



# **JUSTICE TAKES A FIGHT. 2019 ANNUAL REPORT**

Chief Clara Soaring Hawk  
Deer Clan Chief  
Ramapough Lenape Nation  
Photo by Vlad Archin.

CENTER FOR  
CONSTITUTIONAL  
**RIGHTS**



OPPRESSIVE STATE POWER



STRUCTURAL RACISM



PATRIARCHY



STRUCTURAL ECONOMIC INJUSTICE

**JUSTICE  
TAKES  
A FIGHT.**

## VISION

The Center for Constitutional Rights fights for a world without oppression—where people use their power to achieve justice and guarantee the rights of all.

## MISSION

The Center for Constitutional Rights stands with social justice movements and communities under threat—fusing litigation, advocacy, and narrative shifting to dismantle systems of oppression regardless of the risk.

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**Here's what you did in 2018 and 2019! Together, we are a force for justice!**



## MESSAGE FROM THE BOARD CHAIR KATHERINE FRANKE

Now, more than ever, we need the creative, radical, movement-focused vision of the Center for Constitutional Rights. As each day seems to bring new, previously unthinkable horrors, the Center for Constitutional Rights' amazing staff is stepping up to defend the rights and freedoms of the most vulnerable communities impacted by the rise of white supremacy and nationalism, fascism, racism, transphobia, and other hateful ideologies. Your steadfast partnership and unyielding commitment to social justice makes our work possible; our accomplishments are your accomplishments.

When the Trump administration fabricated illegal new rules to bar asylum seekers from entering the U.S., the Center for Constitutional Rights sued and won. When Fordham University refused to recognize a chapter of Students for Justice in Palestine because it would be "polarizing," the Center for Constitutional Rights sued the university and won. When the Township of Mahwah, New Jersey used zoning laws to prevent members of the Ramapough Lenape Nation from using their ancestral land, the Center for Constitutional Rights sued the town and won.

Even more, part of what makes this organization so unique is that our work takes place outside the courtroom as well, supporting our movement partners with critical messaging, behind-the-scenes support, and educational/advocacy campaigns. The Center for Constitutional Rights played a key role in the coalition that worked to have the NYPD fire the police officer who killed Eric Garner, with the understanding that this was just the start, not the end of the campaign to gain justice for Black and Brown people terrorized by the NYPD. Executive Director Vince Warren went on MSNBC voicing opposition to a much-hailed plan

to label domestic mass shootings a form of domestic terrorism, since strengthening the state's surveillance powers only empowers the state and threatens the safety of the public: "The horrible El Paso and Dayton shootings should not lead Congress to expand domestic terrorism laws. If we want to limit mass shootings, tighten gun laws. If we want to end white supremacy, start with the presidency." And we created a new Open Records Project to train and assist movement advocates in gaining access to critical public documents that can expose government wrongdoing.

Now more than ever, we thank you for your support of our team of fierce, unrelenting, and passionate advocates. Thank you to all of our new and longtime individual and institutional partners. Special heartfelt thanks to those who have made gifts to the Michael Ratner Campaign for the Next Generation, as well as those who are among our Justice Sustainers and members of our Thelma Newman Planned Giving Society. Thank you to my fellow board members and to the staff at the Center for Constitutional Rights.

Peace,

Chair, Board of Trustees



## MESSAGE FROM THE EXECUTIVE DIRECTOR VINCE WARREN

This summer, *The New York Times* published a major work observing the 400th anniversary of the arrival to this land of kidnapped Africans who were enslaved. The series of essays examined our history since 1619 and chronicled how every part of our society has been touched by American slavery. One powerful piece posited that because of this, Black people in America were not merely passive beneficiaries of eventual American democracy, rather they were key to forming it, challenging the nation's legally-sanctioned cruelty with their integrity, resistance, and action. However, beneath this important view of the "peculiar institution" of slavery lies another, older one that demonstrates that the institution was not peculiar in the least. Prior to 1619, colonial settlers enslaved thousands of Native people as their lands were stolen, and the evidence indicates that enslaved Native people were sold in exchange for enslaved African people starting that year. They too fought back with their integrity, resistance, and action.

Although the methods of resistance of Native and African people might have varied widely, what they were fighting did not. Whereas many Black people were kidnapped, relocated, and forced into servitude by companies with the support and encouragement of the government, many Native people had their lands stolen, were kidnapped, relocated, and forced into servitude by the government with the support and encouragement of companies. At play in both experiences are three essential drivers: the amalgamated corporate and state power necessary to deprive people of their basic rights; the white supremacist mythology casting Black and Brown people as terrorists, combatants, and criminals; and, of course, the sanction of the law.

These are among the fundamental elements that are baked into the very concept of America and which, half a century after our founding, remain the sharp focus of the work the Center for Constitutional Rights undertakes

today, as you'll see in the pages of this report. That's because, like you, we recognize that the dark history of the United States rapidly becomes our future when we are not vigilant, and that fighting for the future we want means vociferously rejecting the present we have.

When historians turn to this ugly, desperate moment in history and write about those who, with integrity, resistance, and action, thwarted the global renaissance of white supremacy, YOU will be a big part of that story. When future students ask who ended the Muslim Ban, fought for LGBTQIA liberation, helped desperate migrants receive asylum at the southern U.S. border, prevailed against police control of Black communities, supported Native organizers protecting their land, advocated for marginalized communities internationally, and held corporations accountable for human rights abuses, the answer will be the Center for Constitutional Rights and supporters like you. The fight for justice has become harder for sure. However, the good news is that the Center for Constitutional Rights has become stronger—because of you.

I hope you enjoy this annual report; take pride in the miraculous work we've been able to do together and come away even more energized to build the future with integrity, resistance, and action! Neither the work in this report nor the future we want to build together is possible without your generosity and your unwavering belief that **Justice Takes a Fight**. On behalf of our staff, board, myself, and, most of all, our clients, thank you for being on the frontlines with us!

