

### centerforconstitutionalrights

Winter 2008 Newsletter

### Challenging Racial Profiling by the New York City Police

n September 10, 2008, a U.S. District Judge issued an important ruling in CCR's civil rights lawsuit, *Floyd*, et al. v. City of New York, et al requiring the NYPD to turn over to CCR all 'stop-and-frisk' data for the preceding 10 years.

This lawsuit charges the NYPD with engaging in illegal racial profiling and stops of law-abiding city residents. According to CCR attorneys, the plaintiffs in the case represent the hundreds of thousands of New Yorkers who over the last several years have been stopped on the way to work, in front of their house, or just walking down the street without any cause, primarily because they were people of color.

The *Floyd* case is a continuation of



our efforts begun with CCR's landmark *Daniels* case, which led to the disbanding of New York City's infamous Street Crime Unit. *Daniels* required the NYPD to maintain a written racial profiling policy and to provide stop-and-frisk data to CCR. The Center had to go back into court

to obtain the full data release. Partial data revealed that police stops increased by more than 500 percent between 2002 and 2006, with Blacks and Latinos accounting for 90% of those stopped. The *Floyd* lawsuit challenges the NYPD's current racial profiling policies and attempts to fully enforce the consent decree issued in *Daniels*.

CCR attorney Darius Charney: "It's time for the NYPD to end its policy of secrecy. New Yorkers deserve an accountable and transparent police department. Once the NYPD hands over the data; we plan to make it public along with a detailed analysis to make sure our police department doesn't operate under unconstitutional racial profiling policies."

### New Report Describes Shattered Lives of Released Guantánamo Detainees

new report by human rights experts at the University of California, Berkeley, describes in searing detail the experience of detainees at Guantánamo and Afghanistan, from capture to release. The report, entitled Guantánamo and Its Aftermath: U.S. Detention and Interrogation Practices and Their Impact on Detainees, is based on a two-year study of 62 released detainees currently living in nine different countries. The UC Berkeley report, done in partnership with CCR and including interviews of CCR clients, also has interviews with government officials, military experts and camp personnel.

The report concludes the U.S. government's policy of paying cash bonuses for

prisoners had the effect of creating an "indiscriminate and unscrupulous dragnet" in Afghanistan that resulted in the detention of many people who had no connection to Al Qaeda or the Taliban and posed no threat to U.S. security. Many of those interviewed were sold into captivity and then subjected to brutal treatment in U.S.-run prisons. After being transferred to Guantánamo, they were denied the basic right to challenge their detentions in a civilian court. Over half of the detainees who recounted interrogations characterized the sessions as abusive, including the use of methods such as stress positions, prolonged solitary confinement and exposure to extreme temperatures, loud music and strobe lights. The study's

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### After 12-Year Wait, Shell Ordered to Trial

In a case that was first filed by CCR in 1996, U.S. District Court Judge Kimba Wood recently set a trial date for February 2009 for a human rights and racketeering case against the Royal Dutch Shell Company and the former head of its Nigerian operation, Brian Anderson. The judge rejected Shell's latest attempt to postpone the trial.

Wiwa v. Royal Dutch Petroleum and Wiwa v. Anderson are lawsuits filed by CCR, co-counsel from EarthRights International and Paul Hoffman on behalf of relatives of murdered activists who were fighting for human rights and environmental justice in Nigeria. Ever since Royal Dutch Shell began using land in the Ogoni area of Nigeria for oil production in 1958, industry pollution has contaminated the local water supply and agricultural land. For decades, the company worked with the Nigerian military and police to suppress protests against the oil company. CCR alleges that in 1995, Royal Dutch Shell and its subsidiary colluded with the Nigerian government to bring about the arrest and execution of the Ogoni 9, a group of



nonviolent activists who were hanged after a sham trial. The internationally renowned writer, Ken Saro-Wiwa, was among the nine activists executed.

The defendants in these lawsuits are charged with complicity in human rights abuses including summary execution, crimes against humanity, torture, inhuman treatment and arbitrary arrest and detention. The lawsuits were brought under the Alien Tort Statute (ATS) and the Torture Victim Protection Act. CCR has pioneered the innovative use of the previously little-known ATS, which allows victims of human rights abuses committed anywhere in the world to

sue their perpetrators in U.S. courts. The case against Royal Dutch Shell also alleges that the corporation violated the Racketeer Influenced and Corrupt Organizations (RICO) Act, and will be the first such case to go to trial.

