

Center for Constitutional Rights

Discrimination, Detention, and Deportation: Immigration & Refugees

<https://ccrjustice.org/home/what-we-do/our-cases/foia-ghost-detention-and-extraordinary-rendition-case>

Policy Issue Resources

CCR, AIUSA and WSLs filed FOIA requests with government agencies seeking the release of records related to the evaluations or authorizations of secret detention and transfer, policies and procedures for such programs, the identities of individuals detained or transferred and the locations of their detention or transfer, the activities of private contractors and non-governmental actors, and injuries and treatment of individuals detained or transferred.

Secret prisons and extraordinary rendition hold people outside the law, without contact with lawyers, family members, or the outside world. Reports of torture, abuse, and cruel, inhuman and degrading treatment are common, and these detainees have no recourse for the abuses that they have suffered. Please see our [fact sheet](#) on Ghost Detention.

Despite the fact that the government has acknowledged the existence of the program, these agencies have continued to withhold documents that are responsive to the FOIA requests.

The suit raises several causes of action for violation of the FOIA, including failure to expedite processing of their requests, failure to make the records sought promptly available, failure to timely respond to their requests, failure to release records, failure to allow fee waiver, and the improper withholding of agency records. The suit seeks immediate and expedited processing and release of the records requested.

CCR has two related cases. CCR represents [Maher Arar](#), a Canadian victim of the U.S. program of extraordinary rendition who was tortured in Syria for nearly a year. CCR also represents [Majid Khan](#), a former resident of Baltimore, Maryland, who was detained in secret for years before being transferred to Guantanamo Bay.

Judge Loretta A. Preska issues an Opinion and Order.

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Judge Loretta A. Preska issues an Opinion and Order granting in part and denying in part the CIA's and plaintiffs respective motions for summary judgment. Although upholding the CIA's withholding of documents on several grounds, Judge Preska also ruled in favor of the plaintiffs in determining that the CIA interpreted the FOIA requests on the specific interrogation technique attention shake too narrowly and failed to provide adequate justification for withholding certain legal documents.

CIA reply brief.

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CIA documents relating to Congress released.

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Plaintiffs' cross motion for summary judgment against the CIA.

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The CIA released Vaughn index entries for cables regarding the waterboarding of Khalid Sheikh Mohammed.

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CIA documents released.

The CIA motion for summary judgment.

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Order withdrawing previous CIA and DOJ motions.

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DOS documents released.

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DOD documents released -noteworthy pages (full release above).

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Plaintiffs' opposition to DOJ and CIA motion for partial summary judgment.

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DOJ and CIA motion for partial summary judgment.

DOJ and CIA motion for partial summary judgment.

Plaintiffs' reply in support of their motion for partial summary judgment.

Plaintiffs' reply in support of their motion for partial summary judgment.

CIA reply and opposition to plaintiffs' cross motion for summary judgment

CIA reply and opposition to plaintiffs' cross motion for summary judgment

Plaintiffs' reply in support of their motions for partial summary judgment

Plaintiffs' reply in support of their motions for partial summary judgment

Opposition to CIA motion for summary judgment and plaintiffs' cross-motion for partial summary judgment

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CIA documents released.

CIA documents released.

CIA motion for summary judgment.

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CCR files the lawsuit with Amnesty International and Washington Square Legal Services.

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Amnesty, et al, v. CIA, et al - complaint

CCR releases report.

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On the same day of filing lawsuit, CCR also releases the report, *Off the Record: U.S. Responsibility for Enforced Disappearances in the "War on Terror"*, the most comprehensive list to date of people known to be or have been held by the U.S. in secret detention, but whose

whereabouts and fate is still unknown.

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