A handwritten signature in black ink, appearing to read "Vince Warren".

Vince Warren



## ASSOCIATE EXECUTIVE DIRECTOR DONITA JUDGE

The Center for Constitutional Rights was thrilled to welcome Donita Judge as its new Associate Executive Director this year. Through her leadership, she is enabling the organization to increase its impact through greater innovation, strategic alignment, and learning. During the course of the year, she has already helped the organization live the same values on the inside that it promotes and fights for on the outside, enhancing transparency, accountability, and shared, visionary leadership throughout the organization. Donita is a nationally renowned voting rights expert whose strategic skills are greatly respected by colleagues in the legal, advocacy, and communications fields, and by people on the ground with whom she has worked across the country.

However, Donita's path to the Center for Constitutional Rights has been, in many ways, returning to the source of her inspiration. She attended Rutgers University School of Law—Newark, where founder Arthur Kinoy taught Constitutional Law. Donita wasn't the typical law student. After a successful career with United Airlines, she was one of those special students that went to law school, as former Center for Constitutional Rights Legal Director Professor Bill Quigley has said, "not just to learn about laws that help people but also with a hope that they might learn to use new tools to transform and restructure the world and its law to make our world a more just place."

Learning those tools while a law student, she was awarded the Kinoy-Stavis Fellowship, the school's premier public

service fellowship named for Arthur and another Center for Constitutional Rights founder, Morton Stavis. After a judicial clerkship, she went on to the Advancement Project, a partner organization and fierce movement lawyering shop in its own right, where she was co-program director and senior attorney of their Power & Democracy Program based in Washington, D.C., and represented the North Carolina NAACP in the landmark North Carolina "monster" voter suppression case, NC NAACP v. McCrory.

She has now brought her wealth of vision, leadership, and experience back to the source—the organization that Arthur and Morty founded—to help us sharpen our transformative tools. "The Center for Constitutional Rights' historical commitment to social justice and building power aligns perfectly with my years of work challenging systemic barriers and power structures that disenfranchise and oppress communities of color," said Donita. "I look forward to leading implementation of the organization's strategic vision and goals while ensuring we are effectively assessing and responding to emerging issues and trends."

A key hallmark of the Center for Constitutional Rights' strategy to win is not just moving to the cutting edge of today's justice problems, but also to moving all of us—our staff, movement partners, and supporters like you—there together with all the tools, strategy, resources, skill, and power necessary for making our world a more just place. We are grateful that Donita has chosen to lead and build with us in this crucial phase of the fight.



Baher Azmy  
Legal Director



Nadia Ben-Youssef  
Advocacy Director

## MESSAGE FROM THE

# LEGAL DIRECTOR BAHER AZMY

# ADVOCACY DIRECTOR NADIA BEN-YOUSSEF

As it must have for you, for many of us at the Center for Constitutional Rights, this year has felt like forever. Trump's relentless attacks on vulnerable communities, his conspiracy to promote a white nationalist agenda – and violence – inside and outside the government, and the drip-by-endless-drip dismantling of elementary democratic norms can be exhausting. At the same time, at the Center for Constitutional Rights we feel privileged to stand with so many courageous, visionary, and tireless activists who are on the front lines – at the border, in the streets, in our vast prison system – protecting migrants, families, and other communities under threat from this harrowing lurch toward fascism. Indeed, with every act of resistance, in the courts, the legislature, or the streets, we draw strength and greater resilience – and a faith that this moment actually provides us a profound opportunity not just to resist, but to imagine. With ugliness and evil laid bare before us, we must work to build an irresistible, alternative vision.

Our biggest institutional commitment in the Trump era has been to protect the rights of immigrants and refugees. We have filed three major lawsuits to stop the Trump administration's attempted dismantling of the asylum system, reunited two parents with their toddlers following a harrowing kidnapping and torturous forced separation initiated by Immigration and Customs Enforcement, and sued to protect activists from harassment and surveillance by Department of Homeland Security and FBI officials. Trump's immigration policy is certainly an effort to advance a white nativist agenda, but its attack on the asylum system represents an unprecedented rejection of the post-World War II human rights consensus – one centered around an understanding that countries are bound to assist vulnerable individuals, such as refugees, simply because of their status as human beings entitled to rights and recognition. This vision of international human rights and collective responsibility is under threat, and we seek to resist Trump's attacks on it, and, with our partners and clients, promote that soaring vision in the most compelling way we can.

Another new emphasis for our team has been in pursuit of environmental justice in the once-pristine Atchafalaya Basin area of Louisiana, in an inimitable Center for Constitutional Rights way – by supporting our movement partners fighting on the ground, and by foregrounding the way in which climate injustice most impacts poor, Black, and Native communities. With activists who are fighting for their families and their lives, we challenged the state licensing of a pipeline security company suspected of surveilling and harassing anti-pipeline activists, litigated open records requests showing the intertwined government-corporate interests in Louisiana pipeline development, challenged the pipeline company's expropriation of private land, and sued to block enforcement of a gas-industry generated law targeting activists who lawfully protest around pipeline grounds. The relationships we built in the Atchafalaya region, led us to new partnerships with terrific Black environmental justice activists in the Death Alley region of Louisiana, who want to end industrial destruction and be able to live healthy, fulfilling lives in their communities.

With the addition of dynamic new staff, we have also increased our focus on gender and LGBTQIA justice, working to stop the continued displacement of trans persons from basic economic opportunities; to end criminalization of sex work, which disproportionately impacts trans people of color; and to ensure adequate health and mental health care for trans prisoners. We know that when we center—and fight for—the safety, lives, and visions of those most vulnerable, we all become free.

In Gratitude and Solidarity,



Baher Azmy  
Legal Director



Nadia Ben-Youssef  
Advocacy Director

# STRUCTURAL RACISM

Dismantling White Supremacy



During the press conference to announce the filing of our case *Black Love Resists in the Rust v. City of Buffalo*, which challenges racially discriminatory and economically exploitative traffic checkpoints.

