



Local Police and Federal Authorities Crack Down on Protesters at G-20 Meetings

After months of negotiating with the city of Pittsburgh, CCR, represented by Board member and cooperating attorney Jules Lobel and in partnership with the ACLU, filed suit and won the right to allow protests in parks and to secure permits for several global-justice rallies during the September G-20 economic summit meetings. Despite the permits, the police “forgot” what were legal assemblies and broke up both permitted and non-permitted marches. Peaceful protesters, students, and even bystanders were met by tear gas, pepper spray, mass arrests, and a new ear-piercing, crowd-control “sonic cannon” used for the first time on civilians in the U.S.



CCR’s Legal Director monitoring at G-20 as a legal observer.

As with many other issues, CCR had hoped that the new administration would reverse Bush-era policies that were hostile to protesters and First Amendment-protected displays of dissent—these hopes were dashed by the severe police crackdown in Pittsburgh. Traditionally, local protests were largely policed by local police, enforcing

local ordinances. Continuing a disturbing trend, at the G-20 protests an array of federal agencies were integrated into local enforcement mechanisms and plans to the extent *continued on page 4*

Standing Up for ACORN

On November 12, CCR filed a lawsuit challenging Congress’s unconstitutional defunding of the Association of Community Organizations for Reform Now (ACORN). As the country’s largest grassroots organization bringing low- and moderate-income families together to work for social justice, ACORN has engaged in successful advocacy for affordable housing, voter registration, a living wage, and an end to predatory lending. CCR believes that the right-wing effort to defund ACORN was mainly intended to punish ACORN for its progressive political work, and the case alleges that the Act violates the U.S. Constitution’s prohibition against Bills of Attainder, as well as the Fifth Amendment right to due process and the First Amendment right to freedom of

association by targeting affiliated and allied organizations.

A Bill of Attainder is a legislative act that punishes a specific individual or group without a judicial hearing. Out of a concern for due process and the separation of powers, the Constitution forbids Bills of Attainder, since the framers had seen how these were abused by the British monarchy and Parliament to punish dissidents, political rivals, and popular movements. In our case on behalf of ACORN, CCR contends that Congress violated the Constitution by declaring an organization guilty of a crime and punishing it and its members without the benefit of a trial.

For more information about this case, please visit www.CCRjustice.org/acorn-v-usa.

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Guantánamo under Obama One Year Later

CCR was heartened when President Obama early in his administration issued an Executive Order mandating the closure of Guantánamo within a year. The Center continued to press for earlier closure, arguing that if the administration did not have enough evidence to charge detainees, it simply needed to release them. Unfortunately, almost a year later the Obama administration has taken some major steps backward, including announcing that it intends to continue using preventive detention for those detainees it classifies as potentially dangerous, but will not put on trial; continuing use of the discredited military commissions; and most disappointingly, saying that it is unlikely they will close the prison by their original January deadline, thus leaving the detainees in limbo for yet another year. CCR's clients have already lost eight years of their lives and every delay saps the little hope they have left of receiving a fair hearing or of ever being reunited with their families.



"The Supreme Court has ruled three times that Guantánamo is not beyond the reach of the law, yet the government is claiming, in 2009, that the base is still a legal black hole and what happens at Guantánamo stays at Guantánamo." — CCR Attorney Pardiss Kebriaei

"These are now President Obama's military commissions...and their inevitable failure will scar his legacy and embolden our critics in the world. Military commissions are an unnecessary, jury-rigged creation." CCR's Executive Director Vince Warren after President Obama signed new military commission legislation in late October.

Defending the Fundamental Rights of the Detainees

During the first months of the Obama administration CCR continued to push forward our litigation and advocacy on Guantánamo issues. As a result of our historic June 2008 win in *Boumediene v. Bush*, when the Supreme Court held that the Guantánamo detainees have the constitutional right under the principle of habeas corpus to challenge their detentions, 38 detainees have so far had habeas hearings. Confirming CCR's contention that most of the men imprisoned at Guantánamo should never have been detained—most were sold into captivity in exchange



Combatant Status Review Tribunal Notice is read to a detainee at Guantánamo.

for substantial bounties—to date 30 of those 38 men have been ordered released.

Airman Randall Damm, USN

International Advocacy



CCR attorney Gitanjali Gutierrez with Palau President J. Toribiong in Palau to aid the resettlement of Uighur men from Guantánamo, including CCR clients.

