



# JUSTICE TAKES A FIGHT

NEWSLETTER

## A Message from the Executive Director

**A**s we look wistfully toward spring, we at the Center for Constitutional Rights have found light in some of the darkest and most fearful spaces that human beings can occupy: domestic and offshore cages, land overrun with toxic industry, communities under threat from violent law enforcement. As hard as it is to do this work — and do it well — we are buoyed both by our uniquely rich history of righteous ferocity and a vision of the future full of possibility.

It is not enough to file lawsuits, we must inspire courage in judges to do the right thing when both power and politics are pointing in the opposite direction. It is not enough to send letters to Congress and write reports about injustice, we must walk the land with our partners, visit the sites of their injustices, and accompany them to a just future. Since we last talked, our work has taken us to sites of struggle from Georgia to Geneva and from Jackson to Jerusalem. We and our partners have testified before the U.S. Congress in D.C. and the UN committee on racial discrimination in Geneva. And, thanks to your support, we've walked men out of prison in New York, Louisiana, and that darkest of black holes, the Guantánamo Naval Base. Thank you for locking arms with us and helping us light a candle in the spaces of shadow that many would rather forget. Thank you for pressing forward with us undaunted against a tide of racism, misogyny, anti-Semitism, and fascism. We have all we need with you at our side.

Our work has gotten exponentially harder with the presence of an ideological, unaccountable Supreme Court ready to roll back the rights of Black, Indigenous, and brown people, religious minorities, especially our Muslim allies, LGBTQIA+ people, and immigrants. What is our pathway forward? We are



doubling down on our partnerships with social justice movements and organizations on the ground, especially in the South.

Thank you for allowing us to fight without hesitation or limitation and to be as imaginative and brave as possible. There is no organization that can do what we do the way we do it. Period. That is all because of you. Thank you. We are ready.

In Gratitude and Solidarity,  
**Vince Warren**

**PS:** This newsletter highlights two incredible freedom stories; the freeing of both **Charles Watts** and **Majid Khan**, two men who endured decades of cruel, unaccountable punishment. I think you will find their stories compelling and our work on their behalf inspiring. I hope you will take time to celebrate your crucial role in making their liberation possible.

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# Majid Khan has finally been freed from Guantánamo!

After years of brutal detention and torture in secret CIA custody, and an additional 16 years in Guantánamo, Majid Khan has been resettled in Belize!

Here is a shortened version of the statement Majid Khan made upon release. For the full version, visit [CCRjustice.org/Khanstatement](https://ccrjustice.org/Khanstatement).



L to R: Co-Counsel Katya Jestin at Jenner & Block LLP, Center for Constitutional Rights Client Majid Khan, Center for Constitutional Rights Senior Staff Attorney J. Wells Dixon reunited in Belize after 15+ years working on Majid's case.

***My name is Majid Khan**, and I am a real person. I am a human being. I am a Muslim man, and I first want to thank God for freeing me. When I was captured and disappeared into the CIA black sites twenty years ago, I thought that my life was over. I was young, alone, and very scared. I was sure that I would never be free or see my family again. No one knew where I was, or what had happened to me, or even whether I was alive. I was a ghost, a walking dead man.*

*The CIA wanted me to remain this way forever. In fact, when I was being tortured, I often wished for death to escape the terror and the pain. But I didn't die. God protected me.*

*I survived. I am a survivor. I was meant to live.*

*Today, I feel like I am reborn. I have reentered the world. I am a free man. I am beginning a new life in a new country and a new culture. It's all new to me, and I have a lot to learn. I'm in a little bit of shock because I have been waiting so long to be free, and I can hardly believe it has finally happened. I also realize how much time I have lost and what I need to make up. Most importantly, I will soon meet my daughter for the first time, who was born after my capture, and reunite with my wife and family after twenty years. I am nervous, but also excited.*

*And I would like to thank all my lawyers, both civilian and military, for their unwavering commitment to me for the last 15+ years. In particular, Wells Dixon [Senior Staff Attorney at the Center for Constitutional Rights] and Katya Jestin [Co-Counsel at Jenner & Block LLP] have advocated for me from the beginning and have stood by me to the end. I am very grateful to them, and to all who have fought for justice and accountability at Guantánamo.*

*Thank you.*

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# Reflections from the Legal Director; An Exceptional and Compelling Day in Court

I am especially grateful for your investment in the Center for Constitutional Rights as I reflect upon this moving day at court.