Despite many delays and Shell-driven legal detours, CCR has been determined to bring this case to trial. Ken Saro-Wiwa is represented in this case by his son, Ken Saro-Wiwa, Jr., who issued the following statement after receiving word that a trial date had finally been set: "It is a relief that after 12 years we have finally vindicated Ken Saro-Wiwa's insistence that Shell will one day have its day in court. We hope, ultimately, that this will reinforce the message that non-violence and the rule of law are the foundations of true justice...We welcome the decision of the judge and would like to express our sincere gratitude to the Center for Constitutional Rights and other people of conscience who have stayed the course."

The Center expects this trial to be followed closely in Nigeria, the U.S., and around the globe.

### Notorious Death Squad Leader "Toto" Constant Found Guilty

In late October, Federal Judge
Abraham Gerges handed down
a stiff sentence for Haitian former death squad leader Emanuel
"Toto" Constant who was found
guilty on all counts of grand
larceny and mortgage fraud this
summer. Constant is to serve 12.3
to 37 years for his crimes against
the people of New York. CCR
Attorney, Jennie Green, issued the
following statement in response:
"We are glad that Toto Constant
will finally serve time for some of

his crimes. The sentence was far greater than the minimum plea bargain initially offered, and we are pleased the judge took Constant's crimes against the people of Haiti into account."

In 2004, CCR and the Center for Justice and Accountability filed suit against Constant on behalf of three women who survived FRAPH's campaign of violence. Due to a fear of reprisals, the plaintiffs had to submit their

testimony anonymously, and two of the women testified in court behind a screen. The court found Constant liable for torture, including rape; attempted extrajudicial killing; and crimes against humanity, and ordered him to pay \$19 million in damages.

The judge denied Contant's motion to set aside the verdict and an appeal of the civil suit is now pending before the Second Circuit Court of Appeals.

## CCR Increases European Presence in Effort to Secure Protection for Stranded Detainees

Days following the U.S elections, CCR teamed up with Amnesty International, Human Rights Watch, Reprieve and the International Federation for Human Rights to host a working group meeting in Berlin, Germany. The meeting launched a renewed effort to find safe haven for the approximately 50 detainees who cannot be safely repatriated to their home country for fear of torture or persecution or because they are stateless. Lawyers and advocates from the U.S. and eleven other countries engaged in this issue together to strategize about the most effective ways to proceed with a common agenda. Following the meeting, CCR attorney Emi MacLean traveled to several Europe countries for lobbying meetings and to build alliances with national lawyers and advocates on this issue.

The importance of securing safe placement for these men who continue to languish in Guantánamo is particularly important in light of the recently released University of California, Berkeley study (see page 1) that found stigma and discrimination continues to affect detainees long after their release. The working group meeting in Berlin spoke to the need for the meaningful re-integration of released detainees.

CCR welcomes British barrister Irena Sabic as the Center's new Guantánamo International Advocacy Consultant who will help continue this renewed momentum on the European front. Irena comes to us with previous CCR experience: on a fellowship in late 2007, Irena worked with the Center's Guantánamo team to write on preventative detention issues, support efforts before the Inter-American Commission on Human Rights and our efforts around the landmark U.S. Supreme

Approximately 50 detainees cannot be safely repatriated to their home country for fear of torture or persecution, or because they are stateless. They continue to languish in Guantánamo for lack of a country willing to offer them safe haven.

Court case of Boumediene v. Bush.

As part of her new assignment with CCR, Irena will advocate with government officials and parliamentarians at the national and European levels to secure third-country protection for detainees who cannot be returned to their home countries, and will help build CCR's contacts with international human rights advocates, attorneys, and NGOs abroad.

These efforts will be crucial as we prepare to continue our Guantánamo

Global Justice Initiative under an Obama Administration that has promised to close the prison at Guantánamo Bay. The opportunity presented by a new Administration opens the first real hope we have had in years that Guantánamo will be closed, and those currently detained will be either charged or released. However, one-fifth of the remaining detainees do not currently have a country to which they can be safely transferred. CCR will remain committed to this work now and after detainees are released from detention.



Main studio for Al Jeezera in Qatar.