Approximately 90 of the detainees have been cleared for release, but cannot be returned to their home countries because of fear of persecution or torture. CCR has worked tirelessly within the U.S. and internationally to locate new homes for these men so they can finally be released. Their plight was discussed at a meeting between President Obama and a handful of civil liberties leaders, including CCR executive director, Vincent Warren, last May. At least 15 countries have now expressed a willingness to take released detainees, including CCR clients, in countries as diverse as Bermuda, Chad, Albania, Portugal and Palau—though many of these are waiting for the U.S. to accept some of the detainees before they step in to help repair the damage. In late October, the Supreme Court announced that it will hear a case (*Kiyemba v. Obama*) related to Uighur men who are still at Guantánamo despite being cleared for release since 2004. The judges will decide whether a court can order these men released into the U.S. In October, six of these

detainees were temporarily resettled in the small island nation of Palau. CCR and co counsel will continue efforts to find a permanent safe resettlement option for these men and many who remain in Guantánamo.

Ongoing Litigation

On October 4, CCR filed papers challenging the government's claim that federal courts cannot consider claims of abuse at Guantánamo. This is an extension of our landmark *Boumediene* case, challenging the judicial-stripping provision of the 2006 Military Commissions Act, but this time focusing on claims about treatment and conditions rather than detention without trial (habeas corpus).

And on the critical issue of attorney/client privilege, CCR and our co-counsel in October argued *Wilner v. National Security Agency (NSA)*, our case regarding a Freedom of Information Act request for documents that would show if our lawyers' client or witness/family conversations were eavesdropped on under Bush's NSA warrantless wiretapping program.



Vigil at the Supreme Court in support of the detainees.

"Responsibility for the torture program cannot be laid at the feet of a few low-level operatives. Some agents in the field may have gone further than the limits so ghoulishly laid out by the lawyers who twisted the law to create legal cover for the program, but it is the lawyers and the officials who oversaw and approved the program who must be investigated."
—Executive Director Vince Warren

The Election Alone Did Not Bring the Change We Seek

Immediately after the election many human rights advocates hoped to see a quick, clean break from Bush-era policies in the field of constitutional and human rights. Candidate Obama had promised to restore America's reputation as a country that respects the rule of law and had denounced many of the most egregious policies of the Bush administration.

It is now clear that reversing many of the disastrous policies will only happen if CCR, our allies, and the public continue working as diligently as ever to demand these rights and protections, and access to information and courts. Through our work, we hope we can persuade President Obama to finally put an end to this immoral experiment of indefinite detention and torture, both in Guantánamo and on U.S. shores.

Dissent at G-20 Meetings (cont from cover)

that local police were all but deputized federal officers. The interrelationship goes beyond planning, information sharing between agencies, arrests, and charging activists with federal crimes: the Obama administration provided \$10 million for extra security, and this massing of armed and ready troops seems at least partly to blame for the excessive use of surveillance and force that ensued.

Starting with the historic 1965 march from Selma to Montgomery, CCR has a long history of fighting to protect the right to dissent. Just a few of the Center's landmark cases in this area include: *U.S. v. U.S. District Court* (1972), in which CCR won a unanimous Supreme Court decision invalidating warrantless "national security" wiretapping of domestic activists; *U.S. v. Dellinger* (1972), in which CCR won reversal on appeal of the "Chicago 8" conviction; and *CISPES v. FBI* (1985), a case that brought to light massive government spying on the El Salvador solidarity movement. Our most recent victories were securing a \$2 million settlement in *Kunstler v. City of New York*, a case against the NYPD for unlawfully arresting peaceful anti-war protesters in April 2003; and a settlement in *Killmon, et al. v. City of Miami*, a case challenging the brutal "Miami model" of policing dissent at the 2003 meeting of the Free Trade Area of the Americas. As we saw recently in Pittsburgh, the "Miami model" of suppressing dissent is unfortunately still alive and kicking.



Police response to G-20 protests.

