

Center for Justice and Accountability

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

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

Campaign and Advocacy

Emmanuel Toto Constant was the founder and leader of the Haitian paramilitary FRAPH (Revolutionary Front for the Advancement and Progress of Haiti), which served as an arm of political violence for the 1991-1994 military regime under Gen. Raoul Cdras. Constants father was an army commander under the former Haitian dictator Francois Duvalier, and Constant used Duvaliers notorious Tonton Macoutes paramilitary units as a model for the formation of FRAPH. In 1993 and 1994, FRAPH worked in concert with the Haitian Armed Forces in their campaign of terror and repression against the civilian population of Haiti. FRAPH members received arms and training from the Haitian Armed Forces, who ran the government, and who used FRAPH as a means of intimidating the population and enforcing the political will of the ruling junta.

With the financial and logistical support of the Haitian Armed Forces and certain members of Haitis economic elite, FRAPH killed, arbitrarily detained, raped and otherwise tortured or mistreated civilians in the poorest neighborhoods and regions of Haiti, most of which were heavily pro-Aristide. They also looted and burned or destroyed homes in an effort to break the resistance of the population to military rule. An eccentric publicity seeker, Constant simultaneously sought to create a public facade for these violent activities by openly declaring he was leading a legitimate neo-Duvalierist movement under the banner of FRAPH. Deligitimating in the eyes of many was FRAPHS use of wholesale rape and murder. Like the Tonton Macoutes before him, Constant sought to cultivate a nearly supernatural mystique for FRAPH, by having the death squad perform the facial scalping of its victims and displaying such trophies to the terrified populace.

In December 1994, the Haitian government issued a warrant for Constants arrest. Constant fled Haiti to the Dominican Republic. He then travelled to the United States, entering on December 24, 1994. After the threat of U.S. intervention forced the military regime to step down, the Haitian government and local human rights NGOs pressed ahead with the criminal prosecution of Constant, Cdras and other key figures from the junta. In December 1994, the Haitian government issued a warrant for Constants arrest, and he fled to the Dominican Republic. Less than a month later, he was allowed to enter the United States. He then travelled to the United States, entering on December 24, 1994. Following public outcry at his presence in the US, immigration authorities arrested Constant and ordered his deportation. For reasons still unclear, the order was never carried out.

The U.S. was well aware of Constants connection to egregious violations of human rights under the military regime. In fact, during the US intervention in 1994, US officials discovered photographs of FRAPHS mutilated victims, pinned to the walls of Constants office in Port-au-Prince. Nonetheless, Constant was mysteriously released under an agreement with the U.S. government, shortly after he appeared on the evening news show *60 Minutes* and confessed to being on the CIAs payroll throughout the 1990s. On the air, Constant threatened to divulge secrets on U.S. covert operations in Haiti.

Ostensibly Constant was not deported since the INS had allegedly received intelligence that Constant faced death threats back home in Haiti. In an unusual departure from standard procedure, the INS released Constant into the civilian population rather than keeping him in detention the usual fate of an immigration detainee accused of murder and terrorism who cannot be repatriated due to a likely threat.

Constant became a real estate agent in Queens, NY, working and living freely in the midst of a community of Haitian immigrants that he had once terrorized. Then, in 2004, CJA and our partners filed a human rights civil suit against Constant, resulting in a \$19 million judgment in 2006. Two years later, Constant again found himself facing justice in a U.S. court. On October 28, 2008, he was sentenced to 12 to 37 years in prison for his role in a criminal mortgage fraud scheme in New York after being found guilty on all six felony counts against him in a July 2008 trial.

[A full summary of the mortgage fraud case and CJAs intervention is available here.](#)



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WORKING TO HELP TORTURE SURVIVORS TODAY.

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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."***