the past year. And thank you for your commitment to supporting the critical and transformative work that is to come.

I hope you are all safe and holding your loved ones close (in a socially distanced manner).

With Gratitude and Solidarity,

Vince Warren  
Executive Director



**STRUCTURAL RACISM**



**OPPRESSIVE ECONOMIC STRUCTURES**



**PATRIARCHY**



**ABUSIVE STATE POWER**

# OUR STRATEGY FOR CHANGE

At the Center for Constitutional Rights, we believe power and resources should be shared democratically across society – and that the law is equally capable of operating as a lever for social control or a lever for social justice.

Rooted in a long tradition of visionary, radical lawyering and advocacy, we use **bold legal work as a tool to dismantle structural racism, patriarchy, oppressive economic structures, and abusive state power; to build the power of social movements; and to redistribute power** to the oppressed, under-resourced, criminalized, and disenfranchised. Blending litigation with movement organizing, campaigns, public education, and other strategies, we both deploy and build power outside the courtroom.

**Rather than working to merely ameliorate the effects of systems of oppression, we work to fundamentally transform them.** We simultaneously fight the exercise of power by the most oppressive systems, and build power in communities and among individuals that have suffered under these oppressive systems.

We work both boldly and with humility, with a critical awareness of the role we play in larger social movements. **We value the leadership of those most impacted by oppression.** We aim to be accountable to our clients and to the communities and social justice movements we serve.

When we deploy our expertise and resources in these ways, we make a unique, significant, and tangible contribution to social change. It is for these reasons that the Center for Constitutional Rights invests in, supports, and trains lawyers, legal workers, law students, jailhouse lawyers, and activists. It is for these reasons that we are different from any other organization in the United States.

Our approach can surface the hidden motives of power, amplify unheard voices, and generate extraordinary justice outcomes. **Our successes often define the visionary edge of what's possible when using the law.**

We will continue to fight until social and economic justice, liberation, and the democratic sharing of power and resources are not only possible, but here. We thank you for making this fight possible.



# STRUCTURAL RACISM

DISMANTLING  
WHITE SUPREMACY



Racial Justice Activist and former Black Love Resists in the Rust Member Marielle Smith leads a protest in Buffalo against police misconduct

“The checkpoints and over-ticketing are radicalized criminalizations that are painted as public safety measures, but that’s not the truth. This case is a huge narrative shift from the status quo ... It’s powerful when we are able to collectively say, ‘No, this is not keeping us safe.’”

—Marielle Smith  
*Racial justice activist  
and former Black Love  
Resists in the Rust member*



# STRUCTURAL RACISM

## *DISMANTLING WHITE SUPREMACY*



Protest after killing of George Floyd, Harlem

The Center for Constitutional Rights was born out of the fight for racial justice — our work began in support of Civil Rights Movement activists in the 1960s — and a commitment to dismantling white supremacy lies deep within our organizational DNA. Understanding that white supremacy has shaped the law in profoundly harmful ways, we place this fight at the core of all the work we do. Our work today builds on a long legacy of domestic and international litigation and advocacy that challenges anti-Blackness, settler colonialism, xenophobia, and all forms of racist oppression. We welcome the overdue and widespread realization that dismantling white supremacy must be our society's collective mission, and continue our long-standing efforts to grow the legal and political framework to do so. This includes advocating for abolition of a fundamentally racist carceral system, massive divestment from the police, and a correspondingly massive investment in the communities that have paid the price of centuries of subjugation, persecution, and violence. Thank you for your visionary and steadfast support of the broad and deep work of uprooting structural racism and advancing liberation.

### Fighting Structural Racism in Policing

The police murder of George Floyd sparked a flashpoint in the centuries-long history of structural anti-Black racism, firing up communities to rise in protest. Recognizing that racist violence is embedded in the U.S. criminal justice system, the Center for Constitutional Rights has tenaciously challenged discriminatory policing for decades. Today, we are proud to join our movement partners' calls to divest from the police, invest in our communities, and abolish a white supremacist system of policing, prisons, and surveillance.

From rapidly responding to pandemic policing practices to continuing years-long fights, several cases this year challenged specific police practices while building momentum for systemic change.

# STRUCTURAL RACISM

## DISMANTLING WHITE SUPREMACY



### New Rules, Persistent Discrimination

Social distancing to slow the spread of a pandemic must happen universally. Yet when data this spring revealed that the NYPD's enforcement of social distancing requirements discriminated

wildly against Black and Latinx New Yorkers — at the same level as the NYPD's stop-and-frisk practices, which we successfully challenged in our landmark [Floyd v. City of New York](#) litigation — we went to court to demand an investigation into, and temporary moratorium on, the NYPD's social distancing enforcement practices. Even if social distancing is new, racially biased policing is not.

Our demand for a moratorium highlighted the capacity of non-police-department and community-based alternatives to enforce social distancing norms, underscoring the movement's demands to defund the NYPD and to invest in alternatives that genuinely protect vulnerable communities.

Media including [Politico](#), [New York Daily News](#), and [amNY](#) quickly picked up this newsworthy moratorium.

### Where Racist Policing and Economic Exploitation Intersect

The City of Buffalo, NY, has for years over-ticketed Black and Latinx drivers to generate revenue, alleges our case, [Black Love Resists in the Rust v. City of Buffalo](#). Illegal vehicle checkpoints were erected in majority-Black neighborhoods to stop, search, and ticket Black motorists without probable cause or reasonable suspicion. After the City of Buffalo gained permission to keep almost all revenue from traffic tickets in 2015, financially onerous ticketing increased.

City revenues grew, unpaid traffic tickets resulted in driver's license suspensions, and as a result Buffalo made money on the backs of predominantly Black individuals. Following the activism of local groups, we've fought these practices since 2018 alongside the National Center for Law and Economic Justice and the Western New York Law Center. In April, five new plaintiffs joined the case, which challenges both discriminatory policing and an economic structure that balances the City's budget at the expense of poor people of color.

Local NPR affiliate [WBFO](#) covered this development.

### Sometimes We Succeed in Increasing Justice Even When We Lose in Court

In 2016, we joined with Arch City Defenders of St. Louis in [Furlow v. Belmar](#) to challenge a practice that was leading to unconstitutional arrests of poor Black people. Although the district court decided in favor of St. Louis in 2018 (we plan to appeal), the attention drawn to "wanted" — which permit police officers to designate an individual "wanted" for up to 24 hours without seeking a judicial determination of probable cause — recently compelled the St. Louis County Police Department to scale back the practice, and the newly elected county prosecuting attorney has pledged to eliminate it.

### And Sometimes We Win Big

The Center for Constitutional Rights has been working with coalition partners for years on legislation to hold New York police forces accountable for brutality and anti-Black policing. In June, we celebrated a major victory with Communities United for Police Reform when the long-fought-for Safer NY Act — which repealed a 1976 law that blocked public access to police officer misconduct and discipline records — was enacted into law. While massive uprisings created the pressure for New York's Governor Andrew Cuomo to finally sign the law, this win is the result of longtime work by visionary community members and activists. We celebrate the victory while keeping up the fight.

As the need for police reform made national news, reporters from national outlets such as [Fast Company](#), [Fortune](#), and [Refinery 29](#) amplified this story, along with local reporters from the [Albany Times Union](#).

# STRUCTURAL RACISM

## DISMANTLING WHITE SUPREMACY

### Dismantling White Supremacy on Many Fronts

#### Decarceration: [\*\*\*Belton v. Gautreaux\*\*\*](#)

As part of a national effort to release people from Immigration and Customs Enforcement (ICE) detention, prisons, and jails during the pandemic, we, along with co-counsel (The Advancement Project, Hogan Lovells, The Claiborne Firm, and Bill Quigley of Loyola University New Orleans College of Law), filed a federal class action lawsuit seeking the immediate release of medically vulnerable people imprisoned at the East Baton Rouge Parish Prison in Louisiana (a prison whose population is 80 percent Black, in a state that is the carceral capital of the world) and a total overhaul of the facility's virus transmission prevention procedures. Our litigation and advocacy work supports the demands of the East Baton Rouge Parish Prison Reform Coalition, community members, local advocacy groups, and those imprisoned and their families, to ultimately close this notoriously dangerous and decrepit facility. Reporters from the state newspaper, [\*\*\*The Advocate\*\*\*](#), reported on this important case.

