

Annual Report 2010



Legal Advocacy

Supreme Court

GTMO

Legal Advocacy

Resettlement

U.N. Advocacy

Client

Delegation

- CCR Client
- Legal Advocacy
- Both

Our Mission

The Center for Constitutional Rights is a non-profit legal and educational organization 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 committed to the creative use of law as a positive force for social change.

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Letter from the President

I look back on this last year at CCR with amazement. For those of us with progressive politics and who believe in social justice, we are not in the best of times. Justice and equality have paid a high cost for years and years of conservative and moderate appointments to the courts and an irresponsible "war-time" deference to the executive branch. Constitutional rights have been eviscerated by claims of national security. A vocal, well funded Right-wing has politicians with good intentions running scared. Despite this toxic environment, CCR has had a remarkable year in fighting for and—more often than not, prevailing—in key struggles to protect fundamental rights and advance the ideals of a more just society.



Justice and equality have paid a high cost for years and years of conservative and moderate appointments to the courts...

**—CCR President,
Michael Ratner.**

As our Guantánamo work begins to wind down, we have built up our involvement in other important areas. A good example is our racial and economic justice docket which has expanded significantly this year. In addition to our ongoing work fighting racial profiling and employment discrimination and in defending the right to political dissent, we have increased our work with movements defending undocumented workers and their families. The attacks on this community have been vicious and often racist. CCR and our clients are fighting back, using the courts, the Freedom of Information Act and with our lawyers in the streets defending people's rights. CCR is true to our motto: *on the front lines for social justice.*

We remain deep in the trenches in our Guantánamo work. Our disappointment at the administration's failure to close the prison and charge or release the remaining detainees is palpable. Our Guantánamo team is everywhere: at Guantánamo, at a secure facility in Maryland, in Europe to find countries for resettlement and traveling to distant countries to ensure released detainees are not harassed and can begin their lives again after years on hold. We are deeply troubled by a future in which the legacy of Guantánamo—military commissions, trials of child soldiers, the use of coerced evidence and preventive detention—becomes the norm, at least for some.

International human rights remain a major focus of our work and the Center has won important victories in our cases against military contractors in Iraq. Since the U.S. government refuses to hold high level officials accountable for the U.S. torture program, CCR has become involved in two official criminal investigations in Spain which could well lead to, finally, trials of the Bush "torture team."

There is of course a lot more that I hope you enjoy reading about in the following pages, but I want to close with a sad note about the loss of our beloved colleague Rhonda Copelon. She and I began at CCR together in 1971 and she was always more original, more risk-taking, more motivated and harder working (if you can believe this) than the rest of us. Her work and her spirit are deeply entwined with all that we do today. Rhonda had one last challenge for us, one intended to improve the world. By establishing the Copelon Fund for Gender Justice and requiring a match of this gift, she has challenged all of us to join in contributing to her legacy of human rights for all and enabling CCR to be the organization that helps create that change.

A handwritten signature of Michael Ratner in blue ink. The signature is written in a cursive, flowing style.

Michael Ratner

Letter from the Executive Director



Securing justice and human rights in the current political environment requires innovation.

—CCR Executive Director, Vincent Warren.

CCR is moving aggressively into the future because justice demands it. In a rapidly changing world and political landscape, CCR cannot afford to rely on our past work to chart cutting edges for the future. Our successes can seem fleeting in the face of political retrenchment; and our defeats often indicate that the courts are more comfortable preserving the status quo than they are in implementing justice.

One setback this year was *Holder v. Humanitarian Law Project (HLP)*, a case CCR argued in the Supreme Court challenging the "material support" statutes, including a portion of the USA PATRIOT Act. By ruling against our clients—organizations which were attempting peaceful humanitarian work—the Supreme Court criminalized speech and exposed peace activists to prosecution if the groups they work with are, rightly or wrongly, labeled as terrorist organizations by the government.

Beyond what this loss signals for activists, the Roberts Court has thrown down the gauntlet for all of us who believe in justice. In this last term alone, the Court expanded First Amendment

rights for huge corporations in *Citizens United v. FEC*, while restricting them for peace activists in *HLP*. Moreover, the newest Justice, Elena Kagan, has quietly recused herself from more than half of the cases on the upcoming docket, tipping the balance towards the conservatives on those cases. This will be a tough year.

But CCR remains undaunted by the challenges of hostile courts, an anemic Congress and surreptitious attempts to expand power by the Executive. For example, this year we filed *Aref v. Holder* challenging the federal prison system's experiment in social isolation at two secretly-created prisons called "Communications Management Units" (CMU's). The government claims that CMU's are designed for dangerous terrorists and other high-risk inmates. Yet, CCR found that many CMU prisoners were sent there for their religious beliefs, unpopular political views, or in retaliation for challenging other rights violations in the federal prison system.

U.S. complicity in human rights violations does not stop at our borders. In the last several months we have traveled around the world to challenge some of the most intractable issues of this political moment. We went to South Africa to work with the shack dwellers' movement that resists evictions; Haiti to provide a human rights framework for rebuilding the country;

Uganda to explore challenges to persecution on the basis of sexual orientation and gender identity (spurred on and promoted by U.S. based evangelicals) and proposed legislation that includes the death penalty for same gender sex and prison sentences for people who don't report LGBT people to the authorities; and Honduras, where we met with resistance leaders challenging the coup of democratically-elected José Manuel Zelaya to explore how to expose U.S. involvement in that event.

Securing justice and human rights in the current political environment requires innovation. Our work in this upcoming year will require CCR to "run to the fire" on a number of fronts; from defending the Constitution to building a human rights framework into U.S. law. Moving forward, CCR will be building our work on gender issues, and with LGBT, poor, immigrant, of color and other communities under attack, to build our shared vision of social justice. On all of these issues, CCR will be there pushing the envelope toward justice and we are grateful for your partnership and support every step of the way.

A handwritten signature in blue ink, appearing to read "Vincent Warren". The signature is fluid and cursive, with a long horizontal stroke at the end.

Vincent Warren



Material Support

In a devastating blow to the First Amendment, the U.S. Supreme Court allowed the government to criminalize speech in *Holder v. Humanitarian Law Project*. The decision allows human rights advocates and peacemakers who teach nonviolent dispute-resolution to be prosecuted as terrorists.

The material support provisions of the Antiterrorism and Effective Death Penalty Act of 1996 and related laws, including a portion of the USA PATRIOT Act, allow the government to bar virtually any association with groups it considers to be "foreign terrorist organizations." Through three administrations, the government has claimed that activities like distributing literature and providing human rights training

to blacklisted organizations constitute providing "services," and are therefore equivalent to "providing material support to a terrorist organization"—punishable by 15 years in prison.

These provisions criminalize activities that are intended solely to promote lawful and non-violent actions of a designated organization. The statute imposes guilt by association by punishing moral innocents not for their own acts, but for the acts of the groups they have worked with to build peace movements or for humanitarian projects. The statute does not require intent to further illegal activity, and it gives the executive vast discretionary power to label groups as "terrorist," turning these groups' benevolent supporters into outlaws.

The First Amendment "was fashioned to assure unfettered interchange of ideas for the bringing about of political and social changes desired by the people."

- Justice Breyer, dissent opinion in *Holder v. Humanitarian Law Project*, quoting *New York Times Co v. Sullivan (1964)*.

CCR originally filed this case in 1998 on behalf of organizations and individuals who wanted to support lawful, political, and humanitarian activities of two designated groups. The Humanitarian Law Project sought to help the Kurdistan Workers' Party (PKK) learn methods to resolve disputes peacefully under international law, and sought to undertake human rights monitoring in Kurdish parts of Turkey. In addition, several Tamil-American groups wanted to provide medical and humanitarian assistance to victims of the 2004 tsunami in coastal areas of Sri Lanka, where the Liberation Tigers of Tamil Eelam (LTTE) acted as the functioning government. Both the LTTE and the PKK were designated as "foreign terrorist organizations" by the State Department, and the U.S. took the position that these humanitarian efforts would be criminal acts.

Multiple lower court rulings had previously found key aspects of the material support statute to be unconstitutional. However, in June 2010, the Supreme Court disagreed, ruling that the provisions do not violate the First Amendment "even if the supporters meant to promote only the groups' nonviolent ends," making this the only ruling holding that it can be a crime to advocate lawful, nonviolent activity.

The ruling also creates serious questions for public interest lawyers who want to represent blacklisted clients. Nearly ten years ago, CCR began working to ensure access to U.S. courts for Guantánamo detainees. Even though the Court ultimately agreed with us in *Rasul*, and then again in *Boumediene*, much of the work leading to those decisions might have been prohibited under this new ruling.

History will show that, once again, CCR and our team stood up for important principles. We will continue to do so even when victory in the cause of justice is elusive. More information on these cases is available at:

<http://ccrjustice.org/hlp> 

Holder v. HLP: The Implications

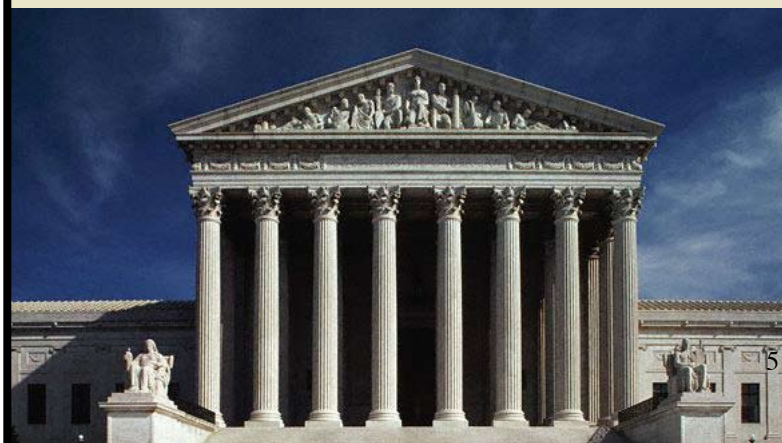
The Supreme Court decision in *Holder v. Humanitarian Law Project* criminalizes human rights advocacy and changes peace-building work into "terrorism"—punishable by 15 years in prison.

The decision criminalizes pure political activity—exactly the form of free speech that the First Amendment was designed to protect—even when furthering only lawful and nonviolent ends. The implications are deeply disturbing: the right to exchange information and ideas without restriction, and the protection of free speech and association rights, are the foundations of a democratic society and a prerequisite for any peace and reconciliation process.

Invoking the fear of "terrorism," the Court deferred to Congress, allowing legislators wide leeway to limit First Amendment activity. The "support" at issue here did not include the provision of funds, military training or technology. Rather, the activities barred are exclusively peaceful and humanitarian. This decision illustrates all too clearly how the "terrorism" label has been leveraged to curtail peaceful political expression.

This ruling allows for the prosecution of groups and individuals working towards building peace and stability in war-ravaged parts of the world. The risk of serious criminal charges will profoundly chill desperately needed humanitarian work in crisis zones. The decision also fails to clarify the law's boundaries to give clear and fair warning to those attempting to address some of the world's most pressing problems.

CCR will continue to pressure Congress and the Obama administration to change the material support laws to ensure that humanitarian groups may engage in human rights advocacy, training in nonviolent conflict resolution, and humanitarian assistance in crisis zones without fear of criminal prosecution.



Guantánamo

Obama's Guantánamo

It was an encouraging sign when, as one of his first major acts in office, President Obama signed an executive order promising to close Guantánamo within a year. But that promise was soon abandoned. Instead of closing the prison, the new administration has extended many of the worst aspects of the Guantánamo system, including indefinite detention without charge or trial, illegitimate military commissions, and the inexcusable delay of court-ordered releases. Grave psychological and physical abuses continue at Guantánamo today, including forced tube-feedings, beatings and solitary confinement so severe and prolonged that it amounts to torture.

The shameful legacy of Guantánamo remains: the U.S. government rounded up nearly 800 boys and men, labeled them "the worst of the worst," and threw them into an island prison beyond the rule of law and without any means to challenge their detention. It is now clear that the vast majority should never have been picked up. Most were simply in the wrong place at the wrong time, captured by Afghan warlords or hungry villagers and sold to the U.S. for substantial bounties.

Litigation

It has been over eight years since CCR filed the first habeas petitions for Guantánamo detainees. Through Supreme Court arguments and congressional debates, CCR has been there, along with over 500 pro bono lawyers from across the country. Habeas cases continue to move through the courts, and most of the men whose cases have been heard have been ordered released. However, fewer than half of those men have actually been freed, due to government intransigence and failures in the administration's resettlement efforts.

In other litigation, CCR represents current and former Guantánamo detainees and their families—including the families of two men who died in the prison—in civil cases seeking redress for torture and mistreatment. The Center is also working with other human rights groups to investigate whether the CIA engaged in illegal human-subject experimentation on detainees. Details of our active Guantánamo-related cases can be seen beginning on page 27 of this annual report.