## ***Charles Watts v. United States***

In November 2021, the Center for Constitutional Rights filed a motion for compassionate release in the Eastern District of New York on behalf of Charles Watts, a 51-year-old Black man who was disproportionately sentenced to over 92 years in prison. Mr. Watts was 20 years old in 1990 when he and a childhood friend committed a series of robberies in Brooklyn using unloaded guns. Despite having no criminal record, Mr. Watts received a mandatory minimum sentence: one 5-year term and four 20-year terms, on top of 87 months. Absent judicial intervention, Mr. Watts would die in prison. **Four of our Bertha Justice Fellows worked on Mr. Watts' case tirelessly, taking advantage of recently enacted laws that recognize "exceptional and compelling" circumstances to authorize early release.**

Before the judge issued her ruling ordering Mr. Watts' release, we were part of a legal proceeding that was of the kind all of us who do this work aspire to experience. It was dramatic, even poetic at times, rigorous, and humane. It showed us the power that love can have on the law. Please allow me to share with you my recollection of the day.

## ***Before the Hearing***

We greeted family at the federal courthouse in Cadman Plaza. Charles Watts' sister and best friend, as well as nieces, nephews, children, step-children and even grandchildren, and family friends traveled hours to attend. They filled the rows on our side of the courtroom.

Mr. Watts was brought in handcuffed by two marshals and taken to a waiting room until the judge appeared, when he was uncuffed, and he sat between Center for Constitutional Rights Staff Attorney Samah Sisay and me. Across from us, the United States attorney



*L to R: Justin McCarroll, 2022 Ella Baker Intern; Genvetta Brown, mother of Charles Watts' eldest son; Evelyn Watts, sister of Charles Watts; Center for Constitutional Rights client Charles Watts, Center for Constitutional Rights staff Baher Azmy (Legal Director), Samah Sisay (Staff Attorney), Maria LaHood (Deputy Legal Director) in front of the court house after winning compassionate release for Watts.*

sat, intent on using the power of the U.S. government to keep a man in prison for the rest of his life.

## ***Legal and Factual Presentations***

U.S. District Judge Kiyo Matsumoto acknowledged she was hearing a case for compassionate release that had been brought before a different federal judge, who had recently died just before he could see and hear again from Mr. Watts, after his initial sentence 30 years ago.

Samah, a former Center for Constitutional Rights Bertha Justice Fellow who recently started as a full-time staff attorney, presented a thorough, clear, and measured argument that grappled with the complex legal questions presented. Samah also brought out the court's obligation to look not at the crime when it occurred, but at the person today. She stressed that Mr. Watts has maintained loving relationships with family, taken full and remorseful responsibility for his youthful conduct, and has a positive and productive vision for his future in freedom, including a job and a stable family household. Thirty years, Samah explained, is already an extremely long sentence, and there is simply no societal justification for continued imprisonment.

When the U.S. attorney addressed the court, he got five minutes into an abstract argument about the law — then the Judge asked pointedly: "Do you really think it is worth keeping this man in jail for 90 years?"

*Continued from previous page*

The judge pushed again: “What about his co-defendant? He got 15 years. Doesn’t the case law allow us to consider that substantial disparity between 15 years and 92 years?” The prosecutor, unknowingly indicting the ridiculousness of the system, noted: “Well, your Honor, it is not unusual for there to be disparate sentences and reward the person who cooperates with the government.”

And, as the U.S. attorney tried to paint Mr. Watts as a monster today because of the seriousness of the crime that happened 30 years prior, the judge interjected: “He was 19 when he committed these crimes. And, he was a first-time offender — he had no criminal history.”

### ***Recognition of Mr. Watts’ Dignity***

Judge Matsumoto, who is intellectually brilliant, also showed us the power of recognition — of humanity and dignity: “I was very impressed by Mr. Watts’ letters. They were well-written and thoughtful. I was struck by his statement that ‘I realized that a real man would stop blaming others for his actions.’”

“I have to believe that people can change for the better. The most amazing thing to me is that he was all of the time in touch with his children, and he writes movingly about his unity with them in prison and how he tried to shield them from the pain of seeing him incarcerated.”