#### Indigenous Rights:

#### [\*\*\*Ramapough Mountain Indians, Inc., v. Township of Mahwah, Ramapo Hunt & Polo Club\*\*\*](#)

In the fight against settler colonialism, dispossession, and environmental exploitation, the Center for Constitutional Rights continues to stand with and fight for members of the Ramapough Lenape Nation. A settlement with the Mahwah, New Jersey, municipality lifted oppressive fines levied on the Ramapough and allows them to pray and erect religious structures on their land. We continue to represent them as they face racial and religious harassment by a neighboring homeowners' association — a member of which filed an action trying to dismantle the settlement. In January, the court rejected his attempt. State paper [\*\*\*The Star-Ledger\*\*\*](#) led the coverage on this story, along with the hyperlocal [\*\*\*NJ Patch\*\*\*](#).

#### Land and History

As many as six cemeteries in St. James, Louisiana, containing the remains of formerly enslaved people may exist on a site slated for a toxic plastics facility. The Center for Constitutional Rights is supporting the grassroots group RISE St. James in their struggle to protect and access their ancestors' graves and more broadly to safeguard their communities from the continued environmental devastation and pollution created by chemical factories (see also [\*\*\*page 13\*\*\*](#)).



Senior Staff Attorney Chinyere Ezie and colleagues at press conference in front of Prada in Manhattan in February 2020

#### Culture Matters

We refuse to accept racism in fashion — or any other field. Center for Constitutional Rights Senior Staff Attorney Chinyere Ezie filed a complaint with the NYC Human Rights Commission over a Prada product line based on blackface imagery. In February, the fashion giant agreed to a settlement that requires them to strengthen policies and training on racial equity at the company, including the creation of scholarships for people from communities underrepresented in the fields of fashion and design. Like the filing of the complaint, the outcome received global attention. Reporters from the [\*\*\*New York Times\*\*\*](#), [\*\*\*Refinery 29\*\*\*](#), [\*\*\*Yahoo Philippines\*\*\*](#), [\*\*\*MSN\*\*\*](#), [\*\*\*The Today Show\*\*\*](#), [\*\*\*NY1\*\*\*](#), and [\*\*\*Harlem World Magazine\*\*\*](#) covered this victory.



Left to Right: Vince Warren, Monifa Bandele, Glenn Harris, & Katherine Franke

#### An Evening on Repair and Historical Justice

On October 15, 2019, the Center for Constitutional Rights and Race Forward presented “Towards Reparations,” a discussion with Board Chair Katherine Franke, author of *Repair: Redeeming the Promise of Abolition*; Executive Director Vince Warren; *Race Forward* President Glenn Harris; and Monifa Bandele, SVP of Moms Rising and contributor to the Movement for Black Lives’ “Reparations Now” Toolkit. Panelists and attendees had a powerful conversation about our collective obligation and capacity to achieve historical justice through reparations for Black people.



# PATRIARCHY

FIGHTING GENDER-  
BASED OPPRESSION



“It was not only unconstitutional, but inhumane. I was physically, mentally, and emotionally abused every day from the moment I woke up to the moment I went to bed by both guards and inmates .... The challenges I faced on parole were plentiful. Not only was I forced to remain in rural hells of a historically racist town from which I came, I dealt with transphobic parole officers who treated me awfully.”

—Ashley Diamond  
*Center for Constitutional  
Rights Client*

Ashley Diamond, a Black transgender woman, and social justice and prisoners' rights activist, whose landmark victory against the Georgia Department of Corrections (GDC) in 2016 made national headlines. Since her re-imprisonment as a result of a technical parole violation, we have advocated on her behalf to end her continuing brutal treatment in GDC custody

The Center for Constitutional Rights has long worked to advance gender equity and gender justice — championing human rights, challenging discrimination, and supporting movements to end violence against cis and trans women and queer, trans, non-binary, and gender-non-conforming people. With an intersectional approach that understands all systems of domination as connected, we are fighting to uproot patriarchy and sexism everywhere they are embedded, from employment to health care, from homeless shelters to prisons, and beyond. Fueled by your essential partnership, we won't stop fighting until gender-based oppression in all forms ends.

# PATRIARCHY

## FIGHTING GENDER-BASED OPPRESSION

### Working to End the Discrimination-to-Incarceration Pipeline

The Center for Constitutional Rights has worked for decades to protect members of LGBTQIA+ communities and HIV-positive people from discrimination, censorship, violence, criminalization, and persecution. One front in the struggle is our fight against the discrimination-to-incarceration pipeline. Last summer, along with the Transgender Law Center, we filed an amicus brief with the U.S. Supreme Court that elevated the voices of more than 30 transgender people who have experienced workplace discrimination. Their experiences clearly showed that when transgender people are turned away from jobs without legal recourse, they face poverty, homelessness, and criminalization.

In a society rooted in white supremacy and mass incarceration, this means trans people — especially Black trans people and other trans people of color — end up imprisoned at disproportionately high rates. And then the nightmare continues: they experience further state violence, are denied medical care, and suffer physical and sexual assault while incarcerated.

We are actively working to dismantle this devastating pipeline from discrimination to incarceration and abuse. We are demanding several U.S. agencies abandon proposed rule changes that would permit discrimination in employment and services by any entity that claims a religious purpose, which could impact marginalized groups including racial and religious minorities, women, and LGBTQIA+ people. In late 2019 and early 2020, we filed nine public comments to oppose these rules.

We also denounced a Trump administration change to the Affordable Care Act that eliminated anti-discrimination protections in accessing health care and insurance for trans people, pregnant people, and people who have had abortions. We have joined amicus briefs in cases challenging the rule in four U.S. states.

In *Lopez v. NYC Department of Homeless Services*, we are supporting Mariah Lopez, a transwoman with disabilities who faced denials of service, violence, and inaccessible housing in the NYC homeless shelter system. The case has the potential to change the city's shelter system, making it more safe and accessible for LGBTQIA+ people and people with disabilities.

The Center for Constitutional Rights is also supporting incarcerated trans people as they face and fight state-sponsored violence and discrimination. Together with the Southern Poverty Law Center, we are counsel to Ashley Diamond, a Black trans activist incarcerated by the Georgia Department of Corrections who is fighting for the rights of incarcerated trans people to be protected from assault and to have access to appropriate, competent, and gender-affirming medical and mental health care. We also filed an amicus brief in support of Adree Edmo, a transwoman incarcerated in Idaho. In a groundbreaking decision in August 2019, the Ninth Circuit Court of Appeals ruled that denying gender confirmation surgery to trans prisoners constitutes a violation of their constitutionally protected health care rights.

State-sponsored discrimination impacting LGBTQIA+ people is an epidemic in the United States, and we are sounding the alarm at the international level. In September 2019, in partnership with more than 50 legal experts and advocacy organizations, we filed a submission to the UN Office of the High Commissioner for Human Rights highlighting how the U.S. government's conduct toward LGBTQIA+ people violates international human rights laws and norms. In October 2019, we authored a report to the UN Human Rights Council as part of the UN's Universal Periodic Review of the United States and included a section concerning the status and treatment of LGBTQIA+ people.

The discrimination-to-incarceration pipeline is a travesty of justice. We'll keep fighting until it stops.

# PATRIARCHY

## FIGHTING GENDER-BASED OPPRESSION



Senior Staff Attorney Chinyere guest lecturing on sex discrimination in Legal Director Baher Azmy's Civil Rights Law Class at Brooklyn Law School in October of 2019

### Chinyere Ezie Honored by New York City Bar

Senior Staff Attorney Chinyere Ezie is a 2020 recipient of the Art Leonard Award, which recognizes compelling commitment to LGBTQ equality through the law.

The New York City Bar's LGBTQ Rights Committee will present the award at a ceremony this fall.