January 11, 2010 marked the beginning of the ninth year of detentions without charge or trial at Guantánamo. CCR believes that the men still imprisoned should be immediately charged in federal

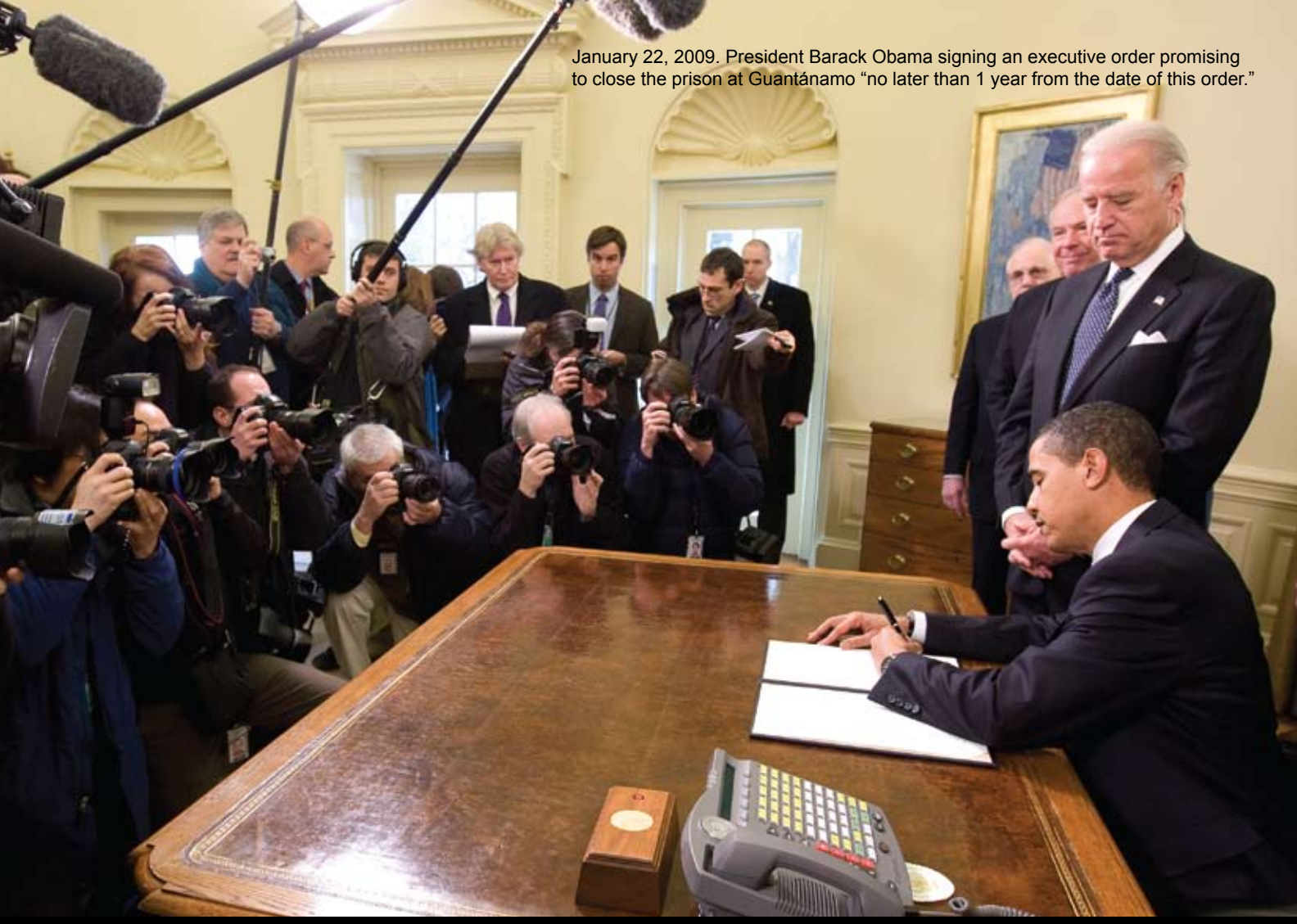


This is Obama's Guantánamo now. He has failed in his pledge to close the prison due to a lack of leadership, consistently attempting to keep cases out of the courts and bowing to partisan fear mongering.

—CCR Executive Director Vincent Warren.

courts or released. There should be no third category of men held in indefinite detention—and there must be accountability for crimes committed against the detainees, both to secure justice and to ensure that torture and other serious human rights abuses do not continue into the future. CCR will keep fighting with creativity and persistence until Guantánamo is safely closed, detainees are released and resettled, and the policies and programs that created this international symbol of human rights abuse are eradicated.

January 22, 2009. President Barack Obama signing an executive order promising to close the prison at Guantánamo “no later than 1 year from the date of this order.”



Working for Safe Release and Resettlement

Many of the men remaining at Guantánamo cannot be returned to their home countries because of the risk of indefinite detention, torture, or summary execution often because of the stigma of having been in Guantánamo or because they belong to a persecuted political, religious, or ethnic minority. One of CCR’s priorities this year has been to help safely resettle men who have been released and to prevent involuntary repatriations to countries where individuals face harm.

CCR has been pursuing a variety of advocacy strategies to secure appropriate placements. The Center has a staff attorney stationed in London who has

been conducting intensive diplomatic advocacy to encourage European governments to take action on our clients’ behalf. There have been successes: men have been resettled safely in France, Spain, Portugal, Ireland, Belgium, Bermuda, Albania, Switzerland and Palau. Last year, we also expanded our resettlement efforts in Latin America and other regions.

While many countries have expressed a willingness to take released detainees, the United States’ refusal to allow any of these men to be released onto U.S. territory has been a major obstacle to the diplomatic process of convincing other nations to welcome them.

The largest remaining group at Guantánamo are men from Yemen, most of whom have been cleared for release but cannot be sent home due to the U.S. government’s ban on all repatriations to that country. These obstacles will have to be overcome in order to achieve meaningful progress towards closing the prison.

CCR’s advocacy on behalf of Guantánamo detainees spans district and appellate court litigation, international advocacy, resettlement assistance, and legislative and media advocacy to secure the best possible resolution for our clients and to address the underlying legal and policy issues highlighted by their cases.

They beat him regularly, and, on three occasions, subjected him to electric shock treatments. "It feels like your eyes will explode."
- detained and tortured at Abu Ghraib for a year.



International Human Rights

Spanish Investigation into U.S. Torture

Finding little support for investigation by the Obama administration, CCR is seeking to hold former high-ranking U.S. officials accountable for their roles in the U.S. torture program internationally, under the principle of universal jurisdiction. CCR filed briefs in two investigations pending in the National Court of Spain.

One case examines whether criminal charges are warranted against Bush administration lawyers, the "Bush Six," for creating the legal justification underpinning of the U.S. torture program. CCR has sought expert status for this investigation based on our years of experience working with, and seeking justice for, survivors of these policies.

The second investigation focuses on the torture and abuse

of four former Guantánamo detainees with links to Spain and potentially encompasses torture and abuse that took place in Iraq, Afghanistan and CIA black sites, as well as Guantánamo. CCR is seeking to become a party to the proceedings, and has submitted information from our cases representing people tortured or otherwise abused in Guantánamo, in Abu Ghraib and at other U.S.-run detention facilities in Iraq.

CCR has accumulated a wealth of knowledge from leading the battle to challenge Guantánamo and representing people who have been subjected to every facet of the U.S. torture program, from indefinite detention and torture, to extraordinary rendition and CIA ghost detention. Prosecuting the high-ranking former officials responsible for torture would provide the strongest possible deterrent against future administrations going down this dark path again.

Rendition to Torture: Maher Arar


Since 2004, CCR has represented Maher Arar in his lawsuit against former Attorney General John Ashcroft and other U.S. officials—the first legal challenge to the government's practice of "extraordinary rendition," the forced transfer of a person to another country to be arbitrarily detained, interrogated and tortured.

Mr. Arar was detained in 2002 while changing planes at JFK Airport. The Bush administration labeled him a member of Al Qaeda and sent him not to his home in Canada, but into the hands of intelligence authorities in Syria, where he was detained and tortured for nearly a year in a small underground cell. When the Syrian government released him, it stated they found no connection to any criminal activity. Unlike the U.S., the Canadian government conducted an official investigation which found that Mr. Arar had no connection to terrorism and has issued an apology and compensation for Canada's role.

CCR's lawsuit, *Arar v. Ashcroft*, was dismissed by the Court of Appeals in November 2009 and, sadly, the Supreme Court denied our request for review ending his case in the U.S. courts. The Obama administration opposed Mr. Arar's Supreme Court petition, arguing that U.S. officials should not be held accountable by the courts even if those officials did conspire to send Mr. Arar to torture. This follows the Obama administration's new "transfer policy" recommendations that continue to permit rendition.

The Obama administration still refuses to remove Mr. Arar from its terrorism watch list or to hold anyone involved in his case accountable. CCR will continue to pursue every available avenue towards securing an official U.S. apology to Mr. Arar, and to end the U.S. practice of rendition.

When Healers Harm

Despite the health professions' recognized duty to "do no harm," doctors and psychologists have played a key role in the U.S. torture program. Health professionals crafted and justified torture tactics; inflicted pain; oversaw abuse; and enabled, covered up and turned a blind eye to cruel treatment. For more information on CCR's ongoing campaign to hold health professionals accountable for torture, visit: www.whenhealersharm.org. 

Universal Jurisdiction: Bridging the Impunity Gap

Universal jurisdiction is a mechanism that allows a country to prosecute people for certain crimes, even if those crimes were committed in another country and by non-nationals. The underlying principle is that some crimes—including genocide, crimes against humanity, war crimes and torture—are of such exceptional gravity that they are considered an attack on humanity as a whole. Accountability should not be dependent on the willingness of the government where the crimes occurred, or where nationals reside, to prosecute those responsible.

Former heads of state and high government officials cannot assume they have immunity if they are guilty of crimes of this nature. Every nation has an obligation to prosecute the alleged perpetrators of such serious international crimes, or to turn them over to another country for prosecution.

Since the first public revelations regarding the Bush administration's torture program, the Center for Constitutional Rights has worked to expose details of the policy and to hold high-level officials, along with those who provided legal justifications, accountable for their role as architects of the torture programs in Guantánamo, Iraq, secret CIA sites and elsewhere. Because the U.S. has so far failed to prosecute anyone up the chain of command for these abuses, CCR and our allies have been pursuing justice in other countries—first in Germany, then France, and currently in Spain. When torture and abuse are not properly investigated where they occur, universal jurisdiction may be the only resort to assure that survivors of these crimes can have their voices heard, and to secure accountability for high-level officials who caused these victims such grave harm.

Both the Obama and Bush administrations have actively sought to block all efforts on behalf of victims of the detention, interrogation and torture policies from having their day in court...Spain, therefore, can and indeed, must, exercise its jurisdiction... –CCR's submission to the Spanish court urging them to investigate the U.S. torture program.

International Human Rights

Military Contractors

The U.S. government continues to increase its reliance upon private military contractors to perform functions that traditionally have been the exclusive domain of government. These contractors operate without many of the accountability mechanisms that would apply to the military and they participate in controversial activities, including drone bombings and even a CIA assassination program. They are used across the globe, including for "humanitarian" efforts throughout Africa and in post-earthquake Haiti. In Afghanistan and Iraq, there have been nearly 20 percent more private contractors than uniformed personnel, making these wars the most outsourced and privatized in U.S. history.

CCR has been representing Iraqis in litigation against U.S. contractors since 2004, demanding that private military contractors who commit grave human rights abuses be held accountable. Contractors have responded by claiming the "government contractor defense," arguing that, because they were contracted by the U.S. government, they shouldn't be held liable for violations they commit while purportedly performing their duties—even war crimes that would clearly be punishable if committed by a soldier. While we've had some successes, no federal court has yet addressed the actual torture and misconduct that that these contractors have perpetrated against hundreds of Iraqi civilians.

Blackwater trains active and inactive members of the U.S. military at their facilities in North Carolina.



Blackwater Cases

In January 2010, CCR and co-counsel won an important settlement in cases against Blackwater Worldwide (recently renamed Xe Services) for firing on civilians on at least two occasions in Baghdad. *Abtan v. Prince* and *Albazzaz v. Prince* alleged that heavily armed Blackwater guards fired on Iraqi civilians near Al Watahba Square in Baghdad in September 2007, and several days later killed 17 and injured many more Iraqi civilians in Nisoor Square.

In addition to securing compensation for the families of those killed and wounded in Blackwater's attacks, these cases provided a way for our clients to tell their stories and helped expose the ways in which Blackwater has thus far operated largely outside of any system of accountability.

Torture in Iraq


CCR is co-counsel on three cases against private military contractors for torture and other unlawful acts committed while providing interrogation and translation services at detention centers throughout Iraq, including the notorious Abu Ghraib prison. The cases—*Saleh v. Titan*, *Al-Quraishi v. Nakhla and L-3* and *Al Shi-*

Blackwater founder Erik Prince "views himself as a Christian crusader tasked with eliminating Muslims and the Islamic faith from the globe," and Prince's companies "encouraged and rewarded the destruction of Iraqi life."

—former Blackwater employee in an affidavit.

mari v. CACI—represent nearly 340 Iraqi civilians. *Saleh* was the first lawsuit filed on behalf of Iraqis who were tortured and otherwise abused in U.S.-run prisons. The Supreme Court will decide on whether to hear the case this fall—it would be the first time the high court addresses contractor liability in Iraq.

Stand Down

CCR's campaign, "Stand Down: End Human Rights Abuse by Military Contractors," seeks to close the serious accountability gaps that surround these corporations. As part of this work, we helped build support for the Stop Outsourcing Security (SOS) Act, to phase out private military contractors in war zones. To get involved with the Stand Down campaign, visit CCRjustice.org/stand-down 

The U.S. must end its reliance on private military contractors to conduct war—and we must all work to hold these corporations, and those who run them, accountable for human rights violations.


U.S. Human Rights Record to be Reviewed at the UN

The human rights record of the United States will be reviewed for the first time in November 2010 as part of the Universal Periodic Review process undertaken by the UN Human Rights Council. CCR co-submitted a report on the U.S. failure to ensure accountability when corporations, including private government contractors, commit human rights abuses ranging from human trafficking to murder.

The report cites numerous examples where private companies are accused of serious human rights abuses, including:

- torture and extrajudicial killings committed by private military contractors in Iraq
- the use of forced labor and child labor by Bridgestone in Liberia
- human trafficking of Nepali laborers by Kellogg Brown & Root
- war crimes by Caterpillar
- complicity in war crimes by Chiquita

The report concludes that the framework to hold corporations accountable is piecemeal at best, and that the U.S. government has failed in its obligations to protect against corporate abuses—and to provide an effective remedy for such abuses when they occur. The full report is available at:

CCRjustice.org/files/upr-usa-2010.pdf 

International Human Rights



Palestinians prepare to receive the Gaza Freedom Flotilla on May 30, 2010 —the day before an Israeli attack on the aid convoy left 9 people dead.

Gaza Freedom Flotilla

In May 2010, a flotilla of six vessels seeking to deliver humanitarian aid to Gaza was attacked by Israeli forces, killing nine people and injuring over 60. The attack took place in international waters, in violation of international law.

The flotilla was intended as a nonviolent protest of Israel's illegal blockade of Gaza which has resulted in denial of basic necessities like food and medicine to Palestinians for over four years. The ships were carrying over 700 international activists from nearly 40 countries, as well as urgently needed medical and rebuilding supplies.

The Center has filed eight Freedom of Information Act (FOIA) requests seeking details of the United States government's knowledge of and response to the attack and information regarding U.S. policy towards the blockade.

Sixteen U.S. citizens were part of the flotilla, one of whom was killed on the *Mavi Marmara*. U.S. citizens were injured, detained and had their property—including computers, video and photographic equipment, all of which contained potential evidence for investigations into the attack—seized by Israel. CCR joined with other rights groups in condemning the action, outlining its illegality, and demanding the U.S. insist that Israel preserve and return the seized property unaltered. CCR has also called for an independent and impartial investigation into the attack on the flotilla.


Israel's blockade of Gaza has been internationally condemned as illegal and unjust. It has been found to be a form of prohibited "collective punishment" by United Nations representatives. CCR has consistently condemned the blockade and the humanitarian crisis it has caused in Gaza.