“He received a 90-year sentence, yet he never gave up hope. It would have been easy to give up hope but he worked diligently through multiple courses to better himself. He didn’t have to do that but he did.” She noted that the crime was violent but referenced our arguments showing that murder, kidnapping, and terrorism sentences on average were lower than Mr. Watts’.

### ***Closing Thoughts and Law as Love***

In closing, Judge Matsumoto implied that Mr. Watts’ rehabilitation might have moved the now-deceased sentencing judge, who had expressed frustration that someone as smart as Mr. Watts engaged in reckless conduct. Then she looked at his family and said, “I appreciate his family being here and the support they have given him. If anything motivates him it is his love and the support he receives from his family.”

After this closing but just before she left the bench, something electric and loving broke things open even more.

Mr. Watts stood up to leave and looked over to the gallery and said “family!” They stood up and waved and blew him kisses. Mr. Watts then anxiously called out, “Where is my son, where is Charles?” Charles Watts, Jr., with the very same soft and kind demeanor, maneuvered to show himself clearly to his dad, then waved to the father who had been imprisoned since he was 3 years old.

Mr. Watts looked at his son with pride, put his palm to his heart, and left the courtroom.

### ***His Freedom***

Just after the New Year, Judge Matsumoto informed us that she would be issuing her decision and ordered the government to have Mr. Watts transported from jail to the courthouse. I visited with him the night before the hearing at the Metropolitan Detention Center, where he was anxious and optimistic, as he usually is. The judge wanted him there so that he could hear the reasons for her decision, which she read aloud in open court: she ordered him released from custody and, in a beautiful act that honored his dignity and agency, did not send him back to prison for processing — she ordered him released that day from that courthouse. She looked at him meaningfully and wished him well.

Samah and I watched Mr. Watts, carrying a new duffle bag with clothes his beloved sister Evelyn had purchased for him, walk proudly out of the front door of the federal courthouse, where he had been given a life sentence 30 years earlier.

On behalf of all of our staff, thank you for this day in court. Thank you for all you do for the Center for Constitutional Rights.

Baher Azmy  
*Legal Director*

To learn more about the case, please visit [ccrjustice.org/Watts](http://ccrjustice.org/Watts).



# Hear from our Current Bertha Justice Fellows

Our current Bertha Justice Fellows started last fall. The Center for Constitutional Rights has participated in the Bertha Justice Fellowship Program since 2012. It provides two-year appointments to emerging lawyers who are interested in gaining practical experience working on cases and a theoretical understanding of how movement lawyering can create social change. Learn more about their backgrounds at [cjrjustice.org/NewBerthas](https://cjrjustice.org/NewBerthas).

We wanted to share why they joined our Center for Constitutional Rights family.



## Remy Burton

*"I am invested in movement lawyering because it recognizes that litigation is only one of many tools in this fight, and that those most directly impacted must be the ones deciding the role lawyers play in the larger movement. I'm excited to have the opportunity to work with and learn from the creative thinkers at the Center for Constitutional Rights who are deeply committed to using legal and extralegal tools to elevate and support the communities and organizers leading liberation movements on the ground."*



## Sadaf Doost

*"Interning at the Center for Constitutional Rights as an Ella Baker was one of the most empowering experiences I've had during my legal education – I had never worked in an environment as fierce, creative, and collaborative. I am excited to continue being a part of an organization that has an unwavering commitment to movement-building, and am grateful for the opportunity to work alongside attorneys and advocates whose morals, politics, and organizing I trust."*



## Mikaila Hernández

*"I am an anti-capitalist prison and ICE abolitionist, which is a position that is not supported at the private conservative law school I attended. I craved learning from and being supported by legal professionals and organizers who have been doing this work for far longer than I have, which is part of why I chose the Center for Constitutional Rights. I also wanted the opportunity to work on a wide range of issues that are rooted in anti-imperialism and which inform one another in creative ways."*



## Zee Scout

*"I witnessed the traditional model of lawyering: a clever person went to court and worked as hard as they could to help their client. But the client was an individual, and the activists I saw received little to no attention from legal actors who possessed the power to amplify their goals. As an Ella Baker Intern at the Center for Constitutional Rights, I saw lawyers who understand that coalitional international grassroots struggle produces the greatest chance of material change. Now, as a Bertha Justice Fellow, I am excited to fight for a better world at the intersection of gender justice and prison litigation, corporate capture and electoral justice."*