"For days, downtown Pittsburgh... was turned into a militarized people-free zone. Sirens screamed day and night. Helicopters crisscrossed the skies. Gunboats sat in the rivers. The skies were patrolled by Air Force jets. Streets were barricaded by huge cement blocks and fencing. Bridges were blocked by National Guard across the entrances."
—CCR's Legal Director, Bill Quigley

When Healers

HARM

Hold Health Professionals Accountable for Torture

Despite health professionals' obligation to do no harm, doctors and psychologists have played a key role in the U.S. government's torture program. Psychiatrists, psychologists, medical examiners, and nurses have helped craft torture tactics, inflicted pain, overseen abuse, and covered up cruel treatment. Yet, in the face of clear evidence, government officials, licensing boards and professional associations defend their failure to take action against health professionals who have participated in torture.

To address this issue, CCR has initiated a When Healers Harm campaign to present evidence that supports the need for ethical, and in some cases criminal, investigations of health professionals complicit in torture and other forms of abuse. Visit CCR's website or our campaign site: www.whenhealersharm.org.

Leave a Legacy to Your Grandchildren: A Better World

Please consider becoming a member of the Thelma Newman Planned Giving Society by including CCR in your estate plan. There are many ways to make a planned legacy gift to CCR, including Charitable Gift Annuities and Bequests. The best vehicle for you depends on your circumstances. Please call our major gifts officer, Sara Beinert at 212-614-6448, if you have questions or to notify us if you have already included CCR in your estate plans.

Update on CCR's Lawsuits Against Blackwater—Includes Shocking Revelations

CCR and co-counsel have a series of lawsuits against Blackwater (now Xe), the notorious private military contractor, charging the company with war crimes resulting from its employees firing on civilians near Al Watahba Square and in Nisoor Square in Baghdad in 2007, killing and injuring innocent Iraqis.

This fall the presiding judge rejected Blackwater's requests to dismiss these cases. For our clients' sake we are pleased that the case is proceeding and we are determined to seek justice for them in U.S. courts and to increase corporate accountability (as we did in the Wiwa case p. 12)—in this case by exposing

the inherent abuses when using contracted mercenaries who purport to work outside of the constraints of the law.

In a shocking affidavit submitted in these cases, a former Blackwater employee claims that Blackwater's owner, Erik Prince, "views himself as a Christian crusader tasked with eliminating Muslims and the Islamic faith from the globe," and that Prince's companies "encouraged and rewarded the destruction of Iraqi life."

The continued extensive use of private military contractors by the Obama administration is another



Blackwater security at the American Embassy Annex in Baghdad, Iraq.

disappointing continuation of Bush-era policies. On October 27, CCR's Education and Outreach team hosted a lively panel discussion webcast from Washington, D.C. on the perilous implications of using large numbers of private contractors in U.S. wars and occupations. That webcast can be viewed on our website, www.CCRjustice.org.

Justice Delayed for Maher Arar in the U.S.

What does Canada have that the U.S. doesn't? A justice system and executive branch willing to acknowledge mistakes made by the government and to grant some measure of justice to the victims. This November, a federal Court of Appeals dismissed CCR's lawsuit on behalf of Maher Arar, the most well-known victim of the policy known as "extraordinary rendition." A Syrian-born Canadian citizen, Mr. Arar was detained in 2002 at JFK Airport, sent by U.S. authorities to Syria where he was subjected to prolonged interrogations, tortured, and imprisoned for nearly a year in a small grave-like cell. Canada has cleared Mr. Arar of any connection to terrorism, and has issued compensation for its role in his rendition, but the U.S. government still refuses to remove Mr. Arar from its terrorism watch list and has yet to hold anyone involved in his case accountable.



Maher Arar.

In its disappointing 7-4 decision, the court ruled that the case raised foreign policy and secrecy issues too sensitive to allow the case to proceed. The court's decision thus leaves the federal officials involved in Maher Arar's rendition and

torture free of any legal accountability for what they did and leaves the public ignorant of the true nature of the program—one that continues under the new administration.

CCR Board member and cooperating attorney David Cole noted, "This decision says that U.S. officials can intentionally send a man to be tortured abroad, bar him from any access to the courts while doing so, and then avoid any legal accountability thereafter. It effectively places executive officials above the law, even when accused of a conscious conspiracy to torture. If the rule of law means anything, it *must* mean that courts can hear the claim of an innocent man subjected to torture that violates our most basic constitutional commitments."

CCR and its co-counsel are considering next steps, including the possibility of petitioning the Supreme Court for review. Meanwhile the Center will continue to pursue justice for Mr. Arar through advocacy with Congressional representatives and public education. For more on Mr. Arar's case, go to www.CCRjustice.org.