### Podcast: "The Activist Files"

"The Activist Files" is a podcast by the Center for Constitutional Rights where we feature the stories of people on the frontlines fighting for justice, including activists, lawyers, and artists. We interview movement partners, our clients, and people using storytelling to create change, and look to highlight lesser known aspects of the work. Learn more at [ccrjustice.org/activist-files](https://ccrjustice.org/activist-files).

#### "Liberation is Not Linear," episode 23 of "The Activist Files,"

featured Raquel Willis, a Black transgender activist, writer, former executive editor of *Out* magazine, and founder of Black Trans Circles, and Derecka Purnell, a human rights lawyer, activist, writer, and deputy director of the Union Theological Seminary Spirit of Justice Center. Listen on our website or various streaming platforms for their thoughts on organizing within the spectrum of privilege and oppression, how they bring multiple identities into their advocacy, cultural and coalition-building work, and the unfinished project of liberation.



*"As this moment reminds us, the struggle for racial justice, trans justice, and LGBTQIA+ rights are interconnected and more urgent than ever." —Chinyere Ezie | Senior Staff Attorney*

This year, advocates celebrated a major victory when the U.S. Supreme Court ruled that the 1964 Civil Rights Act protects LGBTQIA+ people against discrimination. The Center for Constitutional Rights, together with the Transgender Law Center, had filed an important amicus brief with the Supreme Court that elevated the voices of more than 30 transgender people who had experienced workplace discrimination firsthand. This year, advocates for equality celebrated a major victory when the U.S. Supreme Court ruled that the 1964 Civil Rights Act protects LGBTQIA+ people against discrimination. The Center for Constitutional Rights, together with the Transgender Law Center, had filed an important amicus brief with the Supreme Court that elevated the voices of more than 30 transgender people who had experienced workplace discrimination firsthand.



#### "How It Would Feel to Be Free: Southern Resistance to Race and Gender Oppression," episode 24,

was recorded in February in front of a live audience. Communications Director Chandra M. Hayslett led a discussion about the fights

for racial, gender, and LGBTQIA+ justice in the South with Lakeesha Harris, Reproductive Justice and Sexual Health Program Manager, Women with a Vision; Valencia Robinson, CEO and Founder, Mississippi in Action; and Quita Tinsley, Deputy Director, Access Reproductive Care-Southeast. Listen for a dynamic discussion of topics like crossing state lines to access abortions, discrimination by doctors, and the importance of centering Black trans women.

# OPPRESSIVE ECONOMIC STRUCTURES

COMBATING ABUSIVE CORPORATE POWER



“The enslaved people in these gravesites had no choice in where they lived, where they worked, where they died, and where they were buried .... Our ancestors are crying out to us from their graves – they are telling us to not let industry disturb their burial sites. Formosa Plastics did not inform the citizens of St. James or the parish council of the existence of the graves ... they don’t care, they just want to profit from St. James Parish.”

—Sharon Lavigne

*RISE St. James, speaking to the media,  
March 2020*



# OPPRESSIVE ECONOMIC STRUCTURES

## COMBATING ABUSIVE CORPORATE POWER

The Center for Constitutional Rights has a decades-long history of exposing and combating oppressive economic structures in the United States and around the world. We challenge corporate abuses and exploitative economic models and support movements striving for economic, environmental, and social justice. Your generous giving makes it possible for us to fight corporate abuses, corporate capture of government law and policy making, and environmental racism.



Our clients Myrtle Felton (right) and Sharon Lavigne (left) from RISE St. James, a faith-based grassroots community group, protesting the proposed site of Formosa Plastics in St. James Parish, Louisiana in December 2019

### Supporting Community-Based Movements to Fight Environmental Racism

Private companies profit from toxic petrochemical facilities they operate in Black communities throughout Louisiana's "Cancer Alley," an area between Baton Rouge and New Orleans so named for its high rates of cancer and other diseases. Since 2017, we have supported local Black-led organizations and environmental activists in the area who assert that lives, land, air, water, and the right to protest are all far more important than the interests of the oil and gas industry.

#### The Bayou Bridge Pipeline

The Bayou Bridge Pipeline (BBP), built by the company behind the infamous Dakota Access Pipeline, ends in the historic Black community of St. James, Louisiana. We represent three landowners in their challenge to the Bayou Bridge Pipeline Company's eminent domain lawsuit.

The landowners celebrated a resounding victory in July when the court ruled the company had "trampled" their constitutional rights. "When BBP consciously ordered construction to begin on this property prior to obtaining a judicial determination of the public and necessary purpose for that taking, it not only trampled defendants' due process rights as landowners, it eviscerated the constitutional protections laid out to specifically protect those property rights," the court wrote. The story was covered by 74 local and national news outlets, including local NBC news outlet [KPLC](#), national environmental blog [DESMOG](#), and [The American Prospect](#).

#### Whose Land Rights?

On Juneteenth 2020, members of the grassroots, faith-based group RISE St. James held a prayer service at a site where their formerly enslaved ancestors are believed to be buried. RISE members had to fight in court for their right to do so. We represented them in their successful request for a temporary restraining order that allowed the community members to access the cemetery, which is on land currently owned by the Taiwan-based company Formosa Plastics.

The company plans to construct a plastics facility that would double the already high levels of toxic emissions in St. James Parish. On behalf of RISE St. James, we submitted public records requests and enlisted independent archaeologists who discovered there may be as many as six cemeteries of formerly enslaved people on the site. We also requested that the St. James Parish Council rescind its land use grant to Formosa Plastics because the company did not disclose its knowledge of graves while its land use application was pending.

While those efforts continue, we have rallied Black civil rights leaders across the country to speak out in support of the local community members. We have also partnered with civil society in Taiwan who are similarly fighting against Formosa, and are witnessing powerful, transnational solidarity efforts in defense of environmental and historic justice. We will continue to stand with RISE St. James in arguing that a community's right to visit ancestral graves – and to breathe clean air – should rise above a corporation's right to pollute and profit. This deeply personal story was reported 369 times all over the globe, from [The Washington Post](#) and [NPR](#) to [Sierra](#) magazine, [Chemical & Engineering News](#), and [The Toronto Star](#).

# OPPRESSIVE ECONOMIC STRUCTURES

## COMBATING ABUSIVE CORPORATE POWER

### Defending the Right to Defend Communities and the Environment

Since the protests against the Dakota Access Pipeline in 2017, more than 60 bills have been introduced in 30 states that heighten the risk and criminal penalties for people who protest against pipelines. Many of these seek to frame righteous protests as “riots” and human rights activists as “terrorists.” In May 2019, we filed [White Hat v. Landry](#) on behalf of three protesters, as well as landowners and environmental and climate justice organizations, to challenge a new Louisiana law that dramatically increased the penalties protestors face for engaging in civil disobedience in and around pipelines and pipeline construction sites. The law, which went into effect in 2018, was drafted and pushed by a trade association that represents the oil and gas industry, and has already led to 16 felony charges against protestors. In July 2020, the federal district court in Louisiana ruled that the case could proceed over our motion to dismiss. News outlets from [The Louisiana Weekly](#) to [ProPublica](#) and [The Advocate](#) covered this story.



People's Law Firm co-counsel Heather Hamel; Bertha Justice Fellow Aya Saed; Advocacy Program Manager Dominic Renfrey; representatives from Black Lives Matter Phoenix Metro, Puente Human Rights Movement, Mijente Support Committee, and Arizona Palestine Solidarity Alliance, at a press conference outside Arizona state court after filing [Puente v. Arizona State Legislature](#).

### The People Push Back Against Corporate Control of State Law-Making

The American Legislative Exchange Council (ALEC) brings together state lawmakers, corporate leaders, conservative activists, and lobbyists to privately draft and promote model legislation across the country that sustains corporate power and white supremacy. With a 45-year legacy of designing and lobbying for laws that have negatively impacted the environment and harmed Black and Brown people — including Stand Your Ground and Voter ID laws — ALEC is a poster child for “corporate capture,” or the commandeering

of state law and policy-making by private industry for private gain. After years of visioning and building, this year we confronted ALEC in two major ways.