**"Any long-term, sustainable change will require that we start to not only change laws and policies, but divert resources away from these symptoms that harm us, and build up the infrastructure of our communities to actually hold ourselves ... as long as we continue to feed the beast of mass incarceration and mass criminalization, our communities will not be safer and they will not thrive in meaningful ways."**

**—Marbre Stahly-Butts,  
Law4BlackLives**

# STRUCTURAL RACISM

Dismantling White Supremacy



The Ramapough Lenape Nation. Photo by Vlad Archin.

**The Center for Constitutional Rights has always fought against society's deeply seated structural racism. We know that to effectively dismantle white supremacy, we must address the roots of settler colonialism and the legacies of ethnic cleansing, enslavement, and racial violence. We shine a light on the policies and practices that brazenly discriminate against people of color, and advocate for a world of historical justice and equity.**

***Thank you for sharing in our mission and making our work possible.***

## COMBATING SETTLER COLONIALISM AND DISPOSSESSION

For generations, the **Ramapough Lenape Nation** has congregated on a parcel of land in Mahwah, New Jersey – a sacred site used as a place of worship and reflection. In October 2016, when a proposed fossil fuel pipeline threatened the Ramapough's use as well as the safety of the land and water supply, they formed the Split Rock Sweetwater Prayer Site on the property. Allies of their environmental stewardship joined in peaceful assemblies at the site in solidarity with the Ramapough's opposition to the pipeline.

These meetings angered the neighboring Hunt & Polo Club Homeowner's Association, an enclave of expensive homes, which mounted an aggressive campaign of harassment against the Ramapough, pressuring the Township of Mahwah to levy aggressive fines of thousands of dollars per day for "unauthorized structures" like a prayer circle and stone altar. The Hunt & Polo Club insisted that even two Ramapough persons simply praying on their own land, in the open air, violated the Township's zoning law. By April 2019, **the potential fines against the Ramapough amounted to over \$4 million**. Law enforcement arbitrarily arrested tribal members on trumped-up charges, the land was vandalized, and the Ramapough heard gunshots outside their homes. The Homeowner's Association and the Township would have liked for the Ramapough to surrender their valuable property.

"The Constitutional guarantee of religious liberty ensures that a hostile and discriminatory municipality cannot simply issue hundreds of minor zoning infractions in order to prevent the Ramapough from the religious use of their ancestral land, no matter how much Mahwah and the Polo Club would like to see them gone," said Rachel Meeropol, senior staff attorney at the Center for Constitutional Rights. "Racism cannot be dressed up in a municipal code."

### In *Ramapoough Mountain Indians Inc. v. Township of Mahwah, Ramapo*

**Hunt & Polo Club**, the Center for Constitutional Rights is standing with our client to expose the racial and religious persecution they are suffering from the conjoined interest of the Homeowner's Association and the Township. Along with co-counsel, we sued the Township and the Hunt & Polo Club in federal court, asserting the Ramapoough's right to religious freedom and free assembly and alleging a conspiracy to deny the Ramapoough equal protection under the law. On June 28, the Ramapoough Lenape Nation reached a settlement with the Township, which agreed to dismiss all the pending fines and recognized the Ramapoough's right to gather on their land for religious purposes.

We will continue pursuing our federal lawsuit against the Hunt and Polo Club for its religiously-discriminatory harassment. Hyperlocal reporters from Patch.com, local journalists from *The Star-Ledger*, and national media such as MSN.com saw the value in sharing this story.

## FIGHTING FOR HUMAN RIGHTS: ENDING INDEFINITE SOLITARY CONFINEMENT

After years of extremely intensive litigation, in 2015 the Center for Constitutional Rights reached a landmark, broad-ranging settlement with the State of California that effectively ended the state's inhumane and abusive policy of indefinite solitary confinement.

Although the settlement of **Ashker v. Governor of California** succeeded in its main goal of releasing nearly every person who had been held in long-term solitary confinement, the California Department of Corrections and Rehabilitation (CDCR) then sent many of these men to "Level IV prisons," where conditions were similar to those they experienced in solitary confinement – little to no out-of-cell time and minimal programming or job opportunities. In July 2018, we won a motion arguing that this placement violates the settlement agreement. That same month *The Nation* highlighted the Ashker case as part of an in-depth feature published in conjunction with the fifth anniversary of the prisoner hunger strikes that led to our involvement in the issue. The article also highlighted that, despite the historic settlement, lead plaintiff Todd Ashker was back in isolation after only "13 months of being able to see the sky and talk face to face with other human beings."

We sought an extension of the settlement agreement, seeking to maintain the court's jurisdiction over CDCR. In January, the court held that that CDCR was continuing to violate the constitutional rights of **Ashker** class members by repeatedly relying on unreliable and even fabricated confidential information to send them back to solitary confinement. The court also found CDCR is using constitutionally flawed gang validations to deny people in prison a fair opportunity for parole. CDCR has appealed both of these victories to the court of appeals. Our seven-year fight for justice continues, as does our reliance on media outlets and blogs, including *The Nation*, *Solitary Watch* and *The San Francisco Bay View*, to shed light on the abhorrent conditions our clients suffer.



**"With horrifying dismay, I find myself again having to come forward to defend my people, the Ramapoough Lenape – the original people of this land. We are once again confronted by systemic racism, wrapped in the old Jim Crow mantra of 'we treat them just like anyone else.'"**

**- Chief Dwaine Perry,  
Ramapoough Lenape Indian  
Nation**

### EXPOSING THE DEPARTMENT OF HOMELAND SECURITY'S "RACE PAPER": THE CRIMINALIZATION OF BLACK ACTIVISTS

The Center for Constitutional Rights filed a Freedom of Information Act (FOIA) lawsuit in partnership with Color of Change, revealing that in early 2017, intelligence analysts at the Department of Homeland Security (DHS) were at work on an internal, secret threat assessment they referred to as the "Race Paper." The FOIA case, **Color of Change v. Department of Homeland Security and Federal Bureau of Investigation**, uncovered the "Race Paper," but also emails, field reports, and other documents that confirm that local and federal law enforcement – operating under a crude intelligence framework that broadly casts Black activists as extremists and potentially violent—have been collaborating to monitor activists, social media organizing, and lawful, First Amendment-protected protest activity.