# SOUTHERN JUSTICE RISING

**T**he need to build power among social justice movements in the South, ground zero for white nationalism, is acute. As we continue to expand this work, Associate Director of the Southern Regional Office, Emily Early, spearheaded a listening tour with numerous organizations and partners throughout the region. Some of the many groups include: Taproot Earth; The People’s Advocacy Institute; Mississippi Workers’ Center for Human Rights; Mississippi in Action; Mississippi College of Law; Communities Not Prisons Coalition in Alabama; Voice of the Experienced, a Louisiana-based organization founded and run by formerly incarcerated people; Poor People’s Campaign; Mississippi Center for Justice; MacArthur Justice Center; Loyola University Law School Clinic; The Immigrant Alliance for Justice and Equity; Women with a Vision; and Highlander Research and Education Center.

## **Environmental Racism; Progress Locally and Internationally**

Since September 2017, we have been providing legal and advocacy support to Black-led community organizations and environmental activists fighting environmental racism and further industrialization in Louisiana’s notorious “Cancer Alley,” also known as “Death Alley.” As you know, Black and Indigenous people have long experienced environmental racism through the deliberate siting of petrochemical facilities in their communities, and the existing petrochemical infrastructure has taken a devastating toll in the river parishes between Baton Rouge and New Orleans. Our case, [The](#)

[Descendants Project v. St. John the Baptist Parish](#), seeks to prevent construction of a 246-acre grain terminal complex that would be situated as close as 300 feet from the doorsteps of residents in the historic Black community of Wallace, Louisiana. This “high hazard industry” would exacerbate environmental dangers — from risks of fires and explosions to increasing levels of particulate matter — and potentially destroy burial sites of people who were enslaved on the property.

In August a Louisiana state appellate court denied a request by Greenfield Louisiana, LLP, the company seeking to develop the property, to halt an April 28, 2022 ruling by a trial court that green-lighted our challenge to the zoning of the facility. The ruling clears the way for us to seek a final ruling based on the district court’s ruling that the industrial zoning ordinance is unlawful and thereby precludes heavy industrial operations of the kind Greenfield proposes. The proposed construction site is in an area already in the top one percent for respiratory hazards in the U.S.

August was an eventful month. [We traveled with a delegation of clients to Geneva, Switzerland to testify at the UN Committee on the Elimination of Racial Discrimination’s latest review of the United States](#). The Committee issued its report, which took the unprecedented step of calling on the U.S. government to address the legacies of colonialism and slavery by beginning the process of providing reparations to descendants of enslaved people. The Committee also took the unusual step of citing human rights violations in a specific place: Louisiana’s Cancer Alley. The report

*Members of Center for Constitutional Rights' Delegation of Black elders and community leaders from Louisiana (L to R: Myrtle Felton, Inclusive Louisiana; Jo Banner, Center for Constitutional Rights Client & Co-Founder, Descendants Project; Letitia Taylor Parquet, Concerned Citizens of St. John the Baptist Parish) testify in front of the UN Committee on the Elimination of Racial Discrimination.*



incorporated several of our delegation's proposals, among them "adopting moratoriums on the authorization of new heavy industry facilities and expansion of existing ones," and "protect[ing] historical sites of cultural significance for these communities from harm by extractive and manufacturing industries." While affected communities have been calling attention to the harms of toxic industries in Cancer Alley for decades, the day after our clients testified before the international body, they received an invitation from the Army Corps of Engineers for a consultation under Section 106 of the National Historic Preservation Act of 1966. Having put Cancer Alley squarely on the international human rights agenda, our partners are escalating campaigns locally, and we're looking forward to sharing more updates this spring.

## **Combating White Supremacy**

The historic Highlander Center in Tennessee asked

us for help in preventing the takeover of its original property and trademark by a white-led nonprofit called the Tennessee Preservation Trust, known for its commitment to preserving Confederate landmarks. [Since last July, Southern Justice Rising has done investigative research into various individuals and organizations behind the Trust's activities, provided legal support to Highlander's petition to the National Park Service during its consideration of the Trust's application for National Historic Landmark status, and mobilized more than 2,100 public comments to the National Park Service.](#) As a result of this effort, the Park Service referred the Trust's application to the Tennessee State Historic Preservation Office without approval, seriously undermining the Trust's efforts to co-opt Highlander's powerful legacy. We are continuing to support Highlander to ensure the State Historic Preservation Officer does not approve the Trust's application.