A one-day conference in November celebrated the launch of Al Jazeera's new Public Liberties and Human Rights Desk led by former Guantánamo detainee Sami al Hajj. The conference took place at Al Jazeera's headquarters in Doha, Qatar. The ceremony included panel discussions, such as "The Role of Media in Enhancing & Protecting Human Rights," where CCR attorney Gitanjali Gutierrez presented "Human Rights between Legal Texts & in Practice in the West: Guantánamo."

### Innocent Guantánamo Uighur Detainees Ordered Released, Hopes Dashed with Government Appeal

This October we won a huge victory for 17 Uighur men who have been imprisoned in Guantánamo Bay for almost seven years were ordered released by a federal judge. Members of an oppressed ethnic minority in China, the Uighurs had fled to Afghanistan, where they lived in peace until war broke out in 2002. After fleeing to Pakistan to escape U.S. bombing where they were initially welcomed, these men were later arrested by Pakistani authorities and sold for a large bounty to the U.S. military.

In 2003, the Bush administration acknowledged that these Uighur men were improperly detained and eligible for release. Yet they remained in Guantánamo because the U.S. government could not transfer them to China, where they would be at serious risk of torture, and the administra-



tion was unwilling or unable to find another country willing to accept them. Furthermore, the government refused to allow them to be released into the U.S., apparently aware that these innocent Uighurs would be a potent and highly visible symbol of Guantánamo injustice.

In October, after years of litigation, the U.S. government had finally conceded that none of these men

would be treated as "enemy combatants," and the judge therefore saw no reason for them to be held any longer. The Honorable Ricardo Urbina, a federal judge responsible for their habeas petition, ordered that all 17 men be released into the United States by the next week. This was the first time that a district court judge had ordered Guantánamo prisoners released from prison as a result of a habeas petition.

Unfortunately, the joy was short lived—one day after this important victory, the Court of Appeals granted the U.S. government's request for a stay of order, and these 17 innocent men remain imprisoned at Guantánamo. CCR and its partners in this case will continue to fight for the justice on behalf of these men, whose continuing imprisonment defies any moral explanation. CCR Staff Attorney Emi MacLean: "The Supreme Court held in June that all the men at Guantánamo have a right to a hearing, and that release is the necessary result if the government cannot justify an individual's imprisonment. We are not in an era of impenetrable dungeons—we should be a country that stands for iustice. The release of these men is long, long overdue."

### CCR is Grateful to our Foundation Funders for Their Support\*

The Atlantic Philanthropies (USA) • The Bardon-Cole Foundation • The Epstein Teicher Philanthropies • The Fiduciary Trust Company International • The Firedoll Foundation • The Ford Foundation • The Frances and Benjamin Benenson Foundation • The Fritz and Yvonne Pappenheim Fund of the Tides Foundation • The Funding Exchange National Community Funds • The Grodzins Fund • The HKH Foundation • The Jeannette and H. Peter Kriendler Charitable Trust • The JEHT Foundation • The Jewish Communal Fund • Jewish Community Federation of Cleveland • The Liberty Hill Foundation • The Libra Foundation • Madison Community Foundation • The Normandie Foundation • The Oak Foundation • The Open Society Institute • The Puffin Foundation • The Richard A. Busemeyer Atheist Foundation. • The Stewart R. Mott Charitable Trust • The Tides Foundation • The Vanguard Charitable Endowment Program • The Vital Projects Fund, Inc.

\*The foundations listed above provided leadership-level grants of \$5,000 or more between 6/1/08 and 11/14/08.

### Guantánamo Report

authors conclude that the cumulative effect of these methods appears to have violated international and domestic prohibitions against torture or other

cruel, inhuman, or degrading treatment.

Unfortunately, the trauma experienced by the detainees did not end after their release from Guantánamo. According to Laurel Fletcher, Director of the International Human Rights Law Clinic at UC Berkeley Law School, "Men never convicted of crimes or given the opportunity to clear their names are suffering from a lasting 'Guantánamo stigma'." As a result, many of the released detainees have been unable

to find employment or to reintegrate into

their communities and almost two-thirds report experiencing ongoing psychological

problems. No former detainees have yet

result of their imprisonment.

received restitution for harm suffered as a

"There is no doubt that these men and their families have suffered the gravest consequences of the Bush Administration's so-called war on terror," notes CCR Executive Director Vincent Warren. CCR has led the legal battle over detentions and conditions at Guantánamo for more than 6 years, and coordinates the efforts of more than 500 pro bono lawyers to ensure that all of the detainees have access to legal representation.