A U.S. citizen was killed, others were injured, detained and had property taken. Serious questions remain about the U.S. involvement and response to Israel's attack on the Gaza Freedom Flotilla. – CCR Senior Staff Attorney Katherine Gallagher.

Mamilla Cemetery

Mamilla Cemetery is an ancient Muslim burial ground and holy site believed to date back to the 7th century, when companions of the Prophet Muhammad were reportedly buried there. It was an active burial ground until 1948, when the new State of Israel seized the western part of Jerusalem. The cemetery was then taken over by the Israeli government; Muslim authorities have not been allowed to maintain the cemetery since.

CCR represents human rights groups and Palestinian families who have ancestors buried in the ancient Ma'man Allah (Mamilla) Muslim cemetery in Jerusalem, in petitions filed with several international bodies. The Israeli government and the Simon Wiesenthal Center have destroyed a portion of Mamilla Cemetery in order to build the "Center for Human Dignity—Museum of Tolerance"—disinterring hundreds of graves and leaving the whereabouts of countless other human remains unknown. CCR supports the families in their call for the international community to denounce this desecration of an historic Muslim cemetery in Jerusalem.

The petitions demand that Israel halt construction of the museum, disclose the whereabouts of the missing remains and rebury them at Mamilla, and preserve and protect Mamilla Cemetery. For additional information, please visit: [CCRjustice.org/ourcases/current-cases/mamilla](https://www.ccrjustice.org/ourcases/current-cases/mamilla). 



Tombstones in Mamilla Cemetery, Jerusalem.

Advancing International Law

CCR's legal team is recognized for its expertise in many areas, including international human rights. In addition to bringing lawsuits, we are frequently asked to contribute to cases by submitting an amicus brief, meaning literally "friend of the court." An amicus is submitted by a non-party to a lawsuit who has a strong interest in the subject matter or a unique perspective or expertise which could inform the court's decision. In some cases a judge requests an amicus as an expert opinion on a particular legal topic. These briefs can have a profound impact on the outcome of a case, as well as educate the courts on complicated areas of law.

This year CCR filed amicus briefs in U.S. and international courts on issues ranging from discriminatory employment testing to First Amendment issues. One area where the Center draws on our substantial expertise is international human rights and humanitarian law.

Human rights briefs submitted by CCR this year included:

- A Supreme Court amicus arguing that life in prison without parole for juveniles is indecent and excessive punishment under international law. Relying in part on our human rights arguments, the Court ruled that a life-without-parole sentence for juvenile offenders convicted of a non-homicide crime was unconstitutional.
- Two amicus briefs regarding the Ogoni 9 in Nigeria: one arguing that their executions constituted extrajudicial killings under international law, and another regarding the legal definitions of crimes against humanity; arbitrary arrest and detention; and cruel, inhuman or degrading treatment or punishment.
- An amicus filed at the Inter-American Court of Human Rights (IACHR) regarding the disappearances, rapes, and murders of young women and girls in Ciudad Juárez, Mexico. The IACHR found Mexico in violation of human rights obligations and ordered remedial measures and reparations.



Policing and Prisons


The Federal Prison in Terre Haute, Indiana where an experimental prison unit was secretly opened in 2006.

Communications Management Units

In 2006 and 2008, the Federal Bureau of Prisons (BOP) secretly created two prison units—in Terre Haute, IN and Marion, IL—to segregate targeted prisoners in the federal system. The BOP claims these “Communications Management Units” (CMU’s) are intended to hold dangerous terrorists and other high-risk inmates. In fact, CMU inmates have all been deemed appropriate for medium-security facilities and have apparently been sent to these isolation units due to their religious beliefs, their unpopular political views, or in retaliation for challenging rights violations in the federal prison system. Over two-thirds of the CMU population is Muslim even though Muslims represent only six percent of the general federal prison population.

CMU prisoners face harsh restrictions on communications, including complete bans on any physical contact with

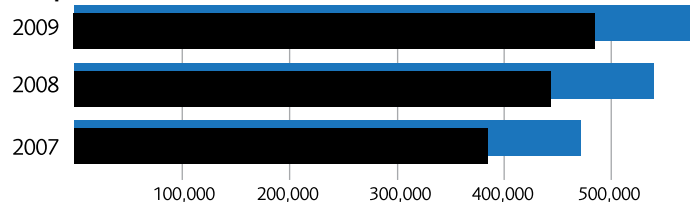
visiting family. Interactions with other prisoners and phone calls are also severely limited. Prisoners are sent to CMU’s without any explanation or opportunity to appeal—a due process violation that allows for racial and religious profiling, as well as retaliation for protesting prison conditions. Created without the legally required opportunity for public comment, these isolation units have been shrouded in secrecy since their inception.

In March 2010, CCR filed *Aref v. Holder* on behalf of several CMU prisoners and their family members, challenging the discriminatory policies and harsh conditions of these units and the circumstances under which they were established. Within a month of our filing, the BOP opened up CMU policies for public comment—three years after the fact. CCR then worked with allies to flood the Bureau of Prisons with public feedback. To view some of these comments, or to get more information on this case, visit [CCRjustice.org/cmu](https://www.ccrjustice.org/cmu). 

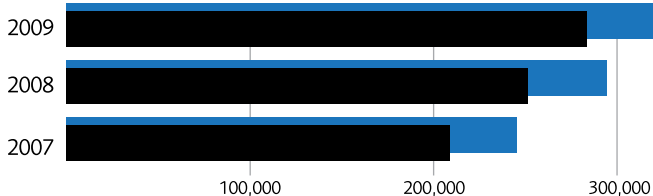
Between 65 and 72 percent of CMU prisoners are Muslim men. This stark over-representation indicates that these units were created to allow for the restrictive segregation of Muslim prisoners, based on the discriminatory belief that they are more likely to pose a security threat. – CCR Staff Attorney Alexis Agathocleous.

Stop-and-Frisks by NYPD

Stops



Frisks



- Total number of people stopped/frisked in New York City
- Total number of Black and Hispanic people stopped/frisked in New York City

Racial Profiling in New York City

The Center has long been active in the movement to end racial profiling. Our lawsuit, *Floyd v. City of New York*, grows out of the landmark settlement in CCR's earlier case, *Daniels v. City of New York* (1999), which required the New York City Police Department to maintain detailed demographic data on their stop-and-frisk activity. The litigation has provided CCR with over 10 years worth of data that clearly demonstrates racial profiling and an increase in unconstitutional stop-and-frisks by the NYPD.

In related education and advocacy work, CCR is partnering with a wide range of grassroots groups in New York as part of the Coalition for Community Safety, developing public education materials and advocating for accountability mechanisms that would address all aspects of police misconduct. CCR's Education and Outreach team has testified at hearings and shared data with city and state committees working on police reform.

Jailhouse Lawyer Handbook

CCR, in partnership with the National Lawyers Guild, continues to distribute the *Jailhouse Lawyer's Handbook* free to prisoners in the U.S. The handbook explains how to bring a federal lawsuit to fight mistreatment and poor conditions in prison, and is available for download on our website at:

CCRjustice.org/jailhouselawhandbook

Creative Lawyering: New Orleans First Appearances Survey

The Center for Constitutional Rights has always looked for creative ways to do social justice lawyering. Our willingness to work in tandem with political movements and to incorporate non-litigation strategies into our work can lead to impressive victories and new ways of thinking.

This past year saw an example of such an approach when CCR challenged inequities in the criminal justice system in New Orleans. Taking the lead from local advocates who have long decried flagrant constitutional violations experienced by people arrested in NOLA, we created a project to observe the first appearance before a judge in every Orleans Parish criminal court for 60 straight days.

CCR's study documented systematic violations of people's rights. For example, the court routinely rushed through first appearances, spending an average of only 100 seconds per arrestee. And in 83 percent of the cases we observed the court did not make the constitutionally required probable cause determinations.

At the request of the Orleans Public Defenders, CCR submitted an amicus brief in *State of Louisiana v. Wallace*, a case in which the accused was held longer than constitutionally allowed before being brought before a judge. Contrary to the government's assertion, the data made it clear to the judges that the problem was widespread and egregious, prompting the court to issue a scathing unanimous decision mandating that judges conduct probable cause determinations of all arrested people within 48 hours or immediately release them without bail. This decision has had an immediate and profound impact on protecting the rights of anyone arrested in New Orleans.

More information on this case and results of the survey are available at:

CCRjustice.org/la-v-wallace-first-appearances

Immigrant Justice

Targeting Immigrants

Recently we have seen an increase in the targeting of people based on perceived immigration status by involving local jurisdictions in immigration enforcement. In Arizona and across the nation, the results have been disastrous—producing programs that destroy the public trust that police departments rely on to investigate crimes, and that make immigrants far more likely to be the targets of crime.

This year, CCR expanded our Immigrant Justice work to include fighting the new “Secure Communities” program which increases the involvement of local entities in immigration enforcement (see sidebar). We are also providing ongoing legal support to the growing immigrants’ rights movement (see Movement Support page 22), advocating on behalf of immigration detainees experiencing abuse and harsh conditions, and providing direct legal representation in select immigration cases. We are proud to be getting more deeply involved in one of the most important civil rights issues of our time.

Post-9/11 Immigrant Round-Ups

In November 2009, CCR won a \$1.26 million settlement for five men who were unlawfully detained and abused at Brooklyn’s notorious Metropolitan Detention Center (MDC) after being rounded up in the reactionary immigration sweeps that followed the attacks of September 11, 2001.

CCR first filed *Turkmen v. Ashcroft* in 2002 on behalf of non-citizens who were held for up to nine months on minor immigration charges at MDC and in New Jersey’s Passaic County Jail. These men had been swept up in a wave of racial and religious profiling of South Asian, Arab, and Muslim non-citizens during the hysteria that gripped the country in the aftermath of 9/11. Thousands of people were held as suspected terrorists until cleared of any connection to terrorism, and then deported. While



imprisoned, they were subjected to horrendous confinement conditions and religious, verbal, and physical abuse.

The settlement is an historic victory for our clients and a key first step toward ensuring that these kind of round-ups, motivated by racial and ethnic bias, are not repeated. CCR also remains committed to ensuring that those most responsible for these policies—the high-level Bush administration architects of the post-9/11 sweeps—are held accountable



A woman being arrested during an immigrants' rights protest in Arizona.

ICE "Secure Communities" Program: Another Immigration Dragnet

In March 2008, U.S. Immigration and Customs Enforcement (ICE) launched "Secure Communities" (S-Comm), a little-known data-sharing program which links state and local entities in the enforcement of federal immigration law. Like Arizona's controversial law SB1070, this program has the effect of increasing racial profiling, creating distrust between police and immigrant communities, and stripping immigrants of due process rights.

The program requires fingerprint checks through immigration databases for all arrestees, even when criminal charges are minor, later dismissed, or the result of an unlawful arrest. By running immigration checks on presumptively innocent arrestees, the program functions as a dragnet funneling people into an unfair detention and deportation process.

S-Comm deployment has been growing rapidly and officials want to expand it nationwide by 2013. Since its inception in 2008, over 3 million people have been subjected to S-Comm queries, including at least 5,900 U.S. citizens.

CCR and our co-counsel have filed a Freedom of Information Act (FOIA) lawsuit on behalf of the National Day Laborer Organizing Network, seeking comprehensive information about the program and its implementation. The suit was filed during a weeklong national campaign of coordinated actions. CCR and our partners are calling on local, county, and state officials to terminate or refuse to sign S-Comm agreements and to prohibit police and other public agencies from asking for proof of immigration status or citizenship.

More information on our campaign to uncover the truth about police and ICE collaboration is available at

www.uncoverthetruth.org



for their actions. Toward that end, the Center is seeking to add six new plaintiffs and to continue the *Turkmen* case. In light of an extremely high threshold—set by the Supreme Court last year in a related case—for holding high-level government officials accountable, we are also seeking to supplement the complaint with details, compiled during our eight years of litigating *Turkmen*, that directly tie former Attorney General John Ashcroft, FBI Director Robert Mueller, and former INS Commissioner James Ziglar to the illegal round-ups and abuse.

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.

—Yasser Ebrahim, regarding *Turkmen v. Ashcroft* settlement agreement.



CCR Senior Managing Attorney Shayana Kadidal addresses the media with (from right) CCR Staff Attorney Darius Charney, Vulcan Society members John Coombs (President), Paul Washington (former President), Duery Smith and co-counsel Richard Levy after a court appearance in *U.S. and Vulcan Society v. City of New York*.

Employment Discrimination

We're glad to see the justice system verify what we've known for the longest time, that the Fire Department is hostile to hiring Blacks. We hope this means 145 years of racism in the New York City Fire Department will now come to an end.

Paul Washington, past President of the Vulcan Society.

CCR has a series of employment discrimination cases on behalf of women and minorities who are being unfairly discriminated against in the job market and at work: on behalf of Black and Latino teachers in New York State, Black firefighters in New York City and Chicago and Census worker applicants nationwide.

Challenging Unfair Employment Tests

For years, CCR has partnered with the Vulcan Society, the organization of Black firefighters in New York City, to challenge discrimination in recruitment of firefighters. New York City has the least diverse fire department of any major city in America—about 90 percent white even though Blacks and Latinos comprise more than 50 percent of the city's population.

Discriminatory Testing

Under federal law employers must refrain from any employment practice that “causes a disparate impact on the basis of race, color, religion, sex or national origin.” It is not necessary that there be an intention to discriminate—although when intentional discrimination is found, as in our case representing Black firefighters against the City of New York, the penalties are stronger. An exception to this principle can only be made for a job-related requirement, such as a language test for a translator job.

Historically, civil service tests have often had a disparate impact on applicants of color. Defenders of these tests have asked: “Aren’t the people who do best on these tests the most qualified? Why hire less qualified applicants?” In too many instances, however, these tests have no actual bearing on the job and are not a good predictor of future job performance.

Employment tests must be properly validated to prove they measure the skills needed for a particular job, and do not illegally favor a particular ethnic group. In many cases, including CCR’s cases (described on this page), they were

The central issue in the case, *U.S. and Vulcan Society v. City of New York*, is whether the skills measured by the Fire Department of New York’s (FDNY’s) written exam have any relationship to skills necessary to be a good firefighter—the courts have concluded that they do not. Rulings in this case have proven that the exams had a discriminatory impact on Black and Latino firefighter applicants and that the FDNY had engaged in a decades-long practice of intentional discrimination against Black applicants. The FDNY must now hire Blacks and Latinos on a priority basis over the next several hiring cycles and institute a new, non-discriminatory way of ranking applicants who pass the test. This is an enormous victory for racial justice that will have broad impact on the hiring practices of cities across the country.