Message from the Executive Director



Late last year, I wrote to you about our high hopes for the newly elected president. In our “100 Days to Restore the Constitution” campaign, CCR had advocated actions President Obama could take early in his administration to undo the damage that had been done to basic constitutional and human rights during the Bush era. In that campaign, the Center called on President Obama to end illegal Bush administration policies on such issues as torture, rendition, preventive detention, and warrantless wiretapping; and to reverse the previous administration’s endless attempt to seize more authority for the executive branch at the expense of courts and Congress.

Sadly, since President Obama’s inauguration, the new administration has demonstrated that it needs to be pushed hard to do the right thing. On his second day in office, President Obama issued a series of executive orders, one of which outlined the closure of the detention camp at Guantánamo within a year. It was a good day, and yet we knew it would require determined litigation and advocacy to ensure that the executive order was fulfilled in a meaningful way. As the president now announces that he won’t even meet his own deadline to close the base, our work becomes more urgent.

Without a swift, decisive turn towards transparency and accountability from President Obama and Attorney General Holder, CCR will need to continue to push them on prosecutions, government secrecy, domestic spying, indefinite and preventive detention, and the like. It is not enough that President Obama has pledged to use increased presidential powers for good rather than evil—the principle is the same: those powers did not rightfully belong to Bush and they do not belong to Obama. Today, people’s fundamental rights—including the right to dissent and the right to live without fear of racial profiling, illegal detention or torture—remain at significant risk.

Too many courts aren’t protecting those rights either. Many of them haven’t dispensed justice, but rather, have dispensed with justice. A disturbing number of cases, including our client, Maher Arar’s, demonstrate that courts are abdicating their constitutional duties regarding the separation of powers. Rather than using their judicial power to invalidate unconstitutional activity by the executive branch, many courts are reluctant to look into such activity, accepting instead the tired “trust us to know what is good for you” arguments made by the government. Beyond justice for clients, courtrooms are the crucible of truth—as forums for sifting through facts and exposing government action to public scrutiny, they are a vital component of a democracy.

Despite the barriers to justice, CCR continues to push forward with significant work. As you will read in this newsletter, I am proud to announce that, last month, CCR filed a groundbreaking lawsuit challenging Congress’ defunding of the ACORN organization. The lawsuit alleges that the law Congress passed was unconstitutional because it charged, convicted and punished a particular group. Recently, CCR won a partial victory in a case supporting groups protesting the G-20 Summit in Pittsburgh. And in partnership with the public defender’s office in New Orleans, we secured an order from the Louisiana Supreme Court to require that trial courts hold hearings within 48 hours for people who have been arrested or release them. None of the work you will read in these pages could have been done without our supporters. Thanks to you, we’re still fighting!

Vincent Warren

Top Ways You Can Support CCR This Holiday Season

As we move in to the season of giving, many people ask about ways to support CCR, including how to introduce friends and family to us. Please help make 2010 an historic year—one that sees renewed respect for human rights and the restoration of our constitutional rights and protections. Your support makes CCR's groundbreaking work possible!

-  1. Make a gift by credit card on our website: www.CCRjustice.org/donate. It's fast, easy and secure, and we can put your gift to work right away!
-  2. Sign up online for **monthly giving** at our website: www.CCRjustice.org/donate. A recurring gift provides CCR with a reliable, steady source of income and is 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 to help 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.
-  5. Give up on the stock market? If you **sell depreciated stock and give the proceeds to CCR**, you may be able to claim the loss on your taxes, as well as the charitable deduction. If you **donate appreciated securities** to CCR, you may avoid capital gains taxes and receive a charitable deduction. Contact CCR at 212-614-6489 for stock transfer instructions. We frequently receive gifts of stock without the donor's name attached. To ensure that you are properly thanked and receive a tax receipt for your generous gift, please contact us with your name and the stock being transferred.
-  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.
-  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 Credo 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 wish 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!

CCR's Accountability Project

Following mounting public pressure, Attorney General Holder named John Durham as Special Prosecutor to investigate torture under the Bush administration. Unfortunately, the Special Prosecutor was tasked with *only* investigating the actions of low-level CIA operatives who went beyond the administration's unlawful interrogation guidelines. As part of a larger Accountability Project, CCR is advocating that the Special Prosecutor work up the chain of command as high as the facts will lead and to agencies beyond the CIA—to thoroughly reveal the policies and abuses, and to identify those responsible. Only full investigation and prosecution will formally acknowledge that illegal actions were taken and in some cases war crimes committed by the U.S.—thereby deterring future officials from going down the same path. These prosecutions would bring much more than retribution; they are needed to rebalance our democratic system.