Most of the detainees interviewed for the study did not report feeling vengeful toward the U.S., but expressed a desire for justice and a chance to clear their names. The director of the UC Berkeley Human Rights Center, Eric Stover, concludes: "We cannot sweep this dark chapter in our nation's history under the rug by simply closing the Guantánamo prison camp. The new administration must investigate what went wrong and who should be held accountable."

To view the full report, including the authors' recommendations for corrective measures, please visit www.CCRjustice.org/reports.

### A Major Victory for Constitutional Rights: Algerian Detainees Ordered Released

This November, Judge Richard J. Leon ordered the release of five Algerian men who have been imprisoned at Guantánamo Bay for nearly seven years. Despite years of legal challenges and hundreds of cases, this was the first judicial acknowledgment there have been illegal and unconstitutional detentions at Guantánamo. Judge Leon's decision was an important victory for human rights and the rule of law.

Judge Leon's ruling comes on the heels of the historic Supreme Court last June in CCR's case, *Boumediene v. Bush*, in which the Court held by a narrow majority that the Guantánamo detainees do indeed have the constitutional *habeas corpus* right to challenge their detentions. In the first completed *habeas* hearing following *Boumediene v. Bush*, Judge Leon said that the government's secret evidence against the five Algerian men—a single classified document from an unnamed source—was too weak to justify their imprisonment. The men had been arrested in Bosnia, far removed from the war in Afghanistan. Significantly, Judge Leon took the highly unusual step of urging the government not to appeal his decision and stated that the five men should be released "forthwith."

Judge Leon, a Bush appointee, is known as a conservative judge and had issued a previous ruling in 2005 against *habeas corpus* rights for Guantánamo detainees. The fact that Judge Leon, after viewing the actual evidence in this case, could find no reason to justify holding the five men confirms what CCR has been arguing all along—that the reason the Bush Administration has been so resistant to *habeas* hearings is that it has little or no credible evidence against most of the detainees.

Detainees "participated" via phone in the *habeas* hearing, which was closed to the press and public. After the ruling, CCR Executive Director Vincent Warren issued the following statement: "This decision makes it clear once again that even with presumptions in its favor, the government cannot muster the barest evidence in support of its arbitrary detentions....We hope a new administration makes restoring the lives of hundreds of men at Guantánamo who have never been charged with any crime or tried in a court of law a top priority. Guantánamo Bay is a failure by every measure and must be closed immediately."

CCR has led the fight for due process rights for the Guantánamo detainees, filing the first *habeas corpus* petition in February 2002. With the exception of a few brave death penalty lawyers, CCR was virtually alone for the first part of this struggle. The Center now works with and coordinates the representation efforts of more than 500 volunteer lawyers. For more information about CCR's Guantánamo Global Justice Project, visit www.CCRjustice.org/illegal-detentions-and-Guantánamo.

### Training the Next Generation of Lawyers: A Former Ella Baker Fellow in the News

In honor of Ella Baker, a hero in the civil rights movement, CCR conducts an Ella Baker Summer Fellowship Program to provide law students with a progressive alternative to the more traditional experience offered elsewhere. The legal training and mentoring provided give students a hands-on experience in public interest lawyering and social justice casework.

Carolyn Hsu, a recent Ella Baker intern, was involved in a major legal victory involving an immigrant who has been fighting removal proceedings and mandatory detention for over two years. Carolyn, along with three fellow law students and a supervising attorney at UC Davis, filed a *habeas corpus* petition challenging their client's continued detention. After a lower court dismissal the students filed an appeal to the Ninth Circuit Court of Appeals, which agreed to hear the case on an expedited schedule.

Carolyn Hsu and Jessica Zweng presented oral arguments to the Ninth Circuit Court of Appeals in October, relying heavily on precedent set by the recent Supreme Court decision in the landmark Guantánamo detainee case, *Boumediene v. Bush.* In November, the court issued a favorable ruling, finding that immigrants in mandatory detention with potential citizenship claims have the *habeas corpus* right to challenge their confinement, and the case was remanded to the District Court with instructions for an expeditious proceeding given the over two-year detention of the petitioner.