Indeed, CCR and our allies filed a Supreme Court amicus this year in a similar case, *Lewis v. City of Chicago*, challenging the civil service exam used by the Chicago Fire Department. That exam has also been shown to have had a disparate impact on Black applicants. A May 2010 victory in the Supreme Court has sent the case back to the district court for ongoing proceedings.

CCR is also continuing our long-standing class action



not. There are many reasons why a test may have a disparate impact on candidates of color, including the way the tests are administered, access to test preparation materials and to other people in the field who might help with study, or simply by using content geared towards white applicants. When a test has been shown to have a disparate impact on people of color and has been shown to have an insufficient correlation to job performance, then the continued use of that test can act purely as a barrier to keep people of color out of good jobs. CCR has been hugely successful in our fight against racially discriminatory testing—an important part of the struggle for racial and economic justice and fulfillment of the Constitution’s guarantee of equal protection of all.

lawsuit on behalf of public school teachers of color who are challenging the use of two standardized teacher certification tests and licensing rules that have deprived them of equal salaries, pensions, benefits, and seniority—yet kept them in the classroom as temporary employees: *Gulino v. The Board of Education of the City of New York*.

U.S. Census: Hiring Discrimination

The U.S. Census Bureau hired over a million temporary employees this year for the 2010 census. Unfortunately, they used racially-biased arrest records as a strike against applicants, requiring them to produce “official court documentation” for any past arrest, regardless of the nature of the arrest, whether a conviction resulted, its relationship to the job or how long ago it happened. This requirement eliminated 93 percent of applicants and hit minorities the hardest.

CCR and co-counsel filed *Johnson v. Locke* to stop the government from continuing to use such biased employment screening procedures and seeking damages for those applicants for work during the 2010 census who were harmed by these policies.

Right to Dissent

The Green Scare

CCR is defending animal rights activists targeted under the Animal Enterprise Terrorism Act (AETA) and its precursor, the Animal Enterprise Protection Act (AEPA). The AETA criminalizes a broad swath of First Amendment activities. In what has become known as the "Green Scare," these prosecutions seek to chill activism by criminalizing otherwise-protected activities and speech, and by enhancing criminal penalties through charging activists as "domestic terrorists" for picketing, chalking sidewalks, chanting, leafleting or maintaining a website.

In *United States v. Buddenberg*, activists (the AETA 4) faced 10 years imprisonment for charges of "animal enterprise terrorism" and conspiracy for allegedly picketing on the front lawn of a professor involved in research on animals.

Kevin Olliff was prosecuted for speech in support of allegedly illegal acts by the Animal Liberation Front (ALF),

but not with participating in those acts. *California v. Kevin Olliff* sought a gang enhancement penalty, calling the ALF a criminal street gang. In January 2010, the judge ruled that the ALF is not a "gang" because it primarily engages in protected speech, not criminal activity. Kevin pled no contest to the remaining counts and is expected to be released in October 2010.

In *United States v. Stop Huntingdon Animal Cruelty*, the defendants known as the SHAC 7 were convicted of "terrorism" under the AEPA for website postings and organizing demonstrations. In June 2010, their appeal was denied, leaving in place four-to-six-year sentences.

These Green Scare prosecutions—equating animal rights protests with terrorism—are a threat to everyone who values their right to political expression. More information on these cases and CCR's campaign to abolish the AETA is available at: CCRjustice.org/anti-aeta. 

Police use tear gas against a crowd of students gathered in Pittsburgh to protest the G-20 summit.



Claiming fear of a terrorist attack, authorities militarize our towns, scare our people away, stop daily life and quash our constitutional rights.

– CCR Legal Director Bill Quigley at the G-20 in Pittsburgh.

Mass Protests

The September 2009 Pittsburgh meetings of the G-20 saw the continuing practice of deliberate and coordinated disruption of lawful political protests through heavy surveillance, brutal force and mass arrests that effectively suspended the First and Fourth Amendments and suppressed the right to dissent.

When finance officials from 20 countries met in Pittsburgh to set worldwide economic policies, several thousand people came to protest the undemocratic process and the unfair distribution of the world's wealth. Thousands of police deployed a staggering array of weapons against the protesters.

CCR and co-counsel filed two cases on behalf of G-20 protesters. *CODEPINK Pittsburgh Women for Peace v. U.S. Secret Service* won an expanded protest zone for groups who had been refused permits or received overly restricted permits. *Seeds of Peace v. City of Pittsburgh* unsuccessfully attempted to stop police harassment of activists

distributing free food. In *Caligiuri v. Pittsburgh*, CCR also successfully challenged the unconstitutional and unconscionable use of tasers against peaceful demonstrators who were already being restrained by police.

The Crackdown on Journalists

During the 2008 Republican National Convention (RNC) in Minnesota, numerous members of the media were arrested, detained and assaulted while attempting to cover the convention and the protests around it.

CCR represents three journalists—Amy Goodman, Sharif Abdel Kouddous and Nicole Salazar—from the nationally renowned progressive news show, *Democracy Now!*, in a lawsuit charging law enforcement with illegally interfering with media reporting. The three were arrested and brutalized while doing their job. The case, *Goodman v. St. Paul*, seeks to protect the First Amendment rights of journalists, and also raises important questions about the specific targeting of journalists and federal-local collaboration in policing and surveillance.

Defending ACORN from Right-Wing Attacks

When Congress passed a budget act cutting off the Association of Community Organizations for Reform Now (ACORN) from federal funding, CCR immediately stepped up to defend them. ACORN's success as a grassroots organization had put it in the crosshairs of conservative political forces that were threatened by the group's advocacy for such progressive causes as affordable housing and a living wage, and by ACORN's tireless commitment to registering low-income voters.

CCR went to court and won an injunction to stop Congress from legislatively punishing ACORN without proper investigation or due process, an action constituting an unlawful "bill of attainder."

A bill of attainder is a punitive legislative act that singles out an individual or group without the

safeguards of a judicial hearing. The prohibition against bills of attainder was included as a fundamental piece of the Constitution by the Founders, who were angry over the way the British Parliament had used similar bills to punish political rivals and popular movements. So unacceptable were these acts that they served as a major motivator for the American Revolution. Bill of attainder clause claims are rare—another example of CCR's creative use of the law in pursuit of social justice.

Despite two successful rulings, the government has appealed and the decision is stayed pending the outcome. CCR hopes that our ongoing support will help enable ACORN to continue its important work and help protect other progressive groups from being unfairly targeted in the future.



Movement Support

The Center for Constitutional Rights was founded to provide support to social justice movements. Our commitment to this principle is evident in every aspect of our work, but particularly in what we call "movement support." In this past year, this has included:

- Hosting the Coalition for Community Safety: community groups working to fight police misconduct in New York City. CCR provides a part-time staff person and has funded Know Your Rights murals and Cop Watch community billboards and produced t-shirts and literature that have been distributed throughout NYC.
- Advocating on behalf of Fahad Hashmi, a U.S. citizen who was held in *pre-trial* solitary confinement for almost three years in New York City under Special Administrative Measures (SAM's). CCR is working to end the draconian use of SAM's and extended solitary confinement in his and other cases.
- Providing the New Sanctuary Movement with ongoing legal support for protesters who engage in civil disobedience as part of the growing immigrant's rights movement.
- Facilitating a large coalition to flood the Bureau of Prisons with public feedback around the establishment of two experimental

Photos (counter-clockwise from top left): Activists with Take Back the Land, a land rights organization based in Miami; CCR Staff Attorney, Sunita Patel, legal observing at an immigrants' rights protest in Arizona; CCR staff (outside right and left) with activists from the shack-dwellers' movement in South Africa; New Sanctuary Movement activist and Haitian immigrant, Jean Montreuil, speaks to supporters after being released from Immigration and Customs Enforcement custody; International Federation for Human Rights



prison units, called Communications Management Units, which unfairly target certain prisoners for isolation and segregation.

- Updating and distributing our classic pamphlet, *If an Agent Knocks*, which provides practical advice to activists likely to be targeted by FBI agents or other federal investigators.
- Organizing the U.S. premiere of a documentary film about the 2009 military *coup d'etat* in Honduras and the powerful resistance movement that has risen up.

Increasingly, this work reaches across international borders. This year, CCR staff travelled to South Africa to meet with Abahlali baseMjondolo, the South African shack-dwellers' movement; to Haiti to assist in developing a human rights framework for the reconstruction efforts; to Uganda to strategize around how to fight the severe repression of the LGBT community there; and to Honduras to explore how we can be of assistance to the resistance movement that is working to restore democracy after the 2009 U.S. supported *coup d'état*. CCR is also an active member of the International Federation on Human Rights (FIDH), a federation of 116 human rights organizations in nearly 100 countries, working closely with them on accountability for the U.S. torture program, corporate human rights abuse, protecting human rights defenders, and resettlement for Guantánamo detainees.

(FIDH) board members attending an FIDH International Congress in Armenia, from left: Arnold Tsunga (of Zimbabwe), CCR Senior Staff Attorney Katherine Gallagher and Paul Nsapu Mukulu (of the Democratic Republic of Congo); CCR publication, *If an Agent Knocks*; Protest outside the Honduran embassy in New York on the first anniversary of the Honduran coup d'etat; Filmmaker Katia Lara celebrates the U.S. premiere of her film: *We Are not Afraid: Inside the Coup in Honduras (Quien Dijo Miedo: Honduras de un Golpe)*.



CCR In the News

CCR has a unique political analysis to add to the public debate on many of today's most pressing issues. Because we need a progressive voice to counter the all-too-often deafening rhetoric and disinformation of the Right, we move our work beyond the courtroom and into the court of public opinion. We are able to put pressure those in power through media exposure and involve others in our work through social networking.

For many people the web is the prime source for news, so we regularly write posts for popular sites including *AlterNet*, *CounterPunch* and *The Huffington Post*, and work closely with progressive bloggers at sites including *Salon*, *Slate*, *Daily Kos*, *Firedog Lake*, *The Washington Independent*, and *Talking Points Memo*. At this year's national blogger convention Netroots Nation, CCR hosted well covered panels on the use and abuses of private contractors and on the intersection of racial profiling, immigration and criminal justice.

We developed stories covering our stop-and-frisk suit against the New York Police Department and the startling revelations from the data we obtained through court order: ABC ran a multi-part story, and *The New York Times* published a front page investigative report as well as a scathing Bob Herbert column. We garnered major national coverage of our ACORN suit, which helped reveal the true facts, ulterior motives and constitutional issues involved. And CCR's work was covered in several *Times* editorials including one on our case challenging the hiring practices of the U.S. Census and one on our prison telephone case in the New York courts.

From C-SPAN to CNN, whether discussing the closing of Guantánamo or our Supreme Court case, *Holder v. HLP*, or analyzing Supreme Court nominations, CCR has been on the national radar. You may have heard us on NPR and public radio around the country, as well as countless local shows on Urban Radio Network, Pacifica stations, and mainstream outlets like Voice of America.

Many of you have seen CCR staff, often with our clients and allies, as guests on Amy Goodman's *Democracy Now!* program. Over the past decade the courts have too frequently accepted any assertion of national security to avoid hearing cases: the role of monitor and check on our government has fallen to the public. For that we need media coverage and a free press (see our case *Goodman v. St. Paul*)—and CCR is there to fight for both.



CCR Staff Attorney, Darius Charney, speaks to ABC News about racial profiling and arrest quotas within the New York City Police Department.



CCR Legal Director Bill Quigley speaking to a reporter at an immigrants' rights protest in New York City. CCR is available for interviews on all our issues: contact us at press@ccrjustice.org.



CCR Executive Director Vincent Warren moderating the Culture Project's sold-out event, *Blueprint for Accountability*, here with Jeremy Scahill (left) and General Ricardo Sanchez (right).

CCR on the Web

Below is just a sampling of the CCR videos available at CCRjustice.org.



1 Noor Elashi, daughter of a man being held in a Communications Management Unit, speaking about the difficult and unfair circumstances of her father's treatment. These experimental prison units single out certain prisoners, mostly Muslims, for severe social and physical isolation.

2 A statement from Mohammed Sulaymon Barre, recorded shortly after his release from Guantánamo in December 2009, urging the United States to close the prison as quickly as possible and issue an apology to the men that were held there. **3** Members of grassroots community organizations: Juntos, New Sanctuary Movement and the Philadelphia Storytelling Project, describe how most of them or their family members have been arrested by local police and turned over to Immigration Customs Enforcement (ICE). CCR is a member of the coalition working to end discrimination against and targeting of immigrants: uncoverthetruth.org.

4 CCR Senior Staff Attorney Maria LaHood speaks about CCR client Maher Arar and attempts to hold U.S. government officials responsible for their role in sending Mr. Arar to Syria where he was tortured. **5** Mazwi Nzimande, Chairperson of Abahlali baseMjondolo Youth League, a land rights organization in South Africa—one of many organizers and activists that CCR met with during a fact finding delegation covering housing rights. This is one of over 70 videos available at youtube.com/user/CCRMEDIA. If you like the video be sure to give it a good rating and recommend to your friends.

Other Ways to Follow/Join CCR

facebook

friend CCR on FB and refer others

twitter

@theCCR follow, tweet and retweet!

YouTube

subscribe to CCRmedia and see all our new videos



Letter from the Legal Director

Friends:

As you look over the following case summaries, I hope you will believe, as I do, that CCR had an amazing year. We continued to strengthen our commitment to human rights advocacy and to working with community organizations—remaining true to our history of social justice litigation to assist those who are most on the margins.



We had many victories. To name just a few: we secured a major settlement for the families of Iraqis who were injured or killed by Blackwater. Our Guantánamo team secured the release of clients who had been unjustly detained for years. We challenged the Right-wing campaign to discredit and defund ACORN. We won a first of its kind immigration ruling in the Second Circuit and secured a major settlement against the U.S. on behalf of South Asian, Arab and Muslim non-citizens who were rounded up, abused and detained after 9/11. We also won major victories for the Vulcan Society—an organization of Black firefighters in New York City—helping to clear the way for a much more diverse New York Fire Department.

Frustratingly, several cases confirmed our worst fears about current U.S. courts, where we find too many conservative judges and an over-willingness to defer to government. Justice was denied in the U.S. when the Supreme Court refused to hear our case for Maher Arar, who was rendered to Syria by U.S. officials. We lost the *Humanitarian Law Project (HLP)* material support case in the Supreme Court, and the New York high court ruled against our claims for families who overpaid unjust telephone connection fees to talk to loved ones in New York prisons. CCR has been litigating *Arar*, *HLP* and the prison telephone cases for years—so these losses were particularly painful. We also failed to get a reversal of the conviction of Camilo Mejia-Castillo, a man of

conscience who was the first Iraq war veteran to openly refuse to re-deploy. Given that CCR does not shy away from taking on difficult cases, we must be ready to accept a few losses—but it is difficult nonetheless.

