

Center for Justice and Accountability

Torture, Former Combatants, Political Prisoners, Terror Suspects, & Terrorists

<https://cja.org/what-we-do/litigation/doe-v-constant/>

Campaign and Advocacy

Emmanuel Toto Constant was the leader of one of Haiti's most feared death squads, a group that used rape, mutilation, and murder to crush opposition to Haiti's military regime. Constant fled to the United States in 1994 when a Haitian court issued a warrant for his arrest. He began life anew in New York as a real estate agent. But in 2006, thanks to a civil suit filed by CJA and the courageous women who survived Constant's campaign of violence, Constant's past caught up to him. Through CJA's case, Constant was held liable for human rights abuses and ordered to pay \$19 million to our clients.

In the late 1990s, a real estate agent appeared in Queens, NY and sent shockwaves through the Haitian-American community. This man was no ordinary broker; he was Emmanuel Toto Constant, the founder of FRAPH, a Haitian death squad that terrorized supporters of exiled president Jean-Bertrand Aristide.

In New York, Constant carried a briefcase instead of an Uzi. But for neighbors who had fled political violence in Haiti, there was no mistaking him. The man they referred to as The Devil, the same man who had led forces that killed, maimed or disappeared thousands of victims, was living openly and freely in the United States.

Our clients, Jane Doe I and Jane Doe II, were among those victims.

After Jane Doe I spoke out about the disappearance of her activist husband, FRAPH fighters raided her home. She was gang-raped in front of her children, stabbed and left for dead.

FRAPH fighters also invaded Jane Doe II's home. Yet again, FRAPH used their hallmark tools of violence: gang rape and mutilation. She was left for dead in a FRAPH dumping ground, but like Jane Doe I, Jane Doe II survived.

CJA helped these courageous women bring their quest for justice to the courtrooms of New York.

In 2004, CJA, alongside pro bono co-counsel and the Center for Constitutional Rights, filed a federal lawsuit in New York against Constant for torture and crimes against humanity.

We won a \$19 million default judgment, which was upheld on appeal in 2009. The judgment marks the first time that anyone has been held accountable for the state-sponsored campaign of rape in Haiti that destroyed countless families.

When Constant was eventually tried for mortgage fraud in New York state court, CJA intervened and convinced the judge to reject a 13 year plea bargain, citing Constant's human rights abuses. Constant was later convicted and sentenced to 1237 years.



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GERALD GRAY LEGACY CIRCLE

GERALD GRAY FOUNDED CJA IN 1998 AND CONTINUES
WORKING TO HELP TORTURE SURVIVORS TODAY.

Join the Gerald Gray Legacy Circle

To join, please let us know that you have included CJA in your estate plans, insurance policy, or planned giving instrument by contacting us at center4justice@cja.org. We will ensure your gift supports CJA's mission and welcome you to the Gerald Gray Legacy Circle.

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***"We will never catch all the torturers—but we will always catch some,
and none of them will ever know who is next."***