“People who order or inflict torture cannot be exonerated, and the roles of certain lawyers, as well as doctors who have attended torture sessions, should also be scrutinized.” — Navanethem Pillay, the U.N. High Commissioner for Human Rights

We need to bring back true review of executive actions by courts, revealing facts necessary for true democratic participation and reestablishing higher standards of human rights law for the U.S. and international recognition. Indeed, the prosecution of officials responsible for egregious human rights abuses is required under both domestic and international law. When abhorrent acts like waterboarding and extraordinary rendition are allowed to go unpunished, they are much more likely to be repeated in the future when difficult times test our commitment to principles.

Domestically, CCR partnered with 250 groups to call for prosecutions of responsible high-level Bush

administration officials, and we have called for the impeachment of Jay Bybee, the former Assistant Attorney General for the Office of Legal Counsel and currently a Court of Appeals judge. Internationally, working with partners in Europe, CCR has filed several cases in foreign courts under the principle of Universal Jurisdiction against former Defense Secretary Donald Rumsfeld and other Bush administration officials for their role in the torture of detainees at Guantánamo and Abu Ghraib. Because of political pressure, several cases in Germany and France have been dismissed, but several prosecutors in Spain are currently considering new cases.

Supreme Court Fight to Stop Criminalizing Humanitarian Aid

On November 16, 2009, CCR filed its opening brief in *Holder v. Humanitarian Law Project*, the first case before the Supreme Court to challenge a provision of the Patriot Act. The Center's case was originally filed in 1998 on behalf of a human rights group, the Humanitarian Law Project (HLP), along with a retired federal administrative judge, a doctor, and several nonprofit groups. The plaintiffs are challenging the constitutionality of a 1996 statute that makes it a crime to provide “material support” to groups that the State Department designates as “terrorist” groups. The Patriot Act later added a broader prohibition on providing “expert advice or assistance” to the earlier statute, and this case now challenges that aspect of the Patriot Act as well.

Once an organization is on the State Department's blacklist, the statute prohibits providing a broad array of support to that group—not just money or arms but “services,” “expert advice,” “training,” or “personnel”—even when such support is intended solely to promote

the lawful and non-violent activities of a designated organization. CCR asserts that these and other terms in the statute are so vague that they have the potential to criminalize pure speech—literature distribution, political advocacy, educating groups on human rights, or advising them on methods of peaceful conflict resolution—and effectively create guilt by association in violation of the First and Fifth Amendments.

As CCR cooperating attorney David Cole notes: “In our view, the First Amendment does not permit the government to make advocating human rights or other lawful, peaceable activity a crime simply because it is done for the benefit of, or in conjunction with, a group the Secretary of State has blacklisted.” The lower courts, in six different decisions, have thus far agreed with CCR and ruled that the prohibition on services, training, and expert advice and assistance are unconstitutionally vague, and the Obama administration is now seeking this review from the Supreme Court.

A Generous Donation Following Victory for Artistic Freedom

The Critical Art Ensemble (CAE) Defense Fund recently celebrated a victory for the First Amendment with the dismissal of criminal charges against artist and SUNY Professor, Steven Kurtz. In 2004, Dr. Kurtz's wife, Hope, died tragically of heart failure as the couple was putting together an exhibit about genetically modified agriculture for the Massachusetts Museum of Contemporary Art. Emergency personnel who responded to Steve's 911 call deemed the life science materials used in the project suspicious, and called the FBI. Although these materials had previously been displayed without risk in museums throughout Europe and North America, Dr. Kurtz was detained on suspicion of bioterrorism. Dozens of agents from the FBI, Homeland Security, and other law enforcement agencies wearing hazmat suits raided his home and seized many of his belongings. Dr. Kurtz and his supporters spent the next four years fighting mail and wire fraud charges against him and a colleague—under the Patriot Act, the maximum sentence for those charges had been increased from five years to twenty years in prison.