CCR took on an impressive amount of new work this year. Here is a sampling: we applied to join the Spanish investigation into the U.S. torture program in our ongoing quest

for accountability for those U.S. leaders who ordered the torture of prisoners; we filed civil rights actions on behalf of Amy Goodman and two *Democracy Now!* producers, arising out of their arrests at the 2008 Republican National Convention; we filed Freedom of Information Act requests to reveal U.S. knowledge of the attack on the solidarity flotilla to Palestine and we joined with the National Day Laborer Organizing Network in challenging the "Secure Communities" program, which is so hard on immigrants. We also defended animal rights activists whose First Amendment rights to protest were being criminalized and fought for the right to protest at the G-20 meetings in Pittsburgh.

Personally, I learned a tremendous amount during the past year. CCR has a strong staff, an active board, great co-counsel, amazing volunteers, and the crucial support of donors—a combination that makes all of this work possible, and that also makes possible the hope for a better future.

Justice and peace,

A handwritten signature in cursive script that reads "Bill Quigley".

Bill Quigley

Case Index

Below is an index of cases and amicus briefs that CCR litigated or filed during this past year. In addition, we are continuously developing new cases, working closely with progressive attorneys and other organizations on a host of constitutional and human rights issues and providing support and expertise to many movements and organizations who may not have a case represented below.

Guantánamo

Guantánamo Habeas Cases

Al Qahtani v. Obama

Habeas petition for Mohammed al Qahtani, who suffered physical and psychological torture when he was subjected to the extraordinarily abusive "First Special Interrogation Plan," a regime of "systematic enhanced interrogation techniques" personally authorized by Donald Rumsfeld.

Status: Pending in D.C. District Court.

Ameziane v. Obama

Habeas petition on behalf of Djamel Ameziane, an Algerian man who requires urgent resettlement protection. Mr. Ameziane has never been charged with any crime and fears forced repatriation to Algeria, a country he fled to escape escalating instability and oppression. Mr. Ameziane has been at Guantánamo since 2002, where he has suffered abuse and solitary confinement.

Status: Pending in D.C. District Court.

Mr. Ameziane also has a sealed application pending before the U.S. Supreme Court.

Barre v. Obama

Habeas petition filed on behalf of Mohammed Sulaymon Barre, a citizen of Somalia, who had been living in Pakistan under the mandate protection of the U.N. High Commissioner for Refugees. Mr. Barre was never

charged with any crime, but was told that since he was from Somalia, which had no functioning government to take him back, he would be at Guantánamo "for a long time."

Status: After CCR filed its response, the government cleared Mr. Barre for transfer to Somaliland, an autonomous region in northwestern Somalia. He arrived in December 2009, where he is now living with his family and has returned to studying (and hoping soon to teach) agriculture.

Mr. Barre's habeas corpus petition was dismissed as moot in the D.C. District Court following his release, but CCR has appealed the dismissal to the D.C. Circuit and continues to pursue the case to clear Mr. Barre's name.

Khan v. Obama

Habeas petition filed on behalf of Majid Khan, who was held and tortured in CIA secret detention for several years prior to his transfer to Guantánamo. Because the government has classified Khan's experiences in CIA detention, access to our client is subject to extraordinary security and censorship procedures.

Status: Pending in D.C. District Court.

Khantumani v. Obama

Habeas petition filed on behalf of Syrian father and son, Abdul Nasser and Muhammed Khantumani. Muhammed was still a juvenile when he came into U.S. custody and was



Extended family of Mohammed Sulaymon Barre in front of Mr. Barre's home, Borao, Somaliland.

detained apart from his father for the duration of his detention. Both men were held without charge or judicial review for over seven years. CCR undertook extensive diplomatic and advocacy efforts to find safe third countries for resettlement of these men, who cannot safely return to Syria.

Status: After seven and a half years of unlawful detention, Muhammed was released and resettled in Portugal in August 2009. His father continues to be detained without charge. CCR is continuing to work towards safe resettlement for Abdul Nasser Khantumani and will support ongoing reintegration and family unification efforts for both men.

Guantánamo (continued)

Kiyemba v. Obama (Kiyemba I)

Consolidated habeas petition for ethnic Uighurs: captured by bounty hunters in Afghanistan and Pakistan, sold to the U.S. military and then transferred to Guantánamo. Despite being found to not be enemy combatants and ordered released by a U.S. federal judge, some of the Uighurs still remain in Guantánamo awaiting resettlement in a safe third country.

Status: In 2008, 17 Uighurs were ordered brought to the U.S. for purpose of release; the D. C. Court of Appeals reversed; a petition for certiorari review in the Supreme Court was granted, but in March, after a government-engineered resettlement offer in Switzerland for the last Uighur with no prior resettlement offer, the Supreme Court remanded the case, and the Court of Appeals affirmed its prior ruling. Since June 2009, four of the original seventeen men have been successfully resettled in Bermuda, six temporarily in Palau, and two in Switzerland.

Kiyemba v. Obama (Kiyemba II)

Nine ethnic Uighurs held at Guantánamo filed a habeas corpus petition and sought a requirement that the government give 30 days notice before transferring them out of Guantánamo to give time to appeal any transfer to a country where they might face death, torture, or further imprisonment.

Status: The D.C. Circuit Court held that in the circumstances of this case, judges may not review executive branch decisions regarding when or where to transfer detainees and that detainees are not entitled to advance notice of such transfers. In March 2010 the Supreme Court declined to review this ruling.



One of CCR's three clients in *Kiyemba v. Obama* who were granted temporary resettlement in Palau.

Othman v. Obama

Habeas petition for Khaled Abd El-gabar Mohammed Othman of Yemen. Yemenis comprise well over one-third of the nearly 200 men still detained at Guantánamo. In December 2009, the Obama administration indefinitely suspended all repatriations to Yemen. *Status: Pending in D.C. district court.*

Taher v. Obama

Habeas petition for Mohammed Taher, a citizen of Yemen. Taher was one of a group of students arrested in Pakistan in early 2002. In habeas challenges by other men seized with Taher during the raid, the district court has consistently found in favor of the detainee. *Status: After over seven years of unlawful detention, Taher was released and repatriated to Yemen in December 2009 along with five other Yemenis. The Obama administration instituted its suspension of all transfers to Yemen just days after his return.*

Zalita v. Obama

Habeas petition involving the first legal challenge brought by a Guantánamo detainee to an intended transfer to his native country, Libya, where he would likely face torture or execution.

Status: After CCR filed its motion for judgment in the habeas case, the government cleared our client for transfer, and the State Department convinced Albania to resettle him. Three CCR staffers visited him in Tirana during the first days of his transition to freedom in February 2010. He now has refugee status in Albania.

Guantánamo Civil Cases

Al Laithi v. Rumsfeld

Civil suit for damages filed on behalf of an Egyptian doctor who is now confined to a wheelchair due to the torture and mistreatment he experienced at Guantánamo.

Status: The government moved to dismiss in light of the Supreme Court's refusal to review the Court of Appeals' decision in Rasul v. Rumsfeld (see below).

Al-Zahrani v. Rumsfeld

Civil suit on behalf of the families and estates of Yasser Al-Zahrani and of Salah Ali Abdullah Al-Salami, men who died at Guantánamo under suspicious circumstances in June 2006 along with a third man, Mani Al-Utaybi. The military has consistently maintained that the deaths were the result of suicide.

Status: In January 2010, Harper's magazine reported the accounts of four soldiers who were stationed at Guantánamo at the time of the deaths which strongly suggest that

the men died not as the result of suicide, but were killed at a secret site at Guantánamo. While the district court had dismissed the case on our original complaint, CCR filed a motion for reconsideration in March 2010 on the basis of the new evidence, and we are awaiting a ruling on that motion.

Ameziane v. United States

First ever Inter-American Commission on Human Rights (IACHR) petition and request for precautionary measures filed on behalf of a Guantánamo detainee, Djamel Ameziane, an Algerian man who has been severely abused at Guantánamo and is at risk of continued serious harm if forcibly transferred to Algeria. He is seeking third country resettlement.

Status: Urgent precautionary measures granted in August 2008; petition pending before the IACHR.

Celikgogus v. Rumsfeld

Civil suit for damages against Donald Rumsfeld and others responsible for the detention, torture, and mistreatment of five men illegally detained in Guantánamo for years, including two men detained for more than four years and released years after being classified as non-enemy combatants.

Status: The government moved to dismiss in light of the Supreme Court's refusal to review the Court of Appeals' decision in Rasul v. Rumsfeld (see below); petition is fully briefed and awaiting decision by the district court.

United States v. Ghailani (amicus)

Ahmed Ghailani was indicted in 1998 in connection with the bombings of two U.S. embassies in East Africa. He was captured in 2004, held in secret CIA



Named plaintiffs in CCR's two Guantánamo Supreme Court cases: Shafiq Rasul (left) and Lakhdar Boumediene (right)—shown here in Paris the day after his release from Guantánamo. Immediately after our historic victory in *Rasul v. Bush*, CCR filed new habeas petitions which eventually became the consolidated cases of *Al Odah v. United States* and *Boumediene v. Bush*, resulting in a second victory in June 2008. Together these cases established that Guantánamo detainees have the right to challenge their detention in U.S. courts.

detention, and eventually transferred to Guantánamo in September 2006, where he was held without access to counsel until 2008. He was transferred to New York in June 2009 for trial. On invitation of the court, CCR submitted an amicus brief arguing that Ghailani's indictment should be dismissed because the years-long delay in bringing him to trial violated his fundamental right to a speedy trial protected by the Federal Rules of Criminal Procedure, the Speedy Trial Act, and the U.S. Constitution.

Status: The district court denied Ghailani's motion to dismiss his indictment on speedy trial grounds in July 2010.

U.S. Department of Health and Human Services Office for Human Research Protections (OHRP) Complaint against the CIA

An administrative complaint by a coalition of human rights groups, requesting a formal investigation into

whether the Central Intelligence Agency engaged in illegal human subject research and experimentation on detainees.

Status: Filed in June 2010.

Rasul v. Rumsfeld

Civil suit against former Secretary of Defense Donald Rumsfeld on behalf of four British former detainees seeking damages for their arbitrary detention and torture while detained at Guantánamo.

Status: Court of Appeals dismissed all claims; Supreme Court reversed for reconsideration in light of Boumediene v. Bush; Court of Appeals again dismissed all claims on sovereign immunity and qualified immunity grounds; petition for certiorari review in Supreme Court was denied in December, ending the case.

International Human Rights

Human Rights Abuse by Military Contractors in Iraq

Al Shimari v. CACI, Al-Quraishi v. Nakhla and L-3, Saleh v. Titan

Lawsuits on behalf of nearly 340 Iraqi civilian detainees alleging that individual military contractors and the corporations that hired them (CACI and L-3), participated in a torture conspiracy at Abu Ghraib and other detention facilities in Iraq.

Status: Following dismissal of the case against both CACI and Titan/L-3 Services by the D.C. Court of Appeals in September 2009, the plaintiffs in Saleh filed a petition for certiorari with the Supreme Court, which is pending. In Al Shimari, CACI's motion to dismiss was denied; CACI has filed a petition for appeal; oral argument is scheduled for October 2010. In Al-Quraishi, defendants' motions to dismiss were argued; a decision is pending.

Estate of Himoud Saed Abtan v. Erik Prince

Suing the private military contractor Blackwater on behalf of Iraqi plaintiffs injured or killed when Blackwater shooters opened fire at Nisoor Square in Baghdad, September 2007.

Status: Following denial of Blackwater's motion to dismiss in October 2009, plaintiffs reached a settlement with Blackwater, ending the litigation.



Two of nearly 340 CCR clients suing private military contractors for participating in a torture conspiracy at Abu Ghraib and other detention facilities in Iraq. These photographs and the one on p. 8 are part of a series by Chris Bartlett that can be seen at www.detaineeeproject.org.

Estate of Ali Hussamaldeen Albazzaz v. Erik Prince

Suing the private military contractor Blackwater and its founder Erik Prince on behalf of two Iraqi civilians killed near Al Watahba Square in Baghdad in September 2007.

Status: Following denial of Blackwater's motion to dismiss in October 2009, plaintiffs reached a settlement with Blackwater, ending the litigation.

International Human Rights

Balintulo v. Daimler (amicus)

Case against American and German corporations for providing the South African apartheid regime with products and services that advance human rights abuses, including apartheid, torture, and extrajudicial killing.

Status: Defendants' interlocutory appeal is pending in the Second Circuit, after the district court allowed plaintiffs' claims to proceed.

Campo Algodonero v. United Mexican States (amicus)

Urging the Inter-American Court of Human Rights (IACHR) to determine that the longstanding failure to investigate, prosecute, or prevent disappearances, rapes, and murders of young women and girls in Ciudad Juárez violates Mexico's obligations under the American Convention, the Convention Belem do Para, and international human rights norms.

Status: In December 2009, the IACHR found Mexico in violation of human rights obligations, including under the American Convention of Human Rights, finding that Mexico has an affirmative duty to respond to violence against women by private actors. The court ordered Mexico to comply with a broad set of remedial measures including a national memorial, renewed investigations and reparations of over \$200,000 each to the families in the suit.

Freedom of Information Act (FOIA) Requests Regarding Israeli Attack on Flotilla Delivering Aid to Gaza

FOIA requests to U.S. agencies relating to the May 31, 2010 attack by Israel on a flotilla of six vessels in international waters seeking to deliver humanitarian aid to Gaza, and U.S. policy towards the blockade of Gaza.

Status: Filed in June 2010.

Mamani v. Sanchez de Lozada Mamani v. Sanchez Berzain

Cases against former President and former Minister of Defense of Bolivia for their roles in the killing of civilians during popular protests against the Bolivian government in September and October 2003.

Status: Decision on whether defendants can appeal from the district court's order allowing plaintiffs' Alien Tort Statute claims to proceed is pending in the Eleventh Circuit.

Movsesian v. Versicherung (amicus)

Heirs of victims of the Armenian genocide suing German corporations for unpaid insurance benefits.

Status: Plaintiffs' petition for rehearing is pending before the Ninth Circuit Court of Appeals.

ICC v. Jean-Pierre Bemba (amicus)

Brief on behalf of international torture experts and human rights groups calling on the International Criminal Court to confirm a charge that counts rape and other sexual violence as torture in the case of Jean-Pierre Bemba, who is accused of leading a terror campaign in the Central African Republic.