The "Race Paper" was produced in completely redacted form—not a single word in the document was visible. The court denied our motion to remove redactions from the "Race Paper" because it found, after its own review of the contents, that the document was a draft and therefore entitled to certain exemptions to the FOIA statute.

We continue to work on this issue, and the Center for Constitutional Rights was invited to speak at a July 2018 congressional briefing entitled "Extreme Surveillance." Interest in the "Race Paper" has since grown on Capitol Hill: Rep. Donald Payne (D-NJ) publicly questioned DHS Deputy Under Secretary Brian Murphy about the contents of the "Race Paper" at a House Homeland Security Hearing on Domestic Terrorism. And on June 4, 2019, during a House "Confronting White Supremacy" hearing, Rep. Ayana Pressley (D-MA) publicly questioned Michael McGarrity, the director of the FBI's Counterterrorism Division, about the "Race Paper" and the inflammatory—and invented—"Black Identity Extremist" designation. Our communications team also briefed numerous outlets about the disclosure of the existence of the "Race Paper," which led to coverage in *The Intercept* and *ShadowProof*.

### POLICING THE POLICE: DISMANTLING RACIAL DISCRIMINATION IN LAW ENFORCEMENT

In our ongoing class action lawsuit **Furlow v. Belmar**, the Center for Constitutional Rights, in conjunction with Arch City Defenders of St. Louis, is fighting racist and oppressive law-enforcement practices in the St. Louis area. For too long, St. Louis County has operated a system of "wanteds" — a statewide electronic notice to law enforcement officers that designates an individual for summary arrest and imprisonment for up to 24 hours — which clearly violate an individual's right to due process and to be free from unlawful arrest. Since the practice began, the county has issued over two million "wanteds," **leading to the unconstitutional arrests of a disproportionate number of poor and Black residents.**

In January, the *St. Louis Post-Dispatch* featured our client Dwayne Furlow in a story on the department's practice of warrantless wanted arrests and highlighted how the case spurred change: following the election of a new prosecutor, St. Louis County police officers can no longer enter people as wanted in cases of misdemeanors and municipal ordinance violations.

# STRUCTURAL RACISM

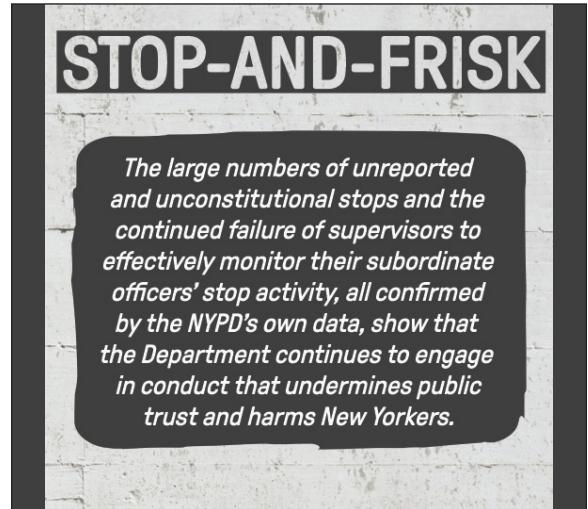
## Dismantling White Supremacy

The Center for Constitutional Rights continues to doggedly pursue implementing the reforms ordered by the court in the landmark federal class action lawsuit **Floyd v. City of New York**, which successfully challenged the **New York Police Department's widespread practice of racial profiling and unconstitutional stops and frisks**. Our work is as urgent as ever: the federal monitor's January 2019 report found that more than one out of every three stops recorded by NYPD officers in the first quarter of 2018 lacked reasonable suspicion and that officers didn't record over 50 percent of the stops they conducted.

On June 26, 2019, the Office of the Inspector General for the NYPD (OIG) – an independent body that conducts investigations of and reports on NYPD practices—released a scathing report showing that, of the more than 2,600 racial profiling complaints lodged against the NYPD by the public since 2014, the NYPD's internal investigations reached the unthinkable conclusion that not one of them could be substantiated. OIG recommended that the Civilian Complaint Review Board take over investigation of these complaints — a move that we fully support, along with federal oversight of the department's practices and policies. Despite these ongoing discriminatory and unconstitutional practices within the NYPD, we continue the hard work toward systematic reforms. For example, the NYPD patrol officers are still undergoing training in the new stop-and-frisk procedures using materials that we helped develop and that we monitor to ensure that they are being used accurately and effectively. There is also interest from reporters in keeping this story in the news. Because of *New York Magazine*, *Politico* and the *ABA Law Journal*, we can continue to hold the NYPD accountable in the court of public opinion.

We are also actively advocating for improved policing and more stringent accountability. This past year, the Center for Constitutional Rights testified in two separate hearings before the Public Safety Committee of the New York City Council – one regarding the NYPD's obstruction of justice for civilian complaints and another to underscore the changes the NYPD must implement to be an accountable, transparent, and nondiscriminatory department, consistent with the requirements of the remedial order in *Floyd*.

"The NYPD's systemic lack of discipline and accountability for misconduct must end, and we urge the department to take concrete steps towards holding its officers accountable when they violate peoples' rights and for improving systems as necessary." —Advocacy Program Manager Nahal Zamani



Additionally, we have advocated for passage of the **Safer NY Act**, a suite of bills in the New York State Legislature to increase police transparency and help increase accountability in New Yorkers' most common encounters with police. The Safer NY Act includes provisions to reduce unnecessary arrests for low-level, ticketable offenses, legalize marijuana while ensuring the reinvestment of resources in communities most harmed by prohibition, and repeal the NYS police secrecy law (**Civil Rights Law 50-a**). Further, together with the NAACP Legal Defense and Educational Fund, we advocated to the New York State Legislature for repeal of Civil Rights Law 50-a, which shrouds crucial information about an officer's past misconduct and discipline from the public and thus undermines public trust in law enforcement.