In December, we partnered with Dream Defenders, Palestine Legal, The Red Nation, and the U.S. Campaign for Palestinian Rights to release “ALEC Attacks: How Evangelicals and Corporations Captured State Lawmaking to Safeguard White Supremacy and Corporate Power.”

The landmark report documents the origins of ALEC-backed legislation and its impact on communities of color. The same month, we filed [Puente v. Arizona State Legislature](#) on behalf of organizations, including Black Lives Matter Phoenix and Mijente. The lawsuit asserts that dozens of Arizona state lawmakers violated Arizona's Open Meeting Law by attending ALEC's closed-door meetings to develop draft laws outside the public view.

ALEC's decades-long effort to control state law-making and harm Black and Brown communities is little known. We're working hard to change that by supporting communities in efforts to separate corporate and state power and reclaim democratic institutions for the people. Since the report was issued, our case has been mentioned 187 times in media outlets from the [Arizona Daily Star](#) to [The Guardian](#) and the [Associated Press](#).



### Challenging Corporate Capture Through International Advocacy

We are participating in the development of international human rights law so that we can better restrict corporate influence over state law and policy-making. In

October, Advocacy Program Manager Dominic Renfrey joined with our allies fighting corporate capture around the world for the ongoing international negotiations for a forthcoming UN Treaty on Business and Human Rights. Each of the three years we have attended the negotiations, our advocacy efforts have grown the momentum and support among UN member states for a vital element to be included in the forthcoming treaty that will require countries to make sure corporations do not interfere in the way laws and policies are made. As we expand the base of countries willing to support this provision each year, we make it more likely that this new treaty will be the first piece of international human rights law to address corporate capture.

### Holding Companies Accountable for Abuse

We are well into the second decade of [Al Shimari v. CACI](#), a federal lawsuit brought by Iraqi victims of torture against a U.S.-based government contractor that is alleged to have directed and participated in a conspiracy to torture at Abu Ghraib prison. With a petition for review filed by CACI pending before the U.S. Supreme Court, we have continued to ensure that our clients' voices are heard as this important human rights and corporate accountability case presses on.

# ABUSIVE STATE POWER

CHALLENGING UNJUST  
GOVERNMENT POLICIES



*Tatalu Dada and her daughter*

“I am the 40-year-old mother of a 7-year-old girl ... I am also trapped in immigration detention, severely immunocompromised, and terrified of dying from COVID-19, which is ravaging the state and will inevitably reach my detention facility.”

—Tatalu Helen Dada  
*in Common Dreams  
in April*

# ABUSIVE STATE POWER

## CHALLENGING UNJUST GOVERNMENT POLICIES

The Center for Constitutional Rights has been challenging abuses of power by government officials and institutions for more than half a century. Under this authoritarian, xenophobic, and racist administration, our work has only heightened as we continue confronting abuses in the areas of foreign policy, immigration, racial and religious profiling, and crackdowns on activism and dissent. We couldn't do it without your crucial support of our work during this critical time. Thank you!

Tatalu Helen Dada is the lead plaintiff in [\*Dada v. Witte\*](#) (WDLA), a federal lawsuit we filed on behalf of 16 medically vulnerable people held in immigration detention centers in Louisiana. We filed similar suits in Mississippi and Alabama on behalf of numerous other detained people. A former nursing student from Nigeria, Dada had been held in ICE detention for two years when the pandemic hit. Suffering from severe asthma, she was terrified of what would happen with the inevitable outbreak of COVID-19 at an overcrowded facility that was ill-equipped to prevent the spread of the virus, let alone adequately care for those who contracted it.

“I am fighting for my life,”  
Dada wrote in *Common Dreams*.

The Center for Constitutional Rights sought immediate release of Dada and others from six different detention centers, arguing the institutions could not provide the basic health care to which incarcerated people are constitutionally entitled. On May 22, after our vigorous emergency advocacy, the court ordered that Dada and 13 others be released.

“No one deserves to die from COVID-19 because of government abuse and indifference,” said Dada. As of the summer, Dada was with family, and doing well.

### Human Rights For All. Period.

The very foundation of this country is rooted in a false and deadly hierarchy of human life, with laws and policies enacted to protect and serve white supremacy and to marginalize entire communities. That legacy continues as we see the state abuse its power to target immigrants, Muslims, and many other groups in the U.S. and around the world. But together with our partners, we are building power and fighting back.

This year, we've had significant successes defending the rights of immigrants, men detained at Guantánamo, people who are incarcerated in the U.S., and those who have suffered from war crimes and human rights violations.

### Defending the Right to Move, to Return and to Belong

While the current administration dedicates itself to closing all avenues for immigration — with daily, devastating impacts on asylum seekers and others — we continue to challenge abusive immigration policies.

This year, we saw victories in three major lawsuits challenging practices at the U.S.-Mexico border, where the government is effectively ending this country's decades-long commitment to asylum by consistently turning people away and forcing them to return to countries where they face violence and risk death. In [\*Al Otro Lado v. Wolf\*](#), the court affirmed the U.S. has a legal obligation to provide asylum seekers access to the asylum process, and later granted a preliminary injunction allowing the thousands who were metered before the so-called “Transit Ban” (which denied access to asylum to those who had transited through a third country on their way to the U.S.) the opportunity to apply for asylum. In [\*East Bay Sanctuary Covenant v. Barr\*](#) and [\*East Bay Sanctuary Covenant v. Trump\*](#), the Ninth Circuit upheld injunctions against two separate Trump administration rules that would severely restrict access to the asylum process.

“... the [Transit Ban] rule the government promulgated topples decades of settled asylum practices and affects some of the most vulnerable people in the Western Hemisphere — without affording the public a chance to weigh in.” —Justice Sotomayor, joined by Justice Ginsburg, in their dissent to [\*East Bay Sanctuary Covenant v. Barr\*](#).



# ABUSIVE STATE POWER

## CHALLENGING UNJUST GOVERNMENT POLICIES

Immigrant women in sanctuary who have spoken out against U.S. immigration policy have been hit with hundreds of thousands of dollars in fines. Along with Grassroots Leadership, Free Migration Project, and Austin Sanctuary Network, we have filed a Freedom of Information Act request and lawsuit to obtain information about the policies behind the fines and other penalties.



*"All immigrants in ICE detention are now living in an epidemiological tinder box. They must be released." —Baher Azmy | Legal Director*

The COVID-19 pandemic has thrown into stark relief the inhumanity of detention and incarceration. People in prisons, jails, and ICE detention centers are trapped in overcrowded, unsafe, and unsanitary facilities where physical distancing and frequent hand washing are impossible — in some places, there isn't even soap — and medical care is woefully inadequate. It is a situation that could turn any detention into a death sentence.

We filed emergency lawsuits in Louisiana, Mississippi, and Alabama seeking the immediate release of medically vulnerable people held in immigration detention centers. Working closely with local and national partners, we supported #FreeThemAll actions, helping to make visible the racism and cruelty of detention and to demand that elected officials decarcerate facilities. In May, in *Dada v. Witte* (WDLA), the court ordered the release of 14 people held in Louisiana facilities whose medical conditions put them at heightened risk of contracting COVID-19.

### For Those Detained at Guantánamo, the Struggle for Justice Continues

Challenging the widespread human rights violations and abuses of state power in the never-ending "War on Terror," we continue to represent 16 men currently detained at Guantánamo, as well as many who have been released.

This year, a federal court issued a favorable ruling in [the case of Mohammed al Qahtani](#). Al Qahtani suffered from severe mental illness long before he was captured by the U.S. and brought to Guantánamo in 2002. In addition to his schizophrenia, the systematic torture al Qahtani survived at Guantánamo has caused him to suffer from Post-Traumatic Stress Disorder (PTSD). The Geneva Conventions mandate that independent medical experts

should decide whether someone is so infirm they are unable to participate in armed conflict, in which case there is no longer a rationale for their detention and they must be sent home. We argued that the government should convene such a medical commission to evaluate al Qahtani, and, in March, a judge ordered the government to do so — a decision that could have significant implications for the growing population of aging, sick men at Guantánamo.