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# Open Records Project: FOIA for the Movement

**T**he Center for Constitutional Rights' **Open Records Project: FOIA for the Movement** helps advocates obtain government information needed to challenge oppressive systems of power.

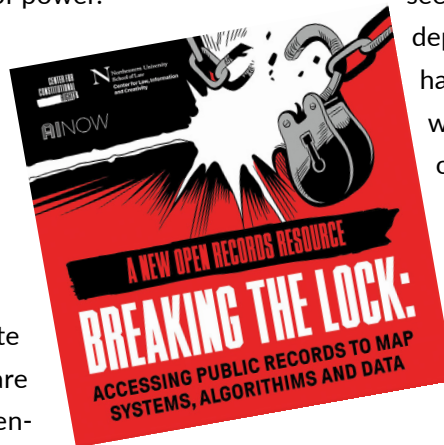
In addition to working with allies to file Freedom of Information Act (FOIA) requests, we also provide resources and training. In 2022, we launched a new resource with partners called *Breaking the Lock*, which focuses on how to make state and federal requests for the software frequently used by government agencies. Our *FOIA Basics for Activists* guide is a living resource for colleagues and allies. We also provide technical and strategy consulting to groups, law school clinics, attorneys, and journalists, and facilitate trainings for activists, advocates, lawyers, law school clinics, and others.

To learn more, visit us at [ccrjustice.org/FOIA](https://ccrjustice.org/FOIA). Here are a few recent highlights that illustrate the power of FOIA requests in the fight for justice.

## CURRENT FOIAs AND LITIGATION

**Sanctuary Civil Fines FOIA:** Filed in late 2019 on behalf of Austin Sanctuary Network, Free Migration Project and Grassroots Leadership supporting a number of women taking sanctuary from ICE in churches across the country. All the women are now out of sanctuary, and the Biden administration dropped the civil fines policy. However, we are about to receive new documents that we hope expose the roles of anti-immigrant extremists in creating these fines. We are co-counsel with the NYU Immigrant Rights Clinic and Latino Justice.

**Cameroonian Deportations FOIA:** Filed in April 2021 with partners Project South and Southern Poverty Law Center in support of Cameroonian asylum seekers who were tortured and forcibly deported from the U.S. in 2020 despite having viable asylum claims. Litigation was then filed in late 2021. Documents obtained in February detail U.S. government officials' racist views of Black migrants. The key findings are outlined in a briefing guide we prepared with our partners.



**Texas SpaceX FOIAs:** Elon Musk's SpaceX company (and affiliates) has been decimating the community of Brownsville, TX for the past few years, gentrifying the majority-Latinx, working class area as well as causing untold environmental damage. Local activists such as Bekah Hinojosa have been leading the battle against his encroachment and have been targeted with arrests and public shaming by local government officials. In August, in partnership with Latino Justice, we filed a FOIA request and local records requests to support their work.

**Operation Palladium FOIA:** Along with Immigrant Defense Project, we filed this FOIA request and litigation to find out more about ICE "surge policing" tactics, part of a Trump administration effort to target immigrants in sanctuary cities. We filed summary judgment challenges last spring and filed a new related case in November.

**Louisiana Records Requests:** Local open records requests have continued to be a vital source of information as well as an advocacy tool for our partners in Louisiana.



# A SPLENDID BODY OF TIGERISH PEOPLE

## Our Annual Donor Thank You Reception Returned!

**F**or the first time since 2019, we hosted our annual thank you event for donors, A Splendid Body of Tigerish People, on October 25 in New York. Our partners, board members, and staff gathered to show gratitude to you and others who make our work possible through generous contributions. The evening's highlight was the presentation of our Tigerish awards. The Activist Award was given to Center for Constitutional Rights clients **Jo and Dr. Joy Banner**, co-founders of the The Descendants Project. **Marbre Stahly-Butts**, former Executive Director of

Law for Black Lives, received the Lawyer Award. **Jeffery Robinson** – writer, producer, and narrator of the award-winning documentary “Who We Are: A Chronicle of Racism in America” and Founder/CEO of the Who We Are Project – received our Storyteller Award. We also honored our incredible client **Ashley Diamond** with the first Justice Takes a Fight Award.