# PATRIARCHY

Fighting Gender Oppression



**"I am a feminist, and what that means to me is much the same as the meaning of the fact that I am Black; it means that I must undertake to love myself and to respect myself as though my very life depends upon self-love and self-respect."**

*June Jordan, Civil Wars*

The Center for Constitutional Rights has long worked together with courageous clients and dynamic social movements to uproot the systems of heteropatriarchy, violence, sexism, bias, privilege, and oppression that perpetuate the marginalization of women and LGBTQIA people across the globe. This year, we have recommitted to centering the voices and vision of the transgender community.

*We are so grateful for your belief in and commitment to a world of gender justice where all people can live and thrive.*

### FIGHTING FOR TRANSGENDER RIGHTS: DISMANTLING THE DISCRIMINATION-TO-INCARCERATION PIPELINE

*R.G. & G.R. Harris Funeral Homes v. Equal Employment Opportunity Commission and Aimee Stephens* is a landmark case before the U.S. Supreme Court that asks whether the Civil Rights Act of 1964 guarantees transgender people the right to live and work free from prejudice. In July 2019, we filed an amicus brief in support of plaintiff Aimee Stephens, a funeral home director from Michigan who was fired from her job because of anti-transgender bias. Our brief, filed on behalf of 46 organizations that advocate for LGBTQIA rights, elevated the voices of more than 30 transgender employees who, like Ms. Stephens, have lost jobs, been passed over for promotions, and faced routine harassment due to virulent discrimination.

“

Employers said that my gender expression was ‘vile,’ ‘disgusting,’ and ‘annoying.’ I was called an ‘abomination,’ and a ‘man in a dress.’ I was told I ‘shouldn’t be walking like a girl.’ I was told they did not want ‘the kind of attention’ I would bring to their company. They told me they couldn’t have ‘my kind’ in a place of business.

”

*—Miss Major, transgender rights activist*



In January 2019, we filed a brief in *Reyn Keohane v. Florida Department of Corrections*

urging the U.S. Court of Appeals for the Eleventh Circuit to uphold the right of transgender people to access gender-related healthcare in prison and express themselves without punishment or fear. Our brief elevates the voices and experiences of the transgender population behind bars, including noted activist **Ashley Diamond**, who experienced physical and mental anguish after being denied medically-necessary healthcare. By doing so, the Center for Constitutional Rights continues its long history of advocating for the civil and human rights of incarcerated people and opposing the bigoted and inhumane operation of our system of mass incarceration.



## Staff Profile **CHINYERE EZIE**

Last December, Chinyere Ezie was walking from the subway to her office at the Center for Constitutional Rights when she passed by the storefront of luxury brand Prada and was confronted with trinkets that bore an unmistakable resemblance to blackface. When she reached the office, she was shaking with anger and voiced her horror to her colleagues, all of whom were quick to support her. They offered to make protest signs and urged her to raise her voice – and she did. Loudly. Within days, her social media post had been shared thousands of times, the media picked up the story, and Prada removed all the items.

"I love how nimble we are at the Center for Constitutional Rights," says Chinyere, who joined the staff in October.

"There is an ethos of support among all my colleagues, who are ready, at any moment to advocate." Chinyere is currently working to disrupt the discrimination-to-incarceration pipeline that has pushed transgender people to the margins of society. In 2019, she filed an amicus brief in *R.G. & G.R. Harris Funeral Homes v. Equal Employment Opportunity Commission and Aimee Stephens* signed by 46 organizations that gave voice to dozens of transgender people whose experiences with workplace discrimination forced them into underground economies like sex work. Chinyere has also lent support to coalitions fighting the criminalization and policing of LGBTQIA people nationwide. Chinyere will continue amplifying LGBTQIA voices and disrupting systems of oppression in the coming year as her caseload expands.

## FIGHTING ARCHAIC SEX STATUTES THAT PREDOMINANTLY PUNISH POOR PEOPLE OF COLOR

In its 2003 landmark decision in *Lawrence v. Texas*, the United States Supreme Court held that state statutes criminalizing oral or anal sex with no element of force, exploitation of minors, or commercial exchange, are unconstitutional, stating that the mere existence of sodomy laws "is an invitation to subject homosexual persons to discrimination both in the public and the private spheres." Yet, 16 years later, Mississippi still has an "Unnatural Intercourse" statute on the books which it is still enforcing by requiring people with Unnatural Intercourse convictions to register as sex offenders. *Doe v. Hood*, filed on behalf of several Mississippi residents, argues that this statute and its corresponding registration requirement are unconstitutional.

After several years of effort, Mississippi agreed to remove from its sex offender registry four plaintiffs and 25 others who had out-of-state convictions under the Louisiana Crimes Against Nature by Solicitation statute, whose registration requirements we had succeeded in striking down in an earlier case, *Doe v. Jindal*. *Doe v. Hood* continues in the name of just one remaining plaintiff, "Arthur Doe," who the state still insists must register because of a guilty plea to unnatural intercourse in Mississippi from 1978 – 17 years before the enactment of Mississippi's sex offender registration requirements. In October 2018, the district court issued an order stating that Mississippi's statute "appears to be unconstitutional" and that Doe "should not be subject to the stigmatizing requirements" imposed by the registration, signaling agreement with our interpretation of the law. Nevertheless, the court questioned whether as a technical matter, Doe needed to first attempt to undo his conviction in state court prior to seeking relief in federal court. In May 2019, the court stayed the case until Arthur Doe can file a motion in state court seeking to vacate or expunge his conviction. The filing and outcome of that motion is pending.