Status: Motion to file an amicus was denied; trial is scheduled to start in July 2010.



Gaza flotilla ship, the *Mavi Marmara*, displaying Turkish and Palestinian flags and a banner that reads: "This is a humanitarian aid ship" in four languages. Nine passengers were killed and over 60 injured after Israeli commandos boarded and opened fire.

Petition for Urgent Action on Human Rights Violations by Israel: Desecration of the Ma'man Allah (Mamilla) Muslim Cemetery in Jerusalem

Descendants of people buried in Mamilla cemetery in Jerusalem seeking urgent action to halt construction of a "Museum of Tolerance" on top of the cemetery, to re-bury the removed remains, to protect the cemetery from further destruction, and to preserve it as an historical site.

Status: Petition and addendum are pending before United Nations bodies.

Presbyterian Church of Sudan v. Talisman Energy, Inc. (amicus)

Case against Talisman Energy, Inc. for aiding and abetting the Sudanese government in a campaign of genocide and torture against non-Muslim African people in Southern Sudan in order to quell dissent and expand their oil exploration in the region.

Status: The Second Circuit affirmed the dismissal. A petition for review is pending at the Supreme Court.

U.S. v. Roy M. Belfast (amicus)

Charles Taylor, Jr. appealed his conviction for torture in Liberia in the first prosecution under the U.S. criminal torture statute. CCR, as amicus, opposed the appeal, arguing that the criminal torture statute is constitutional and applies to the defendant.

Status: Defendant's appeal is pending before the Eleventh Circuit Court of Appeals.

Corporate Human Rights Abuse

Kiobel v. Royal Dutch Petroleum (amicus)

CCR filed a brief arguing that the executions of the Ogoni 9 in Nigeria constitute extrajudicial killings under international law and another brief regarding the legal definitions of crimes against humanity, arbitrary arrest and detention, and cruel, inhuman or degrading treatment or punishment.

Status: Appellate decision is pending in the Second Circuit.

Wiwa v. Royal Dutch Shell Wiwa v. Anderson Wiwa v. Shell Petroleum Development Company

CCR filed this case in 1996 and was joined by other organizations and attorneys over the course of the 13-year-long battle on behalf of Ogoni human rights defenders and their relatives suing Shell for complicity in torture, arbitrary detention and extrajudicial killings in Nigeria.

Status: Settled on the eve of trial for \$15.5 million to compensate plaintiffs and to establish a trust fund to benefit the Ogoni people.

Racial and Economic Justice

Policing and Prisons

Aref v. Holder

Challenging policies and conditions at two experimental prison units called Communications Management Units or "CMU's." These prisons unfairly target certain prisoners for severe social and physical isolation.

Status: Filed in D.C. District Court in March 2010.



CCR client Kifah Jayyousi with his daughter, before being transferred to the Communications Management Units where he is no longer allowed contact visits with his family.

Floyd v. The City of New York

Class action lawsuit against the New York City Police Department challenging widespread racial profiling and unconstitutional stop-and-frisk practices.

Status: In discovery—CCR has documented a significant rise in the number of, and persistent racial disparity in, stop-and-frisks conducted by the NYPD.

Graham v. Florida (amicus) Sullivan v. Florida (amicus)

An amicus brief that argues that under international law, life in prison without parole is indecent and excessive punishment for juveniles under 18. The United States was the only country in the world that continued to impose sentences of life without parole against juveniles.

Status: In May 2010, the Supreme Court ruled that the imposition of a life without parole sentence on a juvenile offender convicted of a non-homicide crime violated the Eighth Amendment's prohibition of cruel and inhuman punishment. The majority opinion relied in part on the arguments put forth in this amicus brief.

Louisiana v. Wallace (amicus)

An amicus brief that was the result of a campaign and survey coordinated by CCR to observe every New Orleans criminal court first appearance for 60 straight days. The survey found routine and systemic constitutional and statutory violations.

Status: The Louisiana Supreme Court ruled unanimously in November that New Orleans criminal court judges must hold a probable cause determination of all arrested people still in custody within 48 hours, or immediately release them on their own recognizance.

Walton v. New York State Department of Correctional Services (NYSDOCS) and MCI/Verizon

Challenging the NYSDOCS monopoly telephone contract with MCI/Verizon that forced family members to pay

exorbitant phone rates to speak with incarcerated family members.

Status: The Court of Appeals ruled against plaintiffs in November 2009, dismissing the constitutional challenges even while stating that the opinion "should not be misinterpreted as an endorsement of the former DOCS policy."

Wright v. Corrections Corporation of America (FCC Rule-making Petition)

Petitioning the FCC to regulate interstate prison telephone calls to ensure fair and reasonable rates for prisoners and their families.

Status: Awaiting FCC action on the Petition for Rule-making.

Immigrant Justice

Cardenas Abreu v. Holder

Petition to review a Board of Immigration Appeals precedent decision that ordered a deportation based on a criminal conviction that is not yet final.

Status: In May 2010 the U.S. Court of Appeals for the Second Circuit granted Mr. Cardenas' petition for review. The case is on remand to the Board of Immigration Appeals for further review and consideration.

National Day Laborer Organizing Network v. Department of Homeland Security

Freedom of Information Act case seeking documents relating to Immigration and Customs Enforcement's secretive "Secure Communities" program which further involves state and local entities in



Left: Sarahi Uribe, National Organizer for the National Day Laborer Organizing Network and Coordinator for the Uncover the Truth Campaign, raising her fist prior to arrest in Phoenix at protests against Arizona's racist SB1070. Right: CCR Staff Attorney Rachel Meeropol with *Turkmen v. Ashcroft* clients Hany Ibrahim and Yasser Ebrahim and former CCR Staff Attorney Matthew Strugar in Alexandria, Egypt (right to left).



the enforcement of federal immigration law and institutes immigration fingerprint checks upon arrest—without requiring any criminal conviction.

Status: Filed in April 2010. U.S. government has produced limited documents.

Turkmen v. Ashcroft

Class action lawsuit seeking to hold former Attorney General John Ashcroft and other high-level officials accountable for unlawful racial profiling, mass detentions, and abusive treatment of South Asian, Arab, and Muslim non-citizens after 9/11.

Status: Five of the seven named plaintiffs have settled their claims for \$1.26 Million. In June 2010 the magistrate judge recommended that CCR receive permission to amend the complaint and add new plaintiffs.

Employment Discrimination

Gulino v. The Board of Education of the City of New York

Class action on behalf of public school teachers of color who are challenging discriminatory tests and licensing rules.

Status: Second Circuit Court of Appeals remanded to the district court with instructions to reevaluate the challenged tests. The district court asked the parties to submit

written briefs on, among other things, the legality of the exams; awaiting a decision.

Johnson v. Locke

A lawsuit to stop the government from using racially-biased arrest records as a strike against applicants for temporary positions with the U.S. Census Bureau.

Status: Filed in April 2010. The Census Bureau has filed a motion to dismiss; plaintiffs' response is due in August 2010.

Lewis v. City of Chicago (amicus)

A Title VII case brought on behalf of Black firefighter applicants challenging the civil service exam used to hire firefighters for the Chicago Fire Department. The test had a disparate impact on Black applicants.

Status: After the plaintiffs won in the district court, the case was dismissed by the Court of Appeals, ruling that plaintiffs had not filed their EEOC charge within the statute of limitations. In May 2010, the Supreme Court reversed the Seventh Circuit, ruling that

plaintiffs were entitled to the relief granted by the district court.

United States of America and Vulcan Society v. City of New York

Challenging discriminatory hiring practices of the NYC Fire Department on behalf of an association of Black firefighters and individual class representatives. The NYC Fire Department is the least racially diverse of any major U.S. city—3.4 percent Black, in a city that is 27 percent Black.

Status: In January 2010, the district court granted summary judgment in the Vulcans and individual plaintiffs' favor on their intentional discrimination claims against the City, but granted summary judgment in favor of defendants on the intentional discrimination claims against Mayor Bloomberg and Commissioner Scoppetta. The case is now in the remedial phase.

Government Misconduct

Torture and Rendition

ACLU, CCR, et al. v. Department of Defense

Freedom of Information Act lawsuit charging that government agencies illegally withheld records sought concerning the abuse of detainees in U.S. military custody.

Status: Litigation pending in the Southern District of New York and the Second Circuit Court of Appeals.

Amnesty International, CCR, et al. v. CIA, Department of Defense, et al.

Freedom of Information Act lawsuit seeking information about renditions and "disappeared" detainees, including those at CIA "ghost" sites and unregistered prisoners.

Status: Over 6,000 pages of documents from the Department of Defense, Department of State and Central Intelligence Agency have been released—litigation is ongoing.

Arar v. Ashcroft

Challenging the extraordinary rendition of Maher Arar and seeking accountability from Ashcroft, Mueller and other U.S. officials for sending Canadian citizen Arar to Syria to be tortured.

Status: Arar's Petition for Certiorari was denied by the Supreme Court, ending his case in the courts.



Holder v. Humanitarian Law Project client Dr. Ralph Fertig (center) with the legal team on the day of the Supreme Court argument. From left: Richard Taranto, Sara Corris, Amanda Shanor, Larry Schwartztol, Shayana Kadidal, Dr. Ralph Fertig, Jules Lobel, David Cole, Carol Sobel, Nancy Chang, Clifford Chen.

Spanish Investigation into the U.S. Torture Program

Efforts in Spain to hold former high-ranking U.S. officials accountable for their individual roles in directing, implementing or planning the U.S. torture program, under the principle of universal jurisdiction. CCR has made filings in two cases, in an effort to ensure that victims have their day in court and that the individuals behind the programs that tortured and otherwise seriously abused detainees are prosecuted.

Status: Victims and human rights advocates filed criminal complaints in Spain in 2009.

In one case CCR is seeking to intervene and become a party and in the other (the "Bush 6" case against six former administration lawyers) CCR co-submitted an expert report on universal jurisdiction. The two ongoing investigations are pending in the National Court of Spain.

Challenging the Material Support Statutes

Holder v. Humanitarian Law Project

Series of cases challenging material support statutes, including a portion of the USA PATRIOT Act, which make it a crime to provide support, including humanitarian aid, literature distribution and peaceful political advocacy, to any entity that the government has designated as a "terrorist" group.

Status: After initial partial victory in the lower court, holding significant parts of the statute unconstitutional on vagueness grounds, the Supreme Court held in June 2010, that the statute's prohibitions on "expert advice," "training," "service," and "personnel" were not vague, and did not violate speech or associational rights as applied to plaintiffs' intended activities.

Humanitarian Law Project v. Department of the Treasury

Challenge to similar restrictions under the Global Terrorism Sanctions Regulations, the International Emergency Economic Powers Act statute and a post-9/11 executive order.

Status: Motion for reconsideration of Ninth Circuit loss is pending, following Supreme Court ruling in Holder v. HLP (see above).

Illegal Government Surveillance

CCR v. Bush

Challenging NSA warrantless domestic electronic surveillance, asserting that it violates FISA and the First and Fourth Amendments. Lawsuit is on behalf of CCR attorneys, seeking to protect our clients' right to confidential attorney-client communications.

Status: Congress amended the FISA statute in mid-2008; the case remains pending in the Northern District of California.

Wilner v. NSA and DOJ

FOIA lawsuit to determine if the government has engaged in warrantless wiretapping of CCR attorneys and Guantánamo habeas counsel.

Status: Supreme Court petition for review pending on our request for records of surveillance of CCR Guantánamo attorneys.

Cuba

Sanders v. Szubin

Challenging the U.S. government's requirements for individuals to provide potentially self-incriminating information, under threat of civil penalties, as part of the U.S. embargo against Cuba.

Status: Filed in July 2009. The government filed its answer in November 2009.

Defending the Right to Political Dissent

Defending Dissent

Association of Community Organizations for Reform Now (ACORN) v. U.S.

This case challenges Congress's unconstitutional defunding of ACORN, charging Congress with violating the bill of attainder provision in the U.S. Constitution, violating the Fifth Amendment right to due process, and infringing on the First Amendment right to freedom of association by targeting ACORN-affiliated and allied organizations.

Status: Filed in November 2009, the federal district court in Brooklyn granted a preliminary injunction in December, and a permanent injunction in March after Congress passed additional defunding legislation. The case is now on appeal in the Second Circuit.

California v. Kevin Olliff

Defending an activist who faces 10 felony charges for First Amendment-protected political speech and participation in a long-running campaign against primate research in the University of California. The indictment also sought a gang enhancement penalty, alleging that the Animal Liberation Front (ALF) is a criminal street gang.

Status: At a pre-trial hearing in January 2010, the judge threw out half of Olliff's charges, holding that the ALF is not a "gang" because it primarily engages in protected speech, not criminal activity. Olliff pled no contest to the remaining counts, and is currently in prison. He is expected to be released in October 2010.



CCR legal team stands with ACORN clients after an historic ruling that Congress' defunding of ACORN was unconstitutional.

Caligiuri v. Pittsburgh

Challenging the unconstitutional use of tasers against peaceful demonstrators at an anti-war demonstration in Pittsburgh. The Pittsburgh police used tasers unnecessarily, without notice, and where the person was already being restrained by the police.

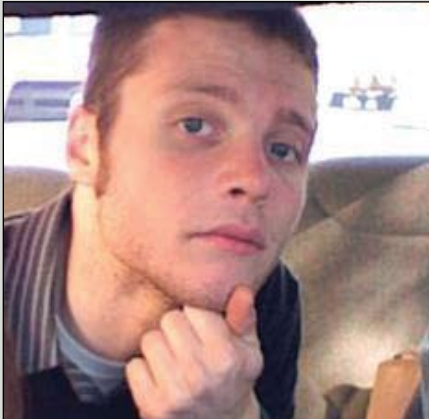
Status: This case settled successfully in June 2010.

CODEPINK Pittsburgh Women for Peace v. U.S. Secret Service

Federal lawsuit to protect the First Amendment rights of peace, social justice and environmental justice groups to dissent and protest at and around the G-20 summit, held in Pittsburgh in September 2009. Federal, state and local agencies had refused permits to many protest groups and restricted the

(continued over)

Defending the Right to Political Dissent (continued)



Animal rights activist, Kevin Olliff, was arrested in April 2009 for First Amendment-protected protest activity.

ones approved to areas outside of the area where the G-20 was to be held.

Status: Successfully settled in part by winning an expanded protest zone, and lost in part when the district court denied injunctive relief.

Frazier v. Florida Department of Education (amicus)

An amicus brief requesting the Supreme Court to hear this case to defend the well-established right of students to abstain from reciting the pledge of allegiance in school.