Majid Khan

In a potentially path-breaking move in the case of cooperating witness Majid Khan, we requested that his approved sentence be cut in half as a remedy for the war crimes committed against him. In June, the judge issued a historic ruling that he had the legal authority to do this.

The carefully framed decision noted the "shocking mistreatment" Khan allegedly suffered, indicating that if Khan's allegations of abuse are accepted as true, they rise to the level of torture and violate norms of international law.



Djamel Ameziane

In May 2020, the Inter-American Commission on Human Rights published a landmark report on the human rights violations committed against our client Djamel Ameziane, who spent almost 12 years imprisoned at Guantánamo without charge or trial before being repatriated to Algeria. The IACHR report issued a series

of recommendations, including that the United States should provide material and moral reparations for the human rights violations Ameziane suffered. It is the first decision ever made by a major regional human rights body regarding the violations committed at Guantánamo.

Our work on Guantánamo over the past year, like always, has also entailed crisis work. This year saw a tragic decline in the mental and physical health of our client Sharqawi Al Hajj, a 45-year-old man from Yemen who has been held without charge at Guantánamo since 2004, after two years in CIA sites, and faces endless continuing detention. We fought in court for emergency outside medical care; while care was shamefully denied, the effort succeeded in generating critical outside scrutiny of Guantánamo's response. Together with the help of steadfast allies at the Center for Victims of Torture and Physicians for Human Rights, we will continue to fight for Al Hajj's life and health.

# ABUSIVE STATE POWER

## CHALLENGING UNJUST GOVERNMENT POLICIES

### Victories for Immigrants

The Trump administration has been relentless in its attack on immigrants of color, and we are supporting immigrants' rights organizations in fighting back. With our co-counsel the Legal Aid Society and Paul, Weiss, Rifkind, Wharton & Garrison LLP, we have led the fight against the Trump administration's public charge rules, which seek to overhaul the process for granting green cards by penalizing immigrants for low incomes and medical conditions. Having won an injunction against the Department of Homeland Security's public charge rules in [Make the Road New York v. Cuccinelli](#) in October, we filed the companion suit [Make the Road New York v. Pompeo](#) in December, seeking to block the Department of State's rules as well as a presidential proclamation barring entry to immigrants without private health insurance. After the Supreme Court, in a highly unusual move, stayed our injunction against DHS in January, we kept pushing. We collaborated with the New York Attorney General's office in an attempt to seek new relief to address the COVID-19 crisis, and with the National Immigration Law Center we fought hard for a nationwide injunction against the Department of State rules, which the district court enjoined in July. The Second Circuit affirmed the district court's original preliminary injunction, adopting our team's argument that Trump's public charge rules dramatically broke with historical precedent and Congressional intent. While DHS Rule has gone into effect as the government appeals, our brave clients – both community organizations and individuals – continue to do incredible advocacy to fight the targeting of low-income immigrant communities.



[Members of Migrant Justice marched to the Burlington, VT DMV to file a lawsuit against ICE, DHS, and the DMV for targeting immigrant leaders in retaliation for activism](#)

### Protecting Dissent and Human Rights Defense

In a campaign reminiscent of federal efforts to weaken progressive organizations in the 1960s and 1970s, Immigration and Customs Enforcement has targeted members of Migrant Justice, a Vermont-based activist group, with surveillance, harassment, arrests, and detention – with help from the Vermont DMV, which provided personal information about the targeted activists. In January, Migrant Justice and the Vermont DMV announced a settlement that will restrict communication and information-sharing between the DMV and federal immigration agencies. This victory was covered by local and hyperlocal outlets, including [The Vermont Digger](#), [WAMC Radio](#), and [Seven Days](#).

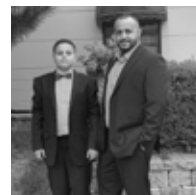


[Muhammad Tanvir](#)

### Challenging Islamophobic State Policy

#### *Tanzin v. Tanvir*

On October 6, 2020, the Supreme Court heard arguments in our case against Muslim profiling, [Tanzin v. Tanvir](#). The FBI placed our clients on the No-Fly List as a way to coerce them into becoming informants and spying on their Muslim communities, which they refused to do. We argued that our clients were entitled to damages for the harms they suffered under the Religious Freedom Restoration Act (RFRA), a congressional statute protecting minority religions.



[Our Dobashi client Tufaïc Mohamed Nagi and his son](#)

#### *Dobashi v. Trump*

The U.S. government unlawfully, retroactively applied the so-called Muslim Ban to the families of people who already had approved visas when the ban went into effect. We filed [Dobashi v. Trump](#) in September 2019 on behalf of 13 Yemeni-Americans, and today, all but one of those families have been reunited as a result of our advocacy. The families at the center of this case were featured in [The American Prospect](#), [SF Gate](#), [The Real News Network](#), and [The Nation](#).

# ABUSIVE STATE POWER

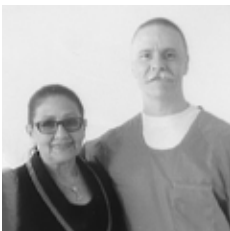
## CHALLENGING UNJUST GOVERNMENT POLICIES



Activists in Philadelphia march to support campaigns to abolish the police

### Human Rights for Incarcerated People

We are witnessing an extraordinary moment in the movement to fundamentally reimagine public safety beyond the racist U.S. system of policing and prisons. As grassroots partners and communities across the United States work to advance a vision of abolition, we are proud and determined to bring the full value of our longtime and wide-ranging work challenging detention and discriminatory policing, as well as our political analysis about the carceral state, in support of this necessary movement towards justice.



Dolores Canales, community outreach director for The Bail Project, visits Center for Constitutional Rights Plaintiff Todd Ashker in prison

### ***Ashker v. Governor of CA***

Our landmark 2015 settlement in ***Ashker v. Governor of CA*** succeeded in its main goal of releasing nearly every prisoner who had been held in long-term solitary confinement in California. Yet the California Department of Corrections and Rehabilitation continues to violate the human rights of people in prison.

After proving continuing, systemic due process violations related to the settlement, we won the right to a second year-long monitoring period and defended that victory in the Ninth Circuit. We are now working with our incarcerated partners to move for a third monitoring period to ensure that California stops fabricating confidential information to send people back to the torture of solitary. Our clients' stories were amplified in ***The Progressive***, ***Solitary Watch***, and ***San Francisco Bay View***.

### ***Aref v. Barr***

The long-running case ***Aref v. Barr*** challenged a Bureau of Prisons (BOP) policy that severely isolated certain prisoners. In spring 2019 — more than a decade after the policy was created — the BOP argued the case should be dismissed as moot because our clients had been released from prison, so a court order changing BOP policies could no longer help them. In opposition, we argued that the policy had led to the creation of false prison records for our clients and that we are seeking expungement of these records because of their potential impact on our clients' future. In November, the court ruled in favor of one of our clients, setting an important precedent. After nearly ten years of litigation, we will finally get a decision from the district court on our claim that the BOP's fundamentally flawed procedures violated due process.

### ***U.S. v. Ahmed Abu Ali***

International investigations following the murder of Jamal Khashoggi presented an opportunity for a new post-conviction habeas challenge to the life without parole sentence of Ahmed Abu Ali, who was convicted in 2005 of terrorism charges that relied on a "confession" obtained under torture by the Saudi secret police, or Mabahith. Abu Ali was detained and interrogated by the Mabahith for two years prior to his U.S. prosecution. New evidence showed that the same police agency that tortured Abu Ali, then denied it in U.S. court, was involved in the murder of Khashoggi and its international cover-up. In October, we filed a motion to vacate Abu Ali's sentence based on the new evidence. While it was ultimately denied, it was part of a long struggle that will continue until the unjust life sentence is overturned.



# ABUSIVE STATE POWER

## CHALLENGING UNJUST GOVERNMENT POLICIES

### The Freedom to Support Palestinian Rights

We continue to support activists and grassroots organizations facing legal attacks for their advocacy on behalf of Palestinian rights, including attempts to restrict Boycott, Divestment, and Sanctions (BDS) campaigns.