# PATRIARCHY

Fighting Gender Oppression



L to R: Staff Attorney Chinyere Ezie, Simpson Thacher Partner Jennifer Hobbs, activist and Emmy-nominated actress Laverne Cox talk about LGBTQIA rights and the importance of allyship at Simpson Thacher's 6th Annual Citywide Diversity Reception in July, 2019.

**"All transgender people, and especially transgender people of color, know that discrimination is real and it is dangerous: it fuels poverty, homelessness, and mass incarceration."**

— Center for Constitutional Rights' staff attorney Chinyere Ezie



For many years, Miss Major was broke, hungry, and homeless. She couldn't get a job with a livable wage or enjoy the comforts of a good life due to lack of money and respect. Ultimately, sex work alone afforded Miss Major the means to stave off homelessness and the worst ravages of poverty.

MORE on Miss Major's activism at  
<https://bit.ly/HouseofGG>

## FIGHTING FOR TRANSGENDER RIGHTS: ENDING CRIMINALIZATION & PROFILING

In 2019, the Center for Constitutional Rights joined a coalition of groups to fight the criminalization and profiling of LGBTQIA and immigrant communities in New York State. We urged New York State legislators to repeal an archaic anti-loitering statute often termed the **"walking while trans ban"** because it is used by law enforcement almost exclusively to harass transgender people of color. We also took a stand when **Layleen Polanco Xtravaganza**, a young transgender woman with a seizure disorder who was arrested on a misdemeanor offense, died at Rikers Island because she was unable to make bail. Additionally, we pushed legislators to pass a bill to provide expanded criminal record relief to trafficking survivors, allowing them to overcome barriers to housing, employment, social services, and adjustments to immigration status, including visas and citizenship. Although our fight

to end the marginalization, criminalization, and police harassment of LGBTQIA people in New York State remains ongoing, we are proud of the support and momentum we generated this year.

## ENDING VIOLENCE AGAINST MOTHERS OF COLOR

Across the country, health care and medical professionals are engaging in the cruel and harmful practice of disproportionately reporting expectant and new mothers of color for child maltreatment investigations, intensive state surveillance and control, and forced family separation — all of which lead to devastating consequences for the mother and the child. Medical care providers are exercising enormous and reckless discretion — influenced by stigma, stereotypes, racism and classism — in assessing whether newborns are at risk. Further, there is little evidence that medical providers engage in harm reduction strategies, such as: obtaining informed consent from patients before fishing for evidence against them; warning the patient of the impending report to the foster system and its

consequences; or protesting the prosecution of their patients and the taking of newborns from their mother.

In June 2019, the Center for Constitutional Rights joined the Movement for Family Power, National Advocates for Pregnant Women, and other organizations in preparing a submission to the **United Nations Special Rapporteur on Violence Against Women** taking a critical international look at this issue and larger concerns within the United States foster care system. The right to retain care and custody of one's children is one of the most fundamental human rights.

The Center for Constitutional Rights charges that the United States foster care systems make "interventions" under the guise of "protecting children from their parents," but are often basing these decisions to intervene on a racist, colonial, and classist ideology that view poor parents and parents of color as inherently less fit to parent and more in need of government supervision to care for their children. Medical professionals consistently demonstrate their collusion in this practice by violating the rights of their patients of color who are expecting or parenting newborns, particularly in three major instances: when patients contest or refuse medical interventions; when patients experience prenatal or postpartum depression; and when patients are suspected of using drugs while pregnant.

On this latter instance, the Center for Constitutional Rights demanded accountability for the pernicious practice of disproportionate drug testing of Black women in New York City hospitals. In April 2019, we testified at the **Hearing on the Impact of Marijuana Policies on Child Welfare** before the City Council Committees on Hospitals and General Welfare. Our testimony exposed the discriminatory targeting of drug testing for new mothers and their newborns; the traumatic impacts of Administration for Child Services' investigations and removals on the basis of mere marijuana usage among mothers of color; and the disconnect between this dangerous practice and the national call to legalize marijuana. We are advocating for a world where institutions cease punishing parents for being poor, Black, Latinx, or Indigenous, and all families are able to thrive.



# OPPRESSIVE ECONOMIC STRUCTURES

Combating Abusive Corporate Power



March Against Death Alley, which took place May 31—June 3, 2019 between New Orleans and Baton Rouge, Louisiana.

**"Business knows no pity, and cares for justice only when justice is seen to be better policy. If it had power to control the elements, it would grasp in its iron clutches the waters, sunshine and air and resell them by measure, and at exorbitant prices to the millions of famished men, women and children."**

**W.A. Duncan, in the Cherokee Advocate, 1892**

# OPPRESSIVE ECONOMIC STRUCTURES

Combating Abusive  
Corporate Power

The Center for Constitutional Rights exposes and combats corporate abuses domestically and abroad. These cases and campaigns seek to overturn an economic model that prioritizes profits over people and the environment, and drives militarism and war. With your partnership, we seek to hold corporations accountable for human rights violations, restrict corporate influence over government decision-making, and fight back against the criminalization of those who defend our climate and communities and speak out against war-profiteering.

**With your support, we fight against inhumane and illegal practices, plundering of the environment, and the criminalization of those who defend our communities.**

## NO IMPUNITY FOR TORTURE

**“Even now I still think about it. I have nightmares where I’m falling into a hole, where I have a bag over my head. It never really left me.” —Plaintiff Salah Al-Ejaili**

In **Al Shimari v. CACI Premier Technology, Inc.**, we seek accountability from a for-profit corporation, hired by the U.S. government to provide interrogation services in the notorious Abu Ghraib prison in Iraq, for directing and participating in a conspiracy to torture in 2003-04. In 2018, the district court affirmed that there was sufficient evidence to support our clients’ claims of torture, war crimes, and cruel and degrading treatment, allowing our case to proceed. As we prepared for an April trial date, CACI continued its efforts to have the case dismissed, without success. CACI had also sought to bring in the U.S. government as a third-party defendant in an attempt to shift liability from itself to the federal government. However, in late March, **Judge Leonie Brinkema found that neither CACI nor the U.S. could claim immunity for violations of internationally prohibited conduct like torture and war crimes, and dismissed the government from the case.** CACI immediately lodged an appeal, which prompted the district court to suspend the trial date, putting on hold the plaintiffs’ decade-long effort to have their day in court. In July, our Legal Director Baher Azmy argued in a special session of the Fourth Circuit Court of Appeals why the appeal should be dismissed. As we await the court’s decision, we are keeping our plaintiffs’ case in the public eye: we featured the case on our podcast, “The Activist Files,” and a story featuring plaintiff Salah Al-Ejaili ran in *The Independent*.