CCR congratulates Carolyn Hsu for this remarkable achievement, which was a victory both for her client and for extending the impact of *Boumediene* beyond the national security context.

For law students interested in learning more about CCR's Ella Baker Student Program or Internships throughout the year, please visit www.CCRjustice.org/ella-baker-fellowship.

## Progressive Causes Lose a Friend with the Passing of Stewart R. Mott

CCR mourns the passing of a longtime supporter, Stewart R. Mott, who died in June. Born in Flint, Michigan, Mr. Mott was a self-described "avant-garde philanthropist" who lived by the motto "Let us be known by our deeds." Through the foundation he founded, the Stewart R. Mott Charitable Trust, he supported many progressive causes including: birth control, abortion reform, sex research, arms control, feminism, civil liberties, governmental reform, gay rights and research on extrasensory perception. Mr. Mott was included on Richard Nixon's infamous "enemies list" because Charles Colson had said of him, "nothing but big money for radic-lib candidates." The Center was fortunate enough to be one of the radic-lib organizations the Trust generously supported. Our deepest condolences go out to Stewart Mott's family and friends.

#### New Board Member

Chandra Bhatnagar is a Staff Attorney with the Human Rights Program (HRP) of the ACLU, where he leads HRP's domestic and international advocacy around Hurricane Katrina,



affirmative action, and juvenile justice issues. He is currently engaged in federal court litigation and litigation in international tribunals involving the rights of low-wage immigrant workers, undocumented workers, and guest-workers. He was a Skadden Fellow and Staff Attorney with the Asian American Legal Defense and Education Fund, where he directed the South Asian Workers' Project for Human Rights, a community-based project providing legal services to low-wage workers from South Asia.

Previously, he was the Assistant Director of Columbia University's "Bringing Human Rights Home Project," where he worked to improve conditions affecting post 9-11 detainees and efforts to organize a coalition of human rights defenders in the United States.

Bhatnagar has also worked internationally, partnering with a leading NGO in India in applying human rights standards to their anti-child labor/bonded labor campaigns, and domestically with the Center for Constitutional Rights, where he did immigrants' rights and anti-police brutality organizing, and served as the interim director of the Ella Baker Summer Intern Program. He received a J.D. from the University of Pennsylvania Law School, and an LL.M. in international human rights from Columbia Law School.

Chandra brings to CCR's board a keen political acumen, a wealth of experience in using the law in partnership with social justice movements, and leadership in the emerging generation of human rights advocates.

### Rehearing the Case of Maher Arar:

#### Holding U.S. Officials Accountable for Conspiring to Torture

In the most well-known case of the Bush administration's egregious policy of "extraordinary rendition," Syrian-born Canadian citizen Maher Arar was detained at JFK Airport, and then sent by U.S. authorities to Syria, where he was interrogated, tortured, and imprisoned for nearly a year in a small underground cell. Despite the fact that the Canadian government has cleared Mr. Arar of any connection to terrorism, and issued compensation for its role in his ordeal, the U.S. government still refuses to remove him from its watch list and has not yet held anyone involved in his case accountable.

After a panel of the Second Circuit Court of Appeals in June 2008



CCR Client Maher Arar

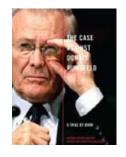
affirmed 2-1 the dismissal of Mr. Arar's lawsuit brought by CCR, the Court took the extremely rare and encouraging step of deciding *sua sponte* (of their own accord, without either party's request) to rehear the case *en banc* by Second Circuit 12 judges on December 9, 2008.

CCR is arguing that U.S. officials violated the Constitution by conspiring to have Mr. Arar tortured in Syria, and by preventing him from going to court to stop their plan. "Maher has been seeking justice long enough," said CCR attorney Maria LaHood. "Our country prides itself on a system of government in which the judiciary has the duty to check unbridled Executive power—the U.S. officials who sent Maher to Syria to be tortured must be held accountable."

CCR is hopeful that Mr. Arar will finally secure a measure of justice in this country. A victory in this case would go a long way toward discouraging future administrations from outsourcing torture.

### The Trial of Donald Rumsfeld

CCR is proud to announce Board President Michael Ratner's new book, *The Trial of Donald Rumsfeld*. In the book Michael Ratner presents clear evidence, provided in the form of a court case, that the Bush administration is guilty of war crimes. The book lays



out the case that high-level officials ordered, authorized, implemented and permitted war crimes—including the crimes of torture and cruel, inhuman, and degrading treatment—yet leaves the ultimate judgment of guilt/innocence to the reader.