When the case was dismissed before going to trial, in keeping with the Fund's purpose to defend constitutional and fundamental rights, the CAE Defense Fund graciously decided to donate most of their remaining funds to CCR (nearly \$90,000). The Center applauds Steven Kurtz, the Critical Art Ensemble, and the CAE Defense Fund for their important victory on behalf of



Steven Kurtz and participant in Critical Art Ensemble's science-theater project GenTerra, at the London Museum of Natural History, 2003. The project was among several seized in the FBI's 2004 raid of Kurtz's home.

freedom of expression. We thank them for their generosity, and we promise to put their donation to good use in the struggle for civil liberties and human rights!

"The committee is extremely honored to be able to donate to the Center for Constitutional Rights. Throughout the rogue years of the Bush administration and to this day, CCR has stood on the just side of every legal dispute regarding rights on both national and international levels, no matter how unpopular or risky." — CAE Defense Fund

CCR is Grateful to our Foundation Funders for Their Support*

The Atlantic Philanthropies (USA) • The Charles Evans Hughes Memorial Foundation • The Critical Art Ensemble Defense Fund • The David and Katherine Moore Family Foundation, Inc. • The Epstein Teicher Philanthropies • The Firedoll Foundation • The Ford Foundation • The Frances and Benjamin Benenson Foundation • The Funding Exchange National Community Funds • The Grodzins Fund • The HKH Foundation • The Jewish Communal Fund • The Libra Foundation • The New York Community Trust • The Normandie Foundation • The Richard A. Busemeyer Atheist Foundation • Samuel Rubin Foundation • The Spingold Foundation • The Stewart R. Mott Charitable Trust • The Tides Foundation • The Vanguard Charitable Endowment Program • The Vital Projects Fund, Inc. • The Wallace Global Fund • Anonymous

*The foundations listed above provided leadership-level grants of \$5,000 or more between 5/1/09 – 11/30/09.

A Victory Settlement: Five Immigrants Detained After 9/11 Receive \$1.26 Million

In early November five men who had been living in New York and were ultimately deported won a \$1.26 million settlement from the U.S. government in a case challenging post-9/11 racial profiling; illegal detention; and abuse of Muslim, Arab and South Asian men.

According to CCR Attorney Rachel Meeropol, "As with the Japanese internment, history will not look kindly upon the Ashcroft raids." CCR filed *Turkmen v. Ashcroft* in 2002 on behalf of non-citizen detainees who were held for up to nine months on minor immigration charges at Brooklyn's Metropolitan Detention Center and New Jersey's Passaic County Jail. The detainees were swept up through an appalling policy of racial and religious profiling in the aftermath of the September 11th attacks. They were held as suspected terrorists, then cleared of any connection to terrorism and deported. While imprisoned, the men were subjected to restrictive confinement conditions and religious, verbal, and physical abuse.



CCR attorneys Matthew Strugar (left) and Rachel Meeropol (right) with *Turkmen v. Ashcroft* clients Yasser Ebrahim and Hany Ibrahim (center) in Alexandria, Egypt.

The Center views this large settlement as an important victory for our clients and a key step toward ensuring that this kind of arbitrary mass sweep and detention is not repeated in the future. But the settlement is only a first step, and CCR remains committed to ensuring that the high-level architects of this unlawful policy are held accountable for their actions.

Plaintiff Yasser Ebrahim, who now lives in Egypt, said: "We were deprived of our rights and abused simply because of our religion and the color of our skin. After seven long years, I am relieved to be able to try to rebuild my life....I sincerely hope this will never happen again."

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By filling out the 2009 Donations Ballot, you can vote to fund CCR. The distribution is determined solely by how many votes a group receives. More votes—more funding! It's that simple. In 2008, CCR received nearly \$53,000 and in this tough economy, when many supporters cannot give as they have in past years, we hope to do even better. Please go to www.workingassets.com and vote TODAY! CCR would like to thank CREDO Mobile/Working Assets for continuing to support our work by consistently including the Center in its annual donation pool.

CCR recently partnered with CREDO to produce "Torture Team Cards," baseball-like trading cards aimed at raising awareness (by providing the "stats" and sparking dialogue on the issue) of culpability of high-level Bush administration officials for the U.S. torture program.



Racial Justice in New York City for Firefighters



NYC firefighter members of the Vulcan Society and CCR clients in *United States of America and Vulcan Society v. City of New York*. From left: Duery Smith, Paul Washington and John Coombs, and CCR attorneys Darius Charney and Shayana Kadidal.