Second from left: Salah Al Ejaili, one of the plaintiffs in *Al Shimari v. CACI Premier Technology, Inc.* with his family and Senior Staff Attorney Katie Gallagher in May, 2019

### ENVIRONMENTAL JUSTICE: PROTECTING DISSENT AGAINST CORPORATE DESTRUCTION OF THE ENVIRONMENT

In Louisiana, Black and Indigenous communities have endured a long and painful history at the hands of the petrochemical industry, which has devastated their health, livelihood, land, and environment. Recently, Energy Transfer, the company that built, owns, and operates the Dakota Access Pipeline in North Dakota, joined with Phillips 66 and Sunoco to form Bayou Bridge Pipeline, LLC (BBP) and constructed a 162-mile pipeline through 11 parishes in Louisiana and 700 waterways. The Center for Constitutional Rights stands with local faith leaders, fishermen, conservationists, and advocates for environmental and social justice, including those who strongly opposed this new pipeline.

**White Hat v. Landry:** On August 1, 2018, the Louisiana legislature enacted a new bill that dramatically increased the penalties faced by protestors engaging in civil disobedience in and around pipelines and pipeline construction sites. Since the protests at Standing Rock opposing the Dakota Access Pipeline were disbanded in February 2017, **more than 60 bills that heighten the risk and criminal penalties of dissent have been introduced across 30 states; 14 times in 2019 alone.** Many of these bills seek to criminalize free speech activity as “riots” and activists as “terrorists.” The Louisiana bill adds pipelines to the definition of “critical infrastructure” – a ridiculous designation as the state is host to a vast network of pipelines on both public and private property that could be invisible and virtually anywhere. Anyone could be trespassing without knowledge. On May 22, the Center for Constitutional Rights filed **White Hat v. Landry**, arguing that the new law is unconstitutionally vague and overly broad and targets speech and expression opposing pipelines. We are representing three individuals charged with felonies, landowners, and environmental and racial justice organizations impacted by the new law. The story was quickly picked up by local, national, mainstream, and progressive media outlets, including *Politico*, *U.S. News & World Report*, *The Intercept*, and *Truthout*.

**Sheriff's Pipeline Records:** In 2016, St. Charles Sheriff and then-president of the National Sheriffs Association Greg Champagne traveled to North Dakota to observe the law enforcement response to protests against the Dakota Access Pipeline. He also sent sheriff's office employees there to support the production of a pro-law enforcement video series—to the tune of \$36,000 of taxpayers' dollars. Suspecting prejudicial connections between the Sheriff's Office and companies involved in the proposed BBP, we sought records related to the sheriff's travel and communications. In December 2018, the appeals court ordered the sheriff to produce receipts related to his employees' travel to North Dakota and search cameras for video footage taken during their time there.

**Constitutional Challenge:** We filed a constitutional challenge on behalf of three holdout landowners of properties in the Atchafalaya Basin who refused to bow down to an eminent domain land grab by BBP,

“  
*ALEC AND ITS ‘BIG OIL’ PARTNERS CAN TRY TO LEVERAGE AMERICA’S PAY-TO-PLAY POLITICS TO SILENCE US – BUT WE WILL FIGHT THIS ON THE FRONT LINES AND IN THE COURTS.*”

— Anne White Hat,  
Water Protector from L'eau Est La Vie camp / Plaintiff



# OPPRESSIVE ECONOMIC STRUCTURES

Combating Abusive Corporate Power

claiming that BBP's expropriation of these owners' land violates their rights to property and due process under the U.S. and Louisiana constitutions. The landowners also sued BBP for violating their property rights and trespassing, because the company began construction on their property without the legal right to do so. The challenge refutes the company's claim that the pipeline is in the public interest — the underlying basis for invoking eminent domain. Although the judge ruled that the company committed trespass, he unfortunately still allowed it to exercise eminent domain over the property and awarded the clients a pitiful \$150 in damages for the expropriated land and trespass. Our clients are appealing.

## DEMANDING ACCOUNTABILITY

We intensified public scrutiny on these corporate abusers by supporting the Coalition Against Death Alley in its March for Justice, when activists delivered their demands to the Louisiana governor's office. Our advocacy team is also working with international allies to build pressure for accountability of other petrochemical companies operating with impunity in Death Alley.

We continue to defeat frivolous lawsuits by Energy Transfer, the corporation behind the **Dakota Access Pipeline**. Attempting to silence critics of the pipeline, Energy Transfer hired President Trump's longtime law firm, Kasowitz Benson Torres LLP, to, bizarrely, sue Earth First! – which is not an organization or entity of any sort, but rather a

philosophy of environmental activism based on biocentrism, direct action, and not compromising with Earth-destroying corporations. The lawsuit nonetheless claimed that Earth First! funded a violent terrorist presence at the Standing Rock protests and was part of a sprawling conspiracy to deceive the public about the environmental risks of pipelines. In 2018, soon after we successfully secured dismissal of the claims against Earth First!, Energy Transfer added several individual defendants. One of them is **Krystal Two Bulls**, an Oglala Lakota and Northern Cheyenne organizer. Energy Transfer's claims were a media coordinator for the Red Warrior Camp at Standing Rock. We took on her defense and won, getting all claims against Ms. Two Bulls dismissed and exposing Energy Transfer as a corporate bully abusing the U.S. legal system to deter concerned citizens from engaging in free speech.