According to Amy Goodman, host of *Democracy Now!*, "This book will be required reading for all of Donald Rumsfeld's lawyers and travel agents--he'll have to check twice before leaving the country if he hopes to stay out of prison. To war criminals walking free among us, beware: Ratner and the Center for Constitutional Rights are on the case!"

# CCR Forces NYC to Pay \$2 Million to Illegally Arrested Anti-War Protesters

CCR and its co-counsel were pleased to announce in August a \$2 million settlement in their lawsuit against the City of New York on behalf of 52 activist who were illegally arrested in 2003 while protesting against the Iraq war in front of a military profiteer's offices in midtown. The settlement in *Kunstler et al.*, *v. NYC* follows the dismissal in 2003 of all criminal charges brought against these individuals and four costly years of delays by the City in negotiating an end to the civil lawsuit.

Attorneys and plaintiffs noted that the City's decision to drag the case out is part of a long and disturbing pattern by which it attempts to "wear down" plaintiffs to avoid political damage, even at huge expense of tax dollars and City resources. An NYPD videotape of the demonstration depicts a group of demonstrators lined along the sidewalk of West 56th Street between 5th and 6th Avenues—with ample space for pedestrians—who were arrested without any police warning or opportunity to leave. The police arrested 94 people that day.

"We hope our victory helps convince the City to stop violating people's rights as a matter of policy and stop wasting taxpayers' money doing so," said Sarah Kunstler, an attorney and filmmaker who is also the daughter of the late attorney William Kunstler, a CCR founder and noted civil rights champion.

CCR's new Annual
Report is now
available on line at
CCRjustice.org/
annual-report

Thank you for your continued support!

## Donor Spotlight: S. Chic Wolk

Chic Wolk's long standing support for both the Center for Constitutional Rights and the National Emergency Civil Liberties Union predates the NECLC merger with CCR in 1998. Chic acutely remembers the witch hunts of the McCarthy era and the slow recovery of civil rights and liberties in the 1960's. He says, "Although I have



contributed to other civil liberties and human rights organizations for many years, I have long admired CCR's work from civil rights to Guantánamo. In the darkest days when others wavered in their defense of liberty, the Emergency Civil Liberties Union and CCR never faltered in opposing repression at home and abroad. Once I naively believed that the time would come that CCR wouldn't be needed anymore. I now know that there will always be challenges to our constitutional rights, and CCR will be there to stand up to those challenges."

For more information about IRA gifts, CCR's Founders Circle, or the Thelma Newman Society (CCR's planned giving program), contact Sara Beinert at 212-614-6448 or write: Sara Beinert, CCR, 666 Broadway, 7th Floor, New York, NY 10012

# Give the Gift of Change

Selecting "just the right gift" it is rarely easy—but if you know someone committed to seeking a better world, what better gift could there be than a donation made in their honor to support an organization whose work you know they will appreciate.

CCR makes it easy—just include the recipient's name/contact information with a mailed-in gift, or select the "In Honor of" option on our online donation page at www.CCRjustice. org/donate. Your friend will be notified of the gift, you'll receive a tax receipt for the donation and help CCR uphold constitutional and human rights for all.

The Center for Constitutional Rights is dedicated to advancing and protecting the rights guaranteed by the United States Constitution and the Universal Declaration of Human Rights. Founded in 1966 by attorneys who represented civil rights movements in the South, CCR is a non-profit legal and educational organization committed to the creative use of law as a positive force for social change.

### Plans for the New Year

This has been an extraordinary time of challenges and opportunities for the Center for Constitutional Rights and this country. Our opportunities are now embedded in the historic election of Barack Obama.

As CCR Board President Michael Ratner pointed out in an article just after the election, the notion that an African American would live in the White House that was built with the sweat and blood of enslaved Africans was virtually unimaginable in our lifetimes, yet here we are.

When Barack Obama was in kindergarten, CCR was founded by Arthur



Executive Director Vincent Warren presenting at a panel at Netroots Nation annual conference.