#### [Jewish National Fund v. U.S. Campaign for Palestinian Rights](#)

The Jewish National Fund and individuals who live in Israel near Gaza have filed an outlandish lawsuit against the U.S. Campaign for Palestinian Rights (USCPR), which casts collective activism, expression of solidarity, and human rights campaigning as unlawful. The suit abuses the U.S. material support statute and is intended to smear Palestinian rights advocacy and to isolate Palestinian organizations by rendering them radioactive. We, along with cooperating attorneys Judith Chomsky and Beth Stephens, and co-counsel Marks, O'Neill, O'Brien, Doherty & Kelly, P.C. have filed a motion on behalf of USCPR to dismiss the case.

#### [Davis v. Cox](#)

In February, a Washington appeals court upheld a ruling that dismissed a lawsuit against former board members of the Olympia Food Co-op for their 2010 decision to boycott Israeli goods. The case was dismissed in 2012 after we and co-counsel argued it was a Strategic Lawsuit Against Public Participation (SLAPP), but was reinstated after Washington's anti-SLAPP statute was struck down. This year's ruling dismissed the case a second, and final, time, deferring to the business judgment of the board members, who had the authority to adopt the boycott.



Steven Salaita

#### ***Bronner v. Duggan***

We are representing Dr. Steven Salaita in the ongoing case [Bronner v. Duggan](#), filed by four American Studies Association (ASA) members against the ASA and ten individuals after the ASA passed a 2013 resolution to endorse and

honor the call of Palestinian civil society for a boycott of Israeli academic institutions.

In June 2020, the D.C. Circuit Court of Appeals affirmed dismissal of the federal case, finding that plaintiffs had not alleged sufficient injuries to be in federal court. Plaintiffs also sued in D.C. Superior Court, where we filed an anti-SLAPP motion, which is currently on appeal in the D.C. Court of Appeals.

#### ***Awad v. Fordham University***

We continue to work with Palestine Legal to challenge efforts to suppress speech in support of Palestinian rights. In [Awad v. Fordham University](#), we are advocating on behalf of Fordham students' right to have a Students for Justice in Palestine (SJP) club at the university.



Legal team and clients after court argument in *Awad v. Fordham*

We won the case in August 2019, when the court annulled Fordham's decision to deny SJP club status and ordered Fordham to recognize SJP. Fordham has appealed, despite the fact that Fordham students have had a successful SJP club since the court's decision. National education and news magazines [Inside Higher Ed](#) and [Newsweek](#) and local outlet [The New York Post](#) helped amplify this victory.

#### ***Amicus Briefs in Anti-BDS Legislation Challenges***

Along with Palestine Legal, we filed amicus briefs in cases challenging the 2016 Arizona, 2017 Texas, and 2017 Arkansas anti-BDS laws that require government contractors to certify that they will not boycott Israel. In January, the Ninth Circuit Court of Appeals found *Jordahl v. Brnovich* moot because Arizona changed the law in response to the lawsuit. In April, the Fifth Circuit Court of Appeals found the same for the Texas law in *Amawi v. Paxton / Pluecker v. Board of Regents of the University of Houston System*. *Arkansas Times v. Waldrip* challenging the Arkansas law is currently on appeal in the Eighth Circuit Court of Appeals.

# ABUSIVE STATE POWER

## CHALLENGING UNJUST GOVERNMENT POLICIES

### Accountability for International Crimes in Palestine

Accountability for International Crimes in Palestine “It is time for justice. It is time for an investigation,” read an April 2020 open letter signed by the Center for Constitutional Rights and more than 180 organizations expressing support for an International Criminal Court (ICC) investigation into war crimes and crimes against humanity committed on the territory of Palestine.

In December, the International Criminal Court prosecutor concluded there is a reasonable basis to proceed with an investigation into war crimes and crimes against humanity committed on the territory of Palestine. The Pre-Trial Chamber invited victims to submit observations, and, in March, Center for Constitutional Rights Senior Staff Attorney Katherine Gallagher made a submission on behalf of 20 Palestinian victims of persecution from all parts of Palestine and the diaspora urging the ICC to authorize an investigation of **high-ranking** Israeli military and civilian **officials** without delay.



Senior Staff Attorney Katherine Gallagher represented victims of the U.S. torture program arguing before the Appeals Chamber of the International Criminal Court (ICC) to reverse a decision that blocked the ICC Prosecutor from investigating the grave crimes committed under the program

### Accountability for U.S. Torture in Afghanistan and Beyond

After 18 years of the Center for Constitutional Rights seeking justice and **accountability** for victims of the post-9/11 global torture program in U.S. courts, foreign courts, and before international bodies, former senior U.S. officials may face criminal liability for their involvement in unlawful detention, rendition, and torture. Following an intervention and argument by the Center

for Constitutional Rights and other victims representatives, the Appeals Chamber of the ICC authorized an investigation into alleged crimes against humanity and war crimes by U.S. armed forces and members of the CIA in Afghanistan and on the territory of other States Parties to the Rome Statute implicated in the U.S. torture program. [The New York Times](#), [The Guardian](#) and [Just Security](#) covered these developments and our role.

In retaliation, the Trump administration issued an Executive Order that could impose sanctions on the ICC or those who assist the investigation. The Center for Constitutional Rights is closely monitoring developments to ensure the investigation proceeds without improper interference.

### Supporting Art, Envisioning a Better Future

Knowing that art and cultural organizing have the power to effect change, we continue to create space for artists to inspire, shift narratives, and help us all envision a world of justice and liberation. Many of the men we have represented created beautiful artwork while detained at Guantánamo, proving that the human spirit and creativity can thrive in even the most harrowing circumstances.



Scan of Ameziane's art

### Guantánamo [Un]Censored

Guantánamo [Un]Censored: Art from Inside the Prison, which opened at the CUNY School of Law on February 19, coincided

with the 18th anniversary of the opening of the Guantánamo Bay prison. The exhibition, presented by the Center for Constitutional Rights, the Sorensen Center for International Peace and Justice, and the Immigrant & Non-Citizen Rights Clinic at CUNY Law School, featured art by men imprisoned without charge or fair trial at the infamous detention center, including our client Djamel Ameziane whose art is proudly pictured above.

### The Pencil Is a Key

Djamel Ameziane, who was unjustly detained for more than a decade at Guantánamo and whom we have been representing since 2006, was among the artists featured in *The Pencil Is a Key: Drawings by Incarcerated Artists*, which was on view at the Drawing Center in NYC from October 11, 2019 to January 5, 2020.

# IN THE NEWS

The Center for Constitutional Rights Communications team has had an incredible year, spreading our unapologetic perspective to millions of readers and viewers on traditional and social media, and expanding our use of new media, such as videos and graphics, to reach new audiences. With reporters focusing much of the last fiscal year on the health pandemic, the Communications Department had to be more strategic than ever to garner attention from reporters whose work shifted to cover the coronavirus. There were times when it was not appropriate to insert ourselves into the news cycle, but as our Legal and Advocacy work transitioned to address how marginalized communities were impacted by COVID-19, so did our communications tactics.

*Your continued support enables the Center for Constitutional Rights to keep amplifying our wonderfully radical perspective through diverse media channels, shift public opinion on our critical issues, and expand our audiences.*

4,748 MEDIA HITS

600 DOWNLOADS A MONTH

STAYING CONNECTED

OP-EDS

APPEARANCES

FACEBOOK LIVE

ENGAGEMENT

EMAIL NEWSLETTER

4 -PART BLOG SERIES

+ MORE EMAIL

Press releases and statements on breaking news that get to reporters' inboxes first, which helped the team secure 4,748 media hits.

Our monthly podcast, "The Activist Files," which features the stories of people on the front lines fighting for justice, including activists, lawyers, and artists, averages 600 downloads a month. The editorial team also produced its first live episode in February and its first cross-promoted episode with PolicyLink's podcast "Radical Imagination" in July.

Staying connected with reporters, producers, and bookers to keep them informed on our range of issues through relationship building and media briefings.

Op-eds from our clients and the legal and advocacy teams offering cutting-edge thought leadership on the pages of major newspapers and magazines from *The New York Times* to the *Washington Post*, and *Teen Vogue*.