Status: The Supreme Court declined to hear the case in October 2009, leaving intact the Eleventh Circuit decision which allows Florida to require written parental permission before excusing a student from reciting the pledge in school.



CCR client Amy Goodman of *Democracy Now!* speaking at CCR's President's Reception about her arrest at the Republican National Convention.

Goodman v. St. Paul

On behalf of three *Democracy Now!* journalists who were arrested during the 2008 Republican National Convention, this lawsuit charges law enforcement agencies with unlawful arrests and unreasonable use of force, and violating the journalists' First Amendment rights as members of the press to report on matters of public concern and the public actions of law enforcement.

Status: Filed in the U.S. District Court for the District of Minnesota in May 2010.

Seeds of Peace v. City of Pittsburgh

Seeking an injunction to stop police harassment of a group of activists providing free food to protestors in the days before the 2009 G-20 summit in Pittsburgh.

Status: District court denied the injunction and the case was dismissed.

United States v. Buddenberg

Defending four animal rights activists who are being charged under the Animal Enterprise Terrorism Act with conspiracy to commit animal enterprise terrorism for First Amendment-protected political activity including protesting, chalking the sidewalk, chanting and leafleting.

Status: Oral argument on our motion to dismiss the indictment was heard in June 2010.

United States v. Camilo Mejia-Castillo

A petition filed on behalf of Camilo Mejia, a former Staff Sergeant with the Florida National Guard who was the first Iraq war veteran to openly refuse to re-deploy. Mr. Mejia seeks reversal of his conviction, restoration of his rank, and back pay.

Status: In January 2010, the U.S. Court of Appeals for the Armed Forces refused to hear the appeal, ending the case.

United States v. Stop Huntingdon Animal Cruelty (SHAC7) (amicus)

An amicus brief in support of animal rights activists convicted of violating the Animal Enterprise Protection Act for website postings and organizing demonstrations.

Status: The Third Circuit affirmed the convictions in late 2009. CCR filed an amicus brief urging the circuit to rehear the case en banc. That petition was denied in June, leaving the four to six-year sentences to stand.

Friends and Allies

The Center for Constitutional Rights is grateful for the support of the hundreds of attorneys, legal organizations, private law firms, clients and activists who have been so vital to our cases, campaigns and fundraising efforts over the past year. CCR extends its deepest appreciation for all they have done as volunteer attorneys, cooperating attorneys, co-counsel and colleagues in the struggle for justice.

Abahlali baseMjondolo
ACLU of Pennsylvania
ACORN
Michael Adams
Debo Adegbile
Suzanne Adely
Victor Agosto
Shereef Akeel
Aktion Bundesschluss
Ashlee Albies
Catherine Albisa
American University,
Washington College of
Law, International Human
Rights Clinic
Amnesty International
Chris Anders
Harry Anduze
Pouneh Aravand
Ronit Arié
Nan Aron
Ahilan Arulanatham
Barbara Aubrey
Audre Lorde Project
John Austria
Michael Avery
Baach Robinson & Lewis PLLC
Sandra Babcock
Janice Badaluca
Baker & McKenzie LLP
Radhika Balakrishnan
Natasha Bannan
Ajamu Baraka
Nigel Barrella
Chris Bartlett
Monika Batra
Jack Beck
Beldock Levine and
Hoffman LLP
Bellevue/NYU Program for
Survivors of Torture
Benjamin Cardozo Immigration
Justice Clinic
Karima Bennoune
Antoine Bernhard
Alison Bernstein

Frida Berrigan
Anurima Bhargava
Chandra Bhatnagar
Bingham McCutchen LLP
Joshua Birch
Jonathan I. Blackman
Blackwater Watch
Bob Bloom
Robert Jay Bloom
Jocelyn Bogdan
Heidi Boghosian
Victoria Bolton
Trudy Bond
Jennifer Borchetta
Karen Borg
Alexandria Braboy
Emma Bradford
Brennan Center for Justice
at NYU School of Law
Yael Bromberg
Andrew J. Brouwer
David Brown
Allan Buchman
Charlotte Bunch
Bureau des Avocats
Internationaux (BAI)
Susan Burke
Antonio Bustamante
Butler Rubin Saltarelli &
Boyd LLP
Shahid Buttar
Brian Byrd
Jean Callahan
Ann Cammett
Campaign to Preserve
Mamilla Jerusalem
Cemetery
Joshua Carrin
Annie Castellani
Michael Cates
Antonia Cedrone
Center for International
Human Rights, Northwestern
University School of Law
Center for Justice &
Accountability (CJA)

CCR would like to express our tremendous gratitude to the hundreds of lawyers, legal workers, firms and law students who have contributed their time on behalf of Guantánamo detainees. Though too numerous to be included by name here, these dedicated volunteers are essential to our ongoing efforts to close the prison at Guantánamo and either release and resettle or provide fair trials for those who remain there. Thank you for your courage and support.

Center for Justice and
International Law (CEJIL)
Centre for Applied
Legal Studies
Centre for Human Rights of
the University of Pretoria
John Chandler
Nathaniel Charny
Marco Chelo
Clifford Y. Chen
Judith Chomsky
Nusrat Choudhury
Cindy Chupack
Citizen Soldier
Civil Liberties Defense Center
Ramsey Clark
George Clarke
Cleary Gottlieb Steen &
Hamilton LLP
Coalition for an Ethical
Psychology
Coalition for Parole
Restoration (CPR)
Coalition for the Defense of
Human Rights
Coalition to Raise Minimum
Standards at NYC Jails
CODEPINK Women for Peace
Russell P. Cohen
Cohen Milstein Sellers &
Toll PLLC
David Cole
Sandy Coliver
Community Church
of New York
Community Service Society
Sophia Conroy
The Constitution Project
Coordination Southern Africa
(KOSA - Germany)
Rhonda Copelon
Correctional Association of NY
Sara Corris
Andrea Cousins
Covington & Burling LLP
Catherine Creely
Cori Crider
Megan Crowley
Deborah Croyle
Cuba Travel Project
Culture Project
Jamil Dakwar
Matthew Daloisio
George Daly
Ron Daniels
Alina Das
Niki Dasarathy
Thomas Davies
Jeffrey Davis
Martha Davis
DC Prisoners' Project
Defending Dissent Foundation
Aleta Dellenback
Maddy DeLone
Cait De Mott Grady
Sonia De Sampigny
Kavita Desai
Detention Watch Network
Alexia DeVincis
Anthony DiCaprio
Angelia Dickens
DLA Piper

CCR's Friends and Allies

Domestic Workers United	Georgetown University	Paul L. Hoffman	Jonathan Jeremias
Double Cross Vodka	Law Center	Taylor Hoffman	Katya Jestin
Terrence Dougherty	Frances Geteles-Shapiro	Rue Hogarth	Sandra Johnson
Drop the Rock	Rana Ghaleb	Honduras Solidarity Network	Keith Jordan
Drug Policy Alliance	Tyler Giannini	Scott Horton	Wilhelm H. Joseph, Jr.
Thomas Duane	John Gibbons	Margaret Huang	Judson Memorial Church
EarthRights International (ERI)	Gibbons P.C.	Jayne Huckerby	Justice Committee
Ecumenical Service for	John Gilmore	Human Rights First	Juvenile Justice Project
Advocacy Work on Southern	Elizabeth P. Gilson	Human Rights Watch	of Louisiana
Africa (KASA - Germany)	Leah Gitter	Ruth Hunter	Wolfgang Kaleck
Educators for Civil Liberties	Global Witness	Chaumtoli Huq	Carolyn Kalos
El Comité de Familiares de	Sarah Goetz	Julie Hurwitz	Joy Kanwar
Detenidos Desaparecidos en	Emily Goldberg	Il Collettivo	Craig Kaplan
Honduras (COFADEH)	Deborah Golden	Immigrant Defense Project	Dana Kaplan
Noor Elashi	Eliza Golden	Immigrant Justice	Julie F. Kay
Laurie Elkin	Carla Goldstein	Solidarity Project	Paul Keegan
Tod Ensign	Tania Gomez	Immigration Equality	Allen Keller
Burcin Eren	Bill Goodman	Institute for Justice and	Kate Kelly
Ethical Culture Society	Melissa Goodman	Democracy in Haiti (IJDH)	Bridget Kessler
European Center for	Goodman & Hurwitz, P.C.	Institute for Justice and	Ateqah Khaki
Constitutional and Human	Grassroots Leadership	Reconciliation	Dima Khalidi
Rights (ECCHR)	Kali Saveria Grech	Institute for Policy Studies	Doane Kiechel
Fabulous Independent	Jennie Green	Institute for Redress and	Michael Kieschnick
Educated Radicals for	Eldon Greenberg	Recovery at Santa Clara	King & Spaulding
Community Empowerment	Alana Greer	University	Kim Paula Kirkley
(FIERCE!)	Jenny Grossbard	Interfaith Coalition of	Anita Kirpalani
Families for Freedom	Bob Guild	Advocates for Reentry	Rachel Kleinman
Families Rally for Emancipation	Hiba Hafiz	and Employment (ICARE)	Jennifer Kostyu
and Empowerment (FREE)	Lisa Hajjar	International Center for	Makane Kouyate
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Ruth Kreinik and **Doug Sapola** are stalwart CCR volunteers.

Over the past few years, they have helped with countless mailings including new member packets, donor updates, thank you notes, and event invitations. Their efforts have helped us keep our supporters informed and engaged. After learning of CCR through Michael Ratner's appearances on *Democracy Now!*, Ruth emailed CCR and "the rest is history." Doug came to CCR following a discussion on Guantánamo at the New York Public Library. "I had been looking for something to do, so I decided to devote energy where something is working."

CCR's mission appeals to me. Every little mailing I do makes a difference. Someone has to do this stuff.

-Ruth Kreinik

If I can come in and do this without costing you anything besides a sandwich and chips, so that people who give financially know what's going on, that's important. -Doug Sapola

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Creating a Better World for Future Generations

The Center for Constitutional Rights is pleased to announce two new funds created this year by Board members; both were established to help create a better world for future generations in ways we can only begin to imagine. Rhonda Copelon's fund will deepen our gender justice work, and Gregory Finger's fellowship fund will help CCR train the next generation of people's advocates.

Copelon Fund for Gender Justice

This year, the Center for Constitutional Rights lost our dear friend, former staff attorney, and long time Board member and Vice-President, Rhonda Copelon. We are grateful that Rhonda was able to join us to celebrate the creation of the Copelon Fund for Gender Justice. Just weeks before her passing, surrounded by friends, family and former students, Rhonda announced her legacy gift and shared her reasons for establishing this fund at the Center: her belief that CCR is unique—selecting cases that others might not and litigating them in ways that others won't.

Rhonda's gift had a challenge—a required "match" through which Rhonda has called on all of us who cared about her and this work, to help fulfill her dream of continuing and deepening the work she began at the Center by establishing a dedicated funding source. She has challenged us at the Center to

think of new and innovative cases and to rethink the way we do cases and she has challenged her community to join her to help make her vision a reality.

The CFGJ is dedicated to deepening CCR's historic commitment to cutting-edge gender litigation and advocacy. The fund will support work on issues affecting women and lesbian, gay, bisexual and transgender communities; focus on the intersection of race and class; address economic and social rights; and defend women and LGBT communities under attack by religious fundamentalists and evangelicals in the U.S. and abroad.

Rhonda has left CCR with both a gift and a challenge—the opportunity to continue the groundbreaking work in which she played such a vital and brilliant role and at the same time explore new and creative ways to advance a progressive vision of gender justice.

—Pam Spees, CCR Staff Attorney



Rhonda Copelon discusses the Copelon Fund for Gender Justice at a luncheon in her honor on April 20, 2010.

Gregory H. Finger Racial Justice Fellowship

The Center for Constitutional Rights is pleased to announce the establishment of the Gregory H. Finger Racial Justice Fellowship. The fellowship honors our former Executive Director, long-serving Board member, and current Board Chair, Greg Finger, and gives students the opportunity to work at CCR on cutting-edge legal work. The fellowship will be offered starting in the Summer of 2011 to a second year law or other student with a strong commitment to public interest law and/or advocacy, and a demonstrated interest in working on CCR's broad ranging racial justice docket.

The stipend is intended to increase diversity within the fellowship program and support students who would otherwise not be able to participate for financial reasons. People of color and people from low income communities will be particularly encouraged to apply.

We are honored to celebrate Greg's lifelong commitment to youth, public service, and CCR's mandate to "train the next generation of people's lawyers," and his vision for social justice and education.

This Fellowship belongs at CCR because the creative use of law for progressive social change is one of our guiding principles and the Center continues to lead the fight for racial justice. It is with a great deal of pride that I have watched CCR 'graduates' move on, carrying their CCR 'lessons' with them, and make an impact in the world. —Gregory Finger



Gregory Finger at CCR's 2007 President's Reception in New York.

President's Reception 2010



CCR's Legal Director, Bill Quigley and President, Michael Ratner with supporter Ellen Ray.



CCR donor honoree Holly Myers with CCR client Amy Goodman of *Democracy Now!*.



Members of the Vulcan Society and the legal teams at Levy Ratner (Richard Levy, Dana Lossia and Robert Stroup) and Scott & Scott (David Scott and Judy Scolnick) accepting CCR's Pro Bono Social Change Award.

This year's President's Reception, held in New York City, was an opportunity to celebrate victories and thank our generous benefactors who are indispensable partners in protecting and advancing fundamental rights for all.

We honored donors Holly Myers and Kirk Neely, who have embraced CCR's mission and supported the Center for nearly 20 years. They have contributed enormously to CCR's growth and are personally involved in refugee and women's health care issues.

CCR also recognized the Vulcan Society and the legal teams at Levy Ratner and Scott & Scott for their pro bono work on our case, *U.S. and Vulcan Society v. City of New York*. The Vulcan Society, a fraternal order of Black firefighters, has been working for decades to end racially discriminatory hiring practices of the New York City Fire Department. Our team won three landmark victories this year that will result in improved diversity within the FDNY.

Amy Goodman, host and executive producer of *Democracy Now!*, was a special guest. Goodman spoke about being arrested outside the 2008 Republican National Convention in Minnesota, along with two of her colleagues. CCR represents the three journalists in *Goodman v. St. Paul*, charging federal and local law enforcement with interfering with media reporting at the convention protests.



Members of the Vulcan Society (left to right) John Coombs, Michael Marshall, Paul Washington (center-right) Duery Smith (background) join CCR Executive Director Vincent Warren (center-left) and Board Chair Gregory Finger (far right).