Kinoy, Morty Stavis, Bill Kunstler and Ben Smith; lawyers who traveled to the Jim Crow South in order to support activists engaged in the civil rights movement. Sadly, the Center's Founders did not live to see the day that the son of an immigrant and a man of African descent was elected to be the 44th President of the United States: a true victory for racial justice. An historical event like this has its foundation in the work they did in the South and their vision for a better world as embodied in the Center's work.

As we move forward it is appropriate for us to reflect on the sacrifices and struggles of our predecessors who made this moment possible. Those struggles continue and require our vigilance and energy as we move forward.

# What Needs To Be Done: The First Hundred Days of a New Presidency



In just eight years, the Bush administration has dismantled some of the most essential rights and protections guaranteed in the United States Constitution. With the election of President Obama, we have a President who can, within the first 100 days of office, work to restore, protect, and expand the fundamental rights on which our country was founded. He will also have the opportunity to restore our status as a country that respects the rule of law and recognizes our responsibility to set the standard for international norms and respect for international law. But it will take the collective will of the country to make this happen, and CCR and our supporters are gearing up to make a difference.

CCR has launched its "100 Days Campaign" to focus on the harm done by the current administration and our hopes for restoring our basic constitutional liberties and rights. A new president, often with the simple stroke of a pen, can implement many critical policies. Among these are:

- Close Guantánamo and resettle its refugees to safety
- Launch a Department of Justice investigation into the use of extraordinary rendition
- Close all secret detention sites and CIA "black sites"
- Abolish preventive detention without charges
- Protect the right to dissent and repeal oppressive laws

- Amend the War Powers Act and withdraw troops from Iraq
- Limit the use of the state secrets privilege
- Investigate the crimes of government officials and contractors
- Stop warrantless wiretapping and end secret surveillance
- Roll back executive power and restore the system of checks and balances

Visit www.CCRjustice.org/100days to join the "60-Second Soapbox" video project and tell the new administration what you want to see in the first 100 days. You will also find white papers, videos and information about speaking tours and online activism that will help you bring these issues to the forefront of public discussion.

### Top Ways You Can Support CCR

As we move in to the season of giving, many people have asked how they can contribute to the Center for Constitutional Rights. We greatly appreciate your support and your interest in introducing your friends and family to CCR and sharing the ways in which they can help make 2009 an historic year—one that sees respect for human rights issues and the restoration of our Constitutional rights and protections. Your support makes CCR's groundbreaking work possible.

1. Make an online gift at www. CCRjustice.org/Donate. It's fast, easy and secure, and your gift will go to work right away—within the First 100 Days!

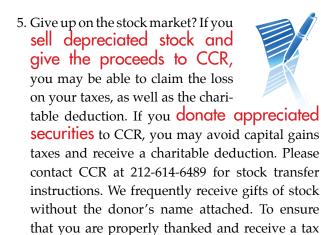


- 2. Sign up online for a monthly or quarterly recurring gift at our website: www. CCRjustice.org/Donate. Recurring gifts provide CCR with a reliable, steady source of income and are a "greener" way to give by reducing mailing expenses and supplies.
- 3. Ask friends and family to make gifts to CCR in your honor as your holiday/



birthday/anniversary/no-reason-at-all gift. Your loved ones will be thrilled to give a gift they know you'll appreciate, and help to extend the promise of law for social change.

4. Make gifts to CCR in honor of the folks on your shopping list. Your gifts will pay tribute to their social justice values, while fueling CCR's efforts to restore the Constitution and protect human rights. Made at a critical time, it is truly a "gift with meaning" as it will make the most of the opportunities presented by the changes in Washington.



6. Make a gift from your IRA. If you're at least 70½ years of age, you may transfer money from your IRA tax-free directly to CCR and have it count towards your mandatory distribution. Just ask the fund manager for their withdrawal request form and fill in Center for Constitutional Rights.

receipt for your generous gift, please contact us

with your name and the stock being transferred.

7. Vote for CCR to receive Credo/Working Assets funding! If you're a member of Credo/ Working Assets, you can select CCR as your non-profit of choice at www. WorkingAssets.com/Voting. The more votes we get, the more funding. It's a small way to make a big difference. Tell others about this option too! We are very appreciative of Working Assets for conducting this socially conscious program.

All of this information and more is available on our website at www.CCRjustice.org/donate. If you have questions or to speak with someone in our Development Office, please call 212-614-6489 or email us at Development@CCRjustice.org. Thank you for your support!