Frequent appearances on MSNBC, Al Jazeera, Vice News, CNN, Democracy Now! and more, bringing our distinctive analysis to TV audiences.

Facebook Live streams to bring our thousands of supporters into the conversation during and after hearings, press conferences, and actions.

Growing engagement on Twitter, Facebook, LinkedIn, and our Instagram accounts.

Frontlines of Justice, our weekly email newsletter that brings you the Center for Constitutional Rights' latest every Monday.

The Daily Outrage, the Center for Constitutional Rights' blog, which among other topics features a four-part series on the movement response to COVID-19.

Emails on breaking news, upcoming events, and more.

# BUILDING THE NEXT GENERATION OF MOVEMENT LAWYERS

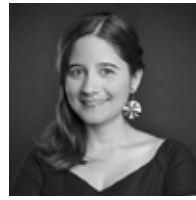
## Bertha Justice Fellowship Program

“Bertha Justice Fellows experience lawyering that is bigger than winning (or losing) in the courtroom. Together, we are working to force the law to serve the needs of those who are fighting for justice.”

—Rachel Meeropol  
*Senior Staff Attorney and Associate  
Director of Legal Training and Education*

The Bertha Justice Fellowship Program is a two-year program for emerging lawyers interested in gaining both practical experience working on Center for Constitutional Rights cases and a theoretical understanding of how legal advocacy can create social change. Bertha Justice Fellows are sponsored by the Bertha Foundation, which hosts emerging lawyers at legal organizations across the world.

We are excited to introduce you to the next class of Fellows, all of whom are passionately dedicated to using legal advocacy for social change. They just joined us this fall!



### Luna Martinez

Luna Martinez studied at Berkeley Law, where she was active with the *Journal of African-American Law*, Womxn of Color Collective, Students for Justice in Palestine, and the National Lawyers Guild. She has worked with Center for Constitutional Rights partners including Pal Legal and Earthjustice. Luna grew up in Mexico City and, prior to college, she founded a nonprofit, No Puedo Callar, that organized in indigenous Zapatista communities around issues including education, transportation, and economic support. Luna is passionate about environmental justice and working with marginalized communities.



### Elsa Mota

Elsa Mota studied at Yale Law School, where she has spent two years advocating for juveniles facing carceral consequences as part of the Educational Opportunity and Juvenile Justice clinic. She has interned at the International Refugee Assistance Project, the Asylum Seeker Advocacy Project, Bronx Defenders, and the NAACP Legal Defense and Educational Fund. She has also worked at the Community Justice Project in Miami. Elsa is excited about sinking her teeth into our work for racial justice, including efforts to decriminalize communities and dismantle the school-to-prison pipeline.



### Samah Sisay

Samah Sisay is a refugee from the civil war in Liberia and a 2018 graduate of NYU Law School, where she was involved in the Immigrant Rights Clinic and international human rights law. As a fellow with the African Services Committee in New York, she focused on providing legal representation on immigration matters to low-income African and Caribbean women impacted by sexual and gender-based violence. Samah has interned at the Sylvia Rivera Law Project and was previously an intern at the Center for Constitutional Rights. She has also volunteered at Survived & Punished, an abolitionist organization working to initiate mass defense projects to free criminalized survivors of violence. Samah aims to work at the intersection of gender justice, criminalization, and migrant rights, in the United States and in Africa, through an international human rights lens.



### Rafaela Uribe

Rafaela Uribe is a 2019 graduate of Temple Law School and was a 2018 Ella Baker Intern at the Center for Constitutional Rights. She has worked at the Defender Association of Philadelphia as a child advocate attorney, and at the Education Law Center. Before law school, Rafaela spent three years as an advocate at Bronx Defenders. After her fellowship at the Center for Constitutional Rights, she plans to return to the Bronx to help women and girls.

# BUILDING THE NEXT GENERATION OF MOVEMENT LAWYERS

## Ella Baker Internship Program

The Center for Constitutional Rights created the Ella Baker Summer Internship Program in 1987 to honor the legacy of Ella Baker, a hero of the civil rights movement, and train the next generation of social justice lawyers. Through our program, interns gain practical litigation experience and sharpen their theoretical understanding of the relationship

between social change, organizing, and lawyering. Ella Baker Interns also become connected to a global community of social justice law students and lawyers through our Ella Baker Alumni Network.

We are proud to introduce you to two 2019 Ella Baker Interns who are working with passionate commitment at the intersections of law and grassroots movements for justice.



“CCR made it possible for me to understand myself as an emerging attorney and an activist.”

### Emahunn Raheem Ali Campbell

Emahunn Raheem Ali Campbell, who is studying law at Rutgers University, has been involved with social movements for more than a decade. In college, he served as founder/co-chair of the Black Student Union and national anti-racism coordinator of Young Democratic Socialists. As a doctoral student — Emahunn holds a PhD in Afro-American Studies from the University of Massachusetts, Amherst — he established the Western Massachusetts chapter of Students Against Mass Incarceration and Justice for Charles, a successful campaign to free a young Black man who was serving life in prison for a murder he did not commit.

At the Center for Constitutional Rights, Emahunn worked on [\*\*Ashker v. Governor of California\*\*](#), a class action suit challenging prolonged solitary confinement at Pelican Bay State Prison, and supported our ongoing efforts to fight the alt-right and to challenge environmental racism in Louisiana’s Cancer Alley.

Since his Center for Constitutional Rights internship, Emahunn has worked with people incarcerated in New Jersey and with the Newark Water Coalition, and interned at the NAACP Legal Defense and Educational Fund.

“My time at what I sincerely believe to be the most innovative civil and human rights legal organization in the country has only deepened my passion to use my legal career to work alongside marginalized communities and grassroots movements. The Center for Constitutional Rights has both affirmed and changed my view on how the law works best when it helps build movements on the ground,” he said.



“My experience at the Center for Constitutional Rights ... showed me how the rubber meets the road when it comes to law and social justice.”

### Drew Heckman

Drew Heckman has just completed his studies at Harvard Law School and the joint Master in Public Policy program at the Harvard Kennedy School of Government. Prior to law school, Heckman spent years fighting for LGBTQIA+ employment protections in Nebraska. At Harvard, he volunteered with the Harvard Immigration Project and the Harvard Immigration and Refugee Clinic, and worked on the *Harvard Journal on Racial and Ethnic Justice*. Heckman previously interned at the Mexican American Legal Defense and Educational Fund.

As an Ella Baker intern, Heckman worked on [\*\*Black Love Resists in the Rust v. City of Buffalo\*\*](#), which challenges discriminatory policing; LGBTQIA+ case development; and [\*\*Energy Transfer v. Greenpeace, Earth First!\*\*](#), where we are defending Earth First! and Krystal Two Bulls in a SLAPP (strategic lawsuit against public participation) suit brought by Dakota Access Pipeline to harass environmental activists.

“I also learned what strong leadership and good teamwork look like, and how much they contribute to the culture of an organization and its work,” he said.

Heckman continues to fight for justice and pursue public interest law. During the uprisings in the wake of the murders of George Floyd and Breonna Taylor, he served as a legal observer with the National Lawyers Guild. In fall 2020, he will be a fellow at the National Immigrant Justice Center.



# DONOR SPOTLIGHT

THANK YOU

## BARBRA APFELBAUM

A retired teacher of ESL to adult immigrants and refugees, Apfelbaum holds a PhD in Italian and spent many years as a full-time activist in the feminist and peace movements. She cut her activist teeth with the New American Movement, a feminist and socialist organization of the 1970s, and was active in the Central America solidarity movement in the 1980s.

Today, she feels “more than ever the importance of supporting all the brave and inspiring activism happening in the U.S., grateful that I can offer some financial support, and especially grateful that the Center for Constitutional Rights is there as my legacy organization.”

As a member of the [Thelma Newman Planned Giving Society](#), Apfelbaum has included the Center for Constitutional Rights in her estate plan. “Once I made the decision to do that, it really gave me a sense of having taken care of something that is important to me,” she said.

She also supports our work on a monthly basis as a [Justice Sustainer](#).