CCR Donors July 1 2009 - June 30 2010

Our planned giving program forms the bedrock of our efforts to build an endowment for CCR and to create an institutional legacy dedicated to upholding the hard-won victories of your lifetime and protecting them from future attacks. By becoming a member of the Thelma Newman Society, you will join others committed to ensuring that CCR will be there to fight into the next generation. Please contact us if you have any questions about making a bequest, endowment, gift annuity, or other form of estate gift, or to let us know that you have included CCR in your estate plan.

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*and the many members who
have chosen to be anonymous*

deceased †

CCR Spotlight



Sumi Hoshiko, a longtime CCR supporter and a Thelma Newman Planned Giving Society member, is a passionate promoter of human rights. Her admiration of CCR led her to host a house party and arrange a speaking engagement for our Executive Director, Vincent Warren, to introduce the Center's work to her friends and neighbors. She says, "Not everyone can do the cases CCR does. As an epidemiologist, it's not my field. By supporting CCR, I can be effective on the issues I really care about." Recently Sumi revised her estate plan and decided to include CCR in her trust.

People are sometimes apprehensive about making their will or trust when they aren't ill or elderly, but it is a good feeling to think about your life and your legacy. I thought about how much I care about civil rights and the right to dissent, and by making CCR a beneficiary of my trust, I am able to make a meaningful contribution. – Sumi Hoshiko

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John Gilmore is an expert in computers and networking who has led several startups, and became a philanthropist. He identifies as a libertarian, and says that the common threads he shares with CCR are the rule of law and civil liberties, especially Guantánamo and our Cuba Travel Project. When we took the first Guantánamo case to the Supreme Court, John began supporting that work in a big way. In addition to his generous support of the Center, he has funded the education of several released detainees. At a recent CCR event in San Francisco, he urged the guests to join him in supporting CCR:

If you see the government as both the problem and the solution you are missing a lot of opportunities to solve social problems. Give money to CCR which is actually working to stop the wars, stop wiretapping, and stop illegal jails. – John Gilmore

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Each summer, CCR's Ella Baker Fellowship Program offers outstanding law students the opportunity to join our staff attorneys and learn how to become effective movement lawyers. The program strives to exemplify Ella Baker's firm commitment to mentoring and developing young leaders to carry the mantle of the struggle for social justice through the generations. Throughout the year, CCR also hosts

undergraduate and law students who assist with cases and campaigns, and our International Scholars program brings law students, legal scholars and lawyers from around the globe to work with CCR attorneys on constitutional, international and human rights litigation. These interns and fellows are an important part of the CCR community and contribute tremendously to the organization.

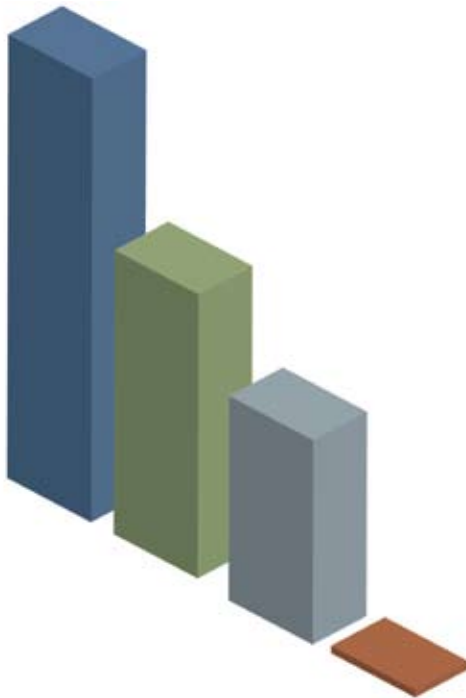


Elica Vafaie is a first generation Iranian-American and grew up in California where she now attends UC Davis Martin Luther King Jr. School of Law. She is active in promoting civil and human rights for the Middle Eastern community and immigrants. Prior to law school, Elica worked at a non-profit organization providing client services and Know Your Rights training to the Middle Eastern community. Elica began following CCR's work as a result of our groundbreaking post- 9/11 work.

My experience as an Ella Baker Fellow has been invaluable. I have learned how social movements fit together, about effectively utilizing legal and non-legal tools, and how to do social justice work sustainably. This experience, coupled with the legal skills I've gained working on immigrants' rights issues and cases to hold government officials accountable for torture have made this summer truly remarkable.
– Elica Vafaie

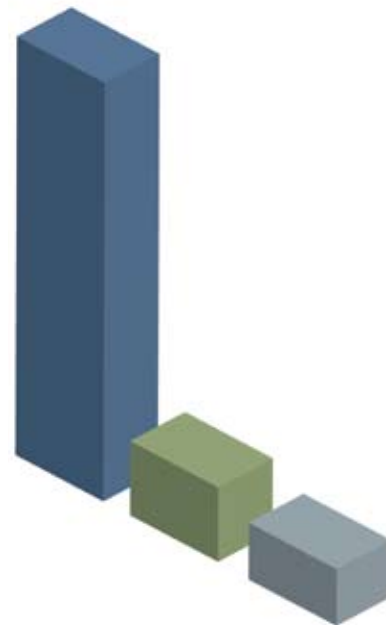
Financial Report July 1 2009 – June 30 2010*

Revenue, Gains and Support



Foundations (including Donor Advised Funds)	\$3,447,139
Individuals (including Planned Gifts)	\$2,206,850
Court Awards and Attorney Fees	\$1,587,903
Interest	\$56,818
Other	\$(117,465)
Total Revenue, Gains and Other Support	\$7,181,245

Expenses



Program: Litigation, Education and Outreach	\$4,596,474
Development	\$815,519
Administration & General	\$622,267
Total Expenses	\$6,034,260

Net Assets

Net Assets as of June 30 2009	\$6,556,500
Change in Net Assets	\$1,318,218
Net Assets as of June 30 2010	\$7,874,718

*audited figures pending board approval.

In Memoriam

The following CCR supporters passed away this year. Many thoughtfully honored CCR with a bequest and several were active friends of the Center—regularly attending events, volunteering time, hosting house parties. They will all be missed greatly.

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It is always sad to lose a member of our community, but their ideals will live on in the work they supported at CCR.

Jack Fox shared with his wife, Ruth Inabu Fox, a life-long commitment to fighting social injustice and many years of support for the Center for Constitutional Rights. Born into an immigrant Jewish family in New York, Jack experienced first-hand the restrictive policies that denied Jews admission to medical school. He was active in the anti-fascist campaign against Franco during the Spanish Civil War and developed a class consciousness that guided him throughout his life. He became a union organizer for the cannery workers and then served in the armed forces in World War II. He earned his doctorate at the University of Colorado and became a leading biochemist at Sloan Kettering Institute, developing anti-cancer drugs that are still used today. He fought McCarthyism and racism. He and Ruth used the Fox family resources to support the work of SNCC, the anti-Vietnam war movement and, in particular, the work of CCR.



Alice G. McGrath, a dear friend of the Center, passed away in November 2009 at 92. Alice was radicalized by the 1942 trial of 22 young Mexican Americans, who were convicted en masse of a murder they did not commit. The infamous "Sleepy Lagoon" trial, and Alice's tireless efforts to free these men, were later immortalized in the play and movie, *Zoot Suit*. Alice remained a dedicated social justice advocate, leading over 80 humanitarian trips to Nicaragua and developing several pro bono bar association programs. Alice was a stalwart supporter of CCR for over 20 years, a member of our Thelma Newman Planned Giving Society, and frequently spoke to our Ella Baker Fellows as part of their summer training. A remarkable and inspirational woman, Alice's energy and spirit will be greatly missed.

Julia Wallace was a long-time supporter of CCR, stemming from her lifelong commitment to justice. She came by it early. Her father, as superintendent of schools, successfully pushed for compliance with the 1954 Supreme Court desegregation decision. After her marriage to Jim Wallace in 1958, Julia took an active part in helping to run a fair housing organization in Buffalo, NY. In Cambridge, MA, Julia was a prime mover in her church's role in the Sanctuary movement, providing a platform for an undocumented political refugee from El Salvador to tell her story. We lost Julia January 3rd of this year, but her quiet commitment to justice carries on every day in the work of CCR.



Rhonda Copelon

A great loss was suffered by CCR this past year with the death from ovarian cancer of our Vice-President, Rhonda Copelon, on May 6, 2010.

Rhonda graduated from Yale Law School in 1970, a fact she never referred to because she considered it elitist. (She also objected to anyone, including herself, being called "lead counsel.") After clerking for a federal judge, she joined CCR as a staff attorney. In her 12 years at CCR, she left an indelible imprint on the institution. Questions like "How does this case affect women?", "What fundamental rights are involved here?" and "Have we really, really explored all the available avenues to success (because we absolutely have to win this case)?" are asked daily at CCR and can be traced back to her gracious but persistent *modus operandi*.



Rhonda is often given credit for teaching that "women's rights are human rights." She would be inclined to minimize her role in this regard, because she was a firm believer in and avid defender of human rights for all people. The two huge Supreme Court cases, of which she and her colleagues lost one (*Harris v. McRae*) and won one (*Filártiga v. Peña-Irala*) on the same day—involved, respectively, women's right to Medicaid coverage of abortions and the torture to death of a young Paraguayan man. Her work at CCR also included illegal surveillance, gender and race discrimination and, in *Horman v. Kissinger*, holding high government officials accountable for complicity in crimes against humanity.



In 1983 she co-founded CUNY Law School, where she remained a revered professor and director of the International Women's Human Rights Clinic until shortly before her death. She emerged as a world leader in the use of law to recognize women's rights, and to realize human rights for everyone. On any given day she could be found radicalizing a document emerging from a conference in Tokyo, San Jose, Santiago,

Vienna, Copenhagen or elsewhere, by making sure it says something about domestic violence as torture and rape as a war crime.

Rhonda never wavered in her dedication to CCR where she remained active as a board member, Vice-President, and consultant. We are honored and grateful that she has entrusted us with continuing her legacy by establishing the Copelon Fund for Gender Justice which will support new work at the Center focusing on the intersection of gender, class, race and LGBTQ issues.

To her clients like Dolly Filártiga and Joyce Horman and to countless others she was a dear friend, and to dry academics and treaty-drafting diplomats she was a formidable goad. Yes, we will miss her, but to those of us who worked with her and loved her she will always be presente.

—Peter Weiss, CCR Vice-President



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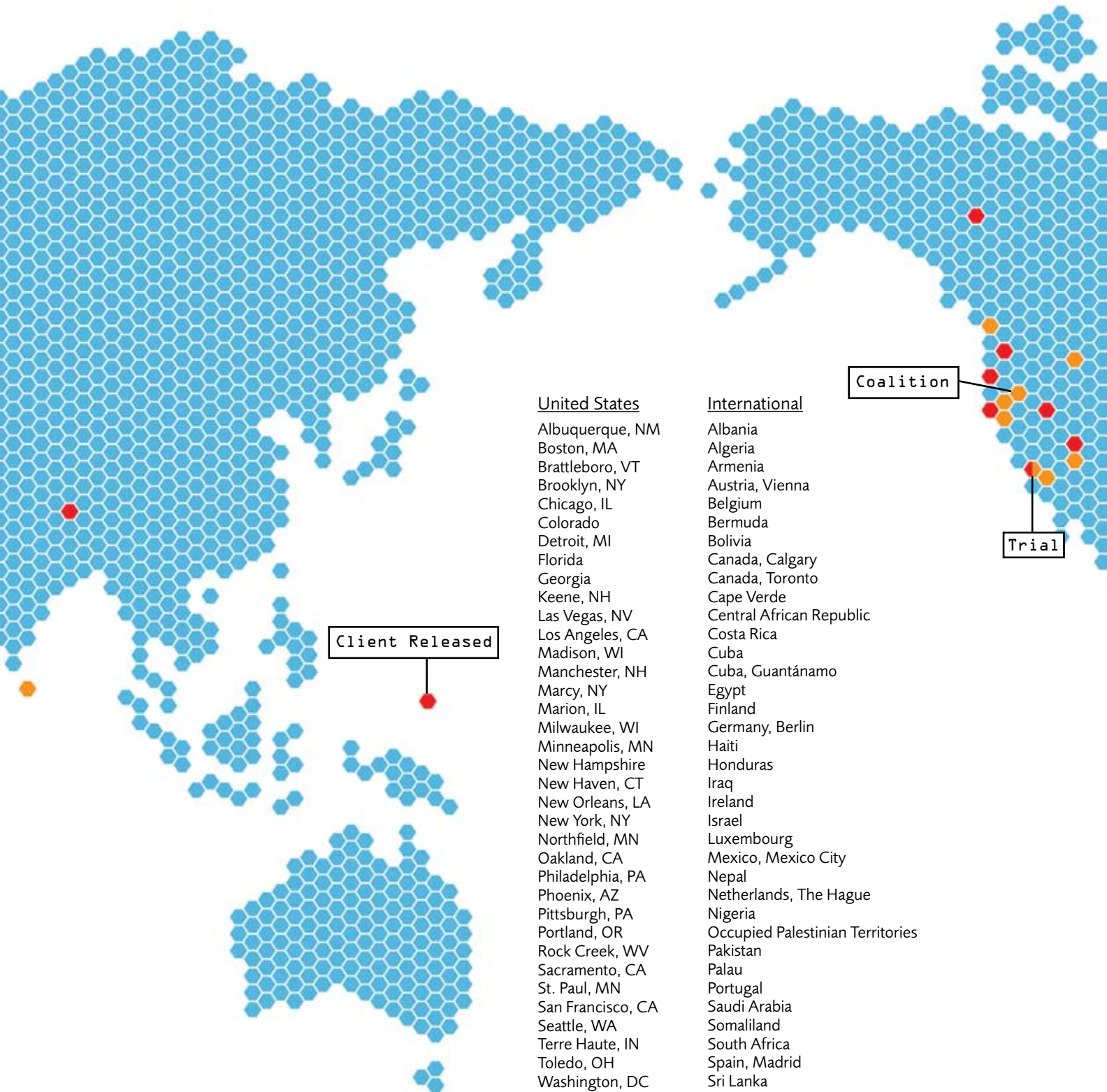
666 broadway, 7 fl, new york, ny 10012

212-614-6489

email: info@CCRjustice.org

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The Center for Constitutional Rights is a 501(c)3 nonprofit organization. On request, a copy of CCR's latest financial report may be obtained from us or from the Office of the Attorney General of the State of New York, Charities Bureau, 120 Broadway, New York, NY 10271.



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- Turkey
- Uganda
- United Kingdom
- Yemen

This map highlights some of CCR's work over the past year, for full coverage see inside or visit us online at CCRjustice.org.