It was great to gather and celebrate together and everyone left recharged and inspired!



*L to R: Dr. Joy Banner and Jo Banner, Tigerish Activist Award Honorees; Marbre Stahly-Butts, Tigerish Lawyer Award Honoree; Jeffery Robinson, Tigerish Storyteller Award Honoree, & Vince Warren, Center for Constitutional Rights Executive Director*



*Center for Constitutional Rights Executive Director Vince Warren introduces our panel discussion of Tigerish Awardees.*



# A SPLENDID BODY OF TIGERISH PEOPLE



ASHLEY DIAMOND



▲ Chinyere Ezie, Center for Constitutional Rights Senior Staff Attorney, speaks



◀ L to R: Center for Constitutional Rights Board Members Katherine Acey and Marjorie Fine, Center for Constitutional Rights Associate Executive Director Donita Judge

L to R: Emily Kunstler and Sarah Kunstler ▶  
present the Storyteller Award





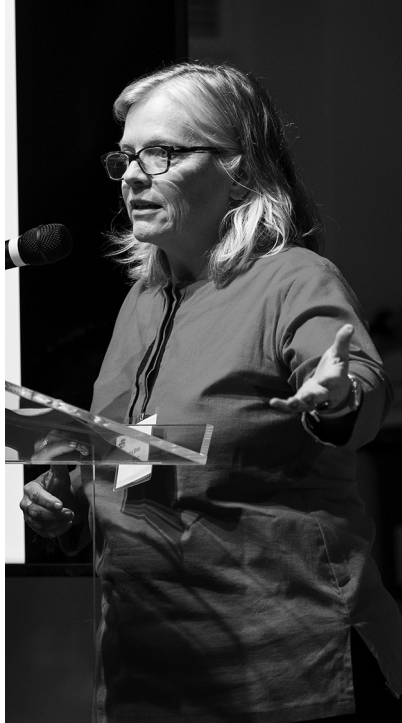


◀ Center for Constitutional Rights Board Member Meena Jagannath speaks



▲ Center for Constitutional Rights Board Member Rosemary Corbett thanks our lovely donors and introduces the evening's program

Center for Constitutional Rights Senior Staff Attorney Pam Spees presents the Activist Award ▶



◀ L to R: Center for Constitutional Rights Board Member Marjorie Fine with long-time supporter and friend Vincent McGee

# > WAYS TO GIVE BACK

## HONOR A LIFE OF JUSTICE

### ***The Michael Ratner Campaign for the Next Generation***

Michael Ratner (1943-2016) was a visionary leader at the Center for Constitutional Rights for 45 years. Make a new or increased gift to the Michael Ratner Campaign for the Next Generation at [ccrjustice.org/MRC](https://ccrjustice.org/MRC).

## JUSTICE SUSTAINERS

### ***Monthly Donors Make Our Rapid Response Work Possible***

Recurring monthly gifts allow the Center for Constitutional Rights to plan ahead and leverage resources to respond to challenges and opportunities as they arise. That means more hope for our clients, more rapid response support for grassroots movements, and more justice for all. Establish an automatic monthly gift at [ccrjustice.org/donate](https://ccrjustice.org/donate).

## THELMA NEWMAN PLANNED GIVING SOCIETY

### ***Fighting for the Future of Justice***

Thelma Newman was not a wealthy woman, yet she made a six-figure bequest to the Center for Constitutional Rights, and she hoped to inspire others to do the same. Thelma Newman Planned Giving Society members have included us in their **estate plans**. Join them and make the struggle for justice part of your legacy at [ccrjustice.org/TNS](https://ccrjustice.org/TNS).

If you would like to learn more about becoming a **Justice Sustainer**, joining the **Thelma Newman Society**, or supporting the **Michael Ratner Campaign for the Next Generation**, please contact our Director of Development Theda Jackson-Mau at [tjackson-mau@ccrjustice.org](mailto:tjackson-mau@ccrjustice.org) or 212-614-6448.

## THANK YOU!

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Online gifts are a quicker and greener way to give!

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### **Give by mail to:**

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