“Back in April, when I started obsessively following the news about the coronavirus pandemic, the Center for Constitutional Rights sent out a statement that was for me a ray of light in the darkness. It just made me feel a bit more hopeful, which is what the very existence of the Center for Constitutional Rights, with its tireless and brave work, always makes me feel. And this has continued to be the case because of its commitment to defending Movement for Black Lives protestors, to fighting police abuse, to defending the most vulnerable and marginalized groups in this period. War, state violence, race, gender ... the Center for Constitutional Rights is always at the forefront of the good fight.”



“For years, perhaps beginning with the Center for Constitutional Rights’ important challenges to the opening of Guantánamo Bay, and the stop-and-frisk campaign, I have felt strongly that the organization never shies away from taking on issues that many of the larger organizations try to avoid.”



# DONOR SPOTLIGHT



“One thing I value about the Center for Constitutional Rights is they don’t view issues as either/or – they are pursuing different forms of justice simultaneously in a way that’s really important.”

## GRETCHEN SISSON

Gretchen Sisson has been engaged in advocacy and philanthropy for years, with a focus on reproductive health and reproductive justice. But when Trump became president-elect in 2016, she and her husband knew they wanted to commit to political giving in a more strategic and robust way.

They made a list of priorities, thinking about which people and institutions would be most at risk in a Trump administration, and reached out to friends and colleagues for suggestions. They wanted to give to organizations that would protect rights and justice and vulnerable communities at risk — and that’s when someone mentioned the Center for Constitutional Rights.

Gretchen has been particularly inspired by the deepening of our work in the U.S. South. As a sociologist who focuses on issues around reproductive decision-making, she is concerned about threats to abortion rights and what reproductive rights might look like in the coming years, especially in vulnerable states in the South.

Gretchen serves on the boards of Emerge America and WDN Action (a sister organization of the Women Donors Network), and on the steering committee for Electing Women Bay Area. She lives in San Francisco with her husband and three children, and is actively nurturing what she hopes will be a lifelong spirit of giving in her family’s next generation.

“I want my kids to have the sense that giving back is part of their lives,” she said. “They should always be thinking about how to support the people in our community and create the world they want to see.”



# TRIBUTES IN HONOR OF



**THOSE LISTED HERE HAD CONTRIBUTIONS MADE TO THE CENTER FOR CONSTITUTIONAL RIGHTS IN THEIR HONOR.**

**WE THANK THESE INDIVIDUALS FOR INSPIRING SUCH SUPPORT AND THEIR FRIENDS AND FAMILY FOR THEIR THOUGHTFUL GENEROSITY.**

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- Program Services  
(Litigation and Advocacy) ..... \$8,324,922
- Supporting Services  
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- Grants and Contributions..... \$10,616,556
- Court Awards and Attorney Fees... \$2,661,846
- Net Investment Income ..... \$313,597
- In-Kind Income..... \$434
- Other Income..... \$6,491.82

# WELCOME OUR NEW BOARD MEMBERS



## **Amna Akbar**

*Columbus, OH  
Associate Professor of Law  
at Ohio State University*

Amna's research and teaching focus on social movements, critical theory, and policing, race, and inequality. Her scholarship explores the intersections of national security and criminal law, and the potential of social movements to transform our thinking about law, law enforcement, and law reform. She writes for academic and popular audiences in outlets including *NOMOS*, *Citizenship Studies*, *Journal of Legal Education*, *Law and Political Economy*, *The Nation*, and *Boston Review*. In her teaching and lawyering work, she is deeply engaged with law and organizing in Ohio and around the country. Before Ohio State, Amna taught at NYU Law School and CUNY Law School. She received her B.A. from Barnard College, Columbia University, and her J.D. from the University of Michigan, where she served as editor-in-chief of the *Michigan Law Review*. After law school, she clerked for Judge Gerard E. Lynch in the U.S. District Court, Southern District of New York, and worked as a staff attorney at Queens Legal Services Corp. in a community-based project for survivors of domestic violence. She is a former Law and Public Affairs Fellow and Visiting Scholar at Princeton University.



## **Jumana Musa**

*Takoma Park, MD  
Human rights attorney and racial justice  
activist, Director of the Fourth Amendment  
Center at the National Association of  
Criminal Defense Lawyers (NACDL)*

As director, Jumana oversees NACDL's initiative to build a new, more durable Fourth Amendment legal doctrine for the digital age. The Fourth Amendment Center educates the defense bar on privacy challenges in the digital age, provides resources to help lawyers identify opportunities to challenge government surveillance, and establishes a tactical litigation support network to assist in key cases.

Prior to joining NACDL, Jumana served as deputy director for the Rights Working Group, a national coalition of civil rights, civil liberties, human rights, and immigrant rights advocates, where she coordinated the "Face the Truth" campaign against racial profiling. She was also the advocacy director for Domestic Human Rights and International Justice at Amnesty International USA, where she addressed the domestic and international impact of U.S. counterterrorism efforts on human rights. Jumana holds a B.A. in International Relations from Brown University and a J.D. from Georgetown University Law Center.



## **Vincent M. Southerland**

*Brooklyn, NY  
Executive Director, Center on Race,  
Inequality, and the Law at NYU Law*

Vincent has dedicated his career to advancing racial justice and civil rights. Before NYU, he served as an assistant federal public defender with the Federal Defenders for the Southern District of New York. Prior to that, Vincent spent seven years at the NAACP Legal Defense and Educational Fund, Inc. (LDF), where he was a senior counsel. While at LDF, he engaged in litigation and advocacy at the intersection of race and criminal justice, including the successful representation of people sentenced to death across the South and children sentenced to life imprisonment without parole. He also led LDF's advocacy efforts around race and policing, and was lead counsel in school desegregation and employment discrimination matters. Vincent previously served as a staff attorney at the Bronx Defenders and an E. Barrett Prettyman Fellow at Georgetown University Law Center. He began his career as a law clerk to the Honorable Theodore McKee, Judge of the United States Court of Appeals for the Third Circuit, and the Honorable Louis H. Pollak, of the United States District Court for the Eastern District of Pennsylvania. Vincent holds an L.L.M. from Georgetown University Law Center, and received his J.D. from Temple University School of Law and his B.A. from the University of Connecticut. He serves on the boards of The Bail Project and the Federal Defenders of New York.

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## **Include the Center for Constitutional Rights in your will**

Including us as a beneficiary in your will is an excellent way to make a statement about the values you held during your lifetime while ensuring that we will be here for the long haul. You may choose to make a bequest to us of a specific dollar amount or a percentage of your estate.

## **Make the Center for Constitutional Rights your birthday gift!**

Ask friends and family to make gifts to the Center for Constitutional Rights in your honor as your holiday/ birthday/ anniversary/no-reason-at-all gift OR make gifts to us in honor of the folks on your shopping list. These gifts will pay tribute to our shared social justice values and build our audience, while fueling our efforts to fight for the most vulnerable and building the power of social movements.



For more information on any of the above, please contact:

Theda Jackson-Mau  
Director of Development  
[tjackson-mau@ccrjustice.org](mailto:tjackson-mau@ccrjustice.org) or  
212.614.6448



## **Donate stock**

If you sell depreciated stock and give the proceeds to the Center for Constitutional Rights, you may be able to claim the loss on your taxes, as well as the charitable deduction. If you donate appreciated securities to us, you may avoid capital gains taxes and receive a charitable deduction. For stock transfer information, go to [ccrjustice.org/gifts-stocks-funds](https://ccrjustice.org/gifts-stocks-funds).



## **Attend a virtual event – and bring a friend!**

If you are on our email list, you will receive invitations. Public events are listed on our calendar at [ccrjustice.org/calendar](https://ccrjustice.org/calendar).



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The Center for Constitutional Rights is grateful for your dedication and partnership. You make it possible for us to think big and to stake out daring positions.

Because of you, our litigation and advocacy are holistic, fearless, and relentless.

Together, we are transforming the power structures that oppress vulnerable communities, building the strength of social justice movements, and training the next generation of movement lawyers and activists.

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# JUSTICE TAKES A FIGHT.

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