This summer the Center saw a critical victory for racial justice in our case for the Vulcan Society, a fraternal order of Black firefighters. The lawsuit charged the Fire Department of New York (FDNY) with racially discriminatory hiring practices. In granting summary judgment on behalf of our clients the court agreed that the written examination the FDNY was using violated civil rights laws and had no relevance to job fitness.

NYC has the least diverse fire department of any major city in America. We now await the judge's ruling on what remedies he will require of the City, while moving forward with our claim of intentional discrimination.

"The court found that the city closed the door on more than a thousand qualified candidates of color. This is a tremendous victory that we've been fighting towards for over seven years."

— CCR Attorney Darius Charney

Accountability and Transparency in the NYPD

In 2008, CCR filed a civil rights lawsuit, *Floyd, et al. v. City of New York, et al.*, charging the New York Police Department (NYPD) with illegal racial profiling and stop-and-frisks of law-abiding city residents. The Center contends that the plaintiffs in this case represent many thousands of New Yorkers who have been stopped, without any cause, standing in front of their houses or walking down the street, mainly because they were men of color.

As a result of our earlier success in the landmark *Daniels* case (which helped bring about the demise of the notorious Street Crimes Unit), the NYPD is required to keep records on stops and to turn over the information to CCR. The facts are clear: in 2008, the NYPD stopped a record 531,159 individuals, over 80% of who were Black and Latino. The *Floyd* lawsuit challenges the NYPD's racial profiling policies.

In addition to pushing forward with our *Floyd* litigation, CCR is working with a wide range of community groups to develop a comprehensive Police Accountability and Transparency Project, which will advocate for city-wide police-reform efforts. Because of the city's enormous influence, we believe that police reform in New York City has the potential to set a standard for police departments nationwide. CCR is deeply grateful for a recent grant we received for this project from the Ford Foundation.

CCR Mourns the Passing of Marilyn Clement



This August the Center lost a true friend and leader, Marilyn Clement. A lifelong activist who worked with Martin Luther King, Jr. in the 1960s, Marilyn served

as CCR's Executive Director from 1976-89, and was an active member of our board of directors. Marilyn shaped CCR into a nationally renowned instrument for social justice, including her initiative opening CCR South which led to a docket of successful voting rights and desegregation cases. The Ella Baker Program, where CCR "trains the next generation of people's lawyers" may be one of Marilyn's most lasting contributions. Most recently she devoted her energies to supporting single-payer healthcare reform and was a founder of Healthcare-NOW! Marilyn possessed a remarkable combination of passion, creativity, and honesty, as well as extraordinary organizing skills and a great sense of humor.

Rick Wagner

It is with sadness that CCR notes the passing of Rick Wagner, a former CCR legal worker who died in September. For two decades Rick was the litigation director of Brooklyn Legal Services Corporation A, which provides legal assistance to low-income residents. One of his memorable accomplishments at Legal Services was using civil racketeering laws to challenge slumlords for the deplorable conditions found within their buildings. Before becoming a lawyer, Rick spent over 8 years at CCR, where his impact was felt in such areas as the Chicago 8 appeal and CCR's Puerto Rican justice docket.



centerforconstitutionalrights

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www.CCRjustice.org

We thank you for your
continued support!

Victory for Ogoni Clients Against Royal Dutch Shell for Human Rights Abuses

In June, on the eve of a trial expected to be followed closely across the globe, we reached a settlement with Royal Dutch Shell that provides \$15.5 million to Nigerian environmental and human rights activists and to establish a trust fund for development efforts in Nigeria's Ogoni region.

CCR's case against Shell charged the company with complicity in the torture and execution of the Ogoni 9, non-violent activists (including the renowned writer, Ken Saro-Wiwa) working to oppose Shell's oil-production practices that had contaminated the local land and water. Success in this case, originally filed by CCR more than 13 years ago, shows the power of persistence and of sticking with our principles even when the odds may initially seem long. In addition to compensating the plaintiffs and establishing the educational trust, the widespread coverage of the settlement sends a powerful message to multinational corporations on the cost of not upholding human rights standards.



Heat and smoke force back villagers checking on an oil fire erupting from a leaking wellhead in Ogoni. The wellhead had been spilling oil for a week, coating the ground around it before catching fire. The fire burned for more than two months.

"History will show that this was a landmark case. Multinationals now know that it is possible to be sued for human rights violations in foreign jurisdictions." —Ken Saro-Wiwa, Jr.

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.