Center for Constitutional Rights client Krystal Two Bulls.  
Photo by Erika Larson

**"The only goal of these laws is to silence Indigenous people and every American community that stands up for the rights of our Mother Earth, her land, her water and all her creatures and plants who have no voice in these so-called halls of justice but which we, as human beings, depend upon entirely for our existence."**

**– Ann White Hat, Water Protector from L'eau Est La Vie Camp/ Plaintiff**

# OPPRESSIVE ECONOMIC STRUCTURES

Combating Abusive Corporate Power

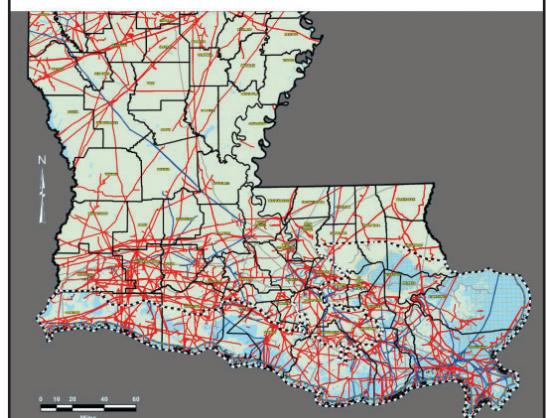
The Women of Cancer Alley is a first-ever collection of short films made by Black women who live adjacent to chemical plants, tank farms, and refineries along an 80-mile stretch of the Mississippi River in southern Louisiana. The area has been known as "Cancer Alley" and "Death Alley" because of the overwhelming, intergenerational burden of illness and death caused by toxic industry pollution. Over 180 petrochemical plants exist among the historic and predominantly Black communities, where in some places, the risk of cancer from polluted air is 800 times the national average. The short films depict the lives, fears, and activism of eight Black women – Liz Gordon, Ariel Williams, Iris Carter, Cheryl Adams, Shamelle Lavigne, Sharon Lavigne, Lydia Gerard, and Eve Butler. The Center for Constitutional Rights featured the project in our Freedom Flicks film series and highlighted the voices and visions of two of these brave women, Lydia Gerard and Sharon Lavigne, on our podcast, "The Activist Files."



## INTERNATIONAL ADVOCACY TO END CORPORATE CAPTURE

Our U.S.-based and international partners are working together at the United Nations to address corporate control of our systems of governance and the lack of accountability that communities endure when corporations violate their human rights. Specifically, the Center for Constitutional Rights is working in coalition with groups from all regions of the world to include a provision in the future treaty that would restrict the ability of corporations to influence government laws and policies to favor profit-making at the expense of human rights. If successful, this treaty will be the first international human rights law to contain an expressed provision of this kind and will be an important requirement for states to protect their citizens from corporate control of their systems of governance. Our international work recognizes the global scope of corporate control and the necessity for a coordinated effort by people around the world to take back our means of self-government.

WHEN PIPELINES RUN THROUGH YOUR WHOLE STATE, HOW IS IT FAIR THAT YOU CAN BE CHARGED WITH A FELONY FOR BEING NEAR OR ON ONE?



# ABUSIVE STATE POWER

Challenging Unjust Government Policies



**"We come to the U.S. from countries with histories of political repression but we thought our freedom of speech would be protected as we stood up to defend our rights."**

Client from Center for Constitutional Rights' case *Migrant Justice v. Nielson*

From our earliest work 50 years ago, standing with the freedom fighters of the Civil Rights Movement, to our work today with communities under threat in the U.S. and abroad, the Center for Constitutional Rights has cultivated a relentless body of visionaries, lawyers, activists, and donors who fight back against abuses of power by government officials and institutions. We understand that unjust government policies have deep historical roots, and, as we challenge abusive immigration practices or mass surveillance, we also work to dismantle the ideologies that threaten the lives of those the state has deemed “criminal.” We “catch courage” from our clients and envision a just society where power is redistributed to those at the margins.

**Thank you for standing with us, and for believing in the world we want to build.**



## STANDING WITH AND FIGHTING FOR IMMIGRANTS:

### DISMANTLING THE TRUMP ADMINISTRATION'S SHAMEFUL CAMPAIGN AGAINST ASYLUM SEEKERS AND IMMIGRANTS

After the horrors of World War II, the U.S. committed to abide by the emergent international law requirement to give people the opportunity to seek safe haven in our country as they fled from persecution and violence in their home countries. Today, the Trump administration is in the process of systematically undoing these commitments, violating U.S. and international law by enforcing inhumane, retaliatory practices against already vulnerable asylum seekers and immigrants—at our Southern border and within the U.S. interior. The Center for Constitutional Rights is fighting against this **barbaric war on immigrants** by exposing and opposing the Trump administration's unlawful and immoral policies and practices. Working with our partners in the immigrant rights movement, this year we filed four of the leading lawsuits challenging the Trump administration's attack on the asylum system and immigrant rights activists.

In November 2018, the Center for Constitutional Rights joined forces with the American Civil Liberties Union (ACLU) and Southern Poverty Law Center (SPLC) to file ***East Bay Sanctuary v. Trump***, a federal lawsuit challenging the administration's sudden and unilateral bar on asylum eligibility to those who cross the Southern border without authorization. For over half a century, the U.S. has recognized the right of asylum for individuals fleeing persecution in their home country regardless of their manner of entry. But on November 8, 2018, the Department of Homeland Security (DHS) and the Department of Justice (DOJ) issued a rule barring those who enter the U.S. “without inspection” -- that is, without going through the formal process at ports of entry—from seeking asylum. The next day, Trump issued a presidential proclamation suspending asylum grants to all those who cross the Southern border outside of ports of entry, despite the fact that, as our work in ***Al Otro Lado v. McAleenan*** (see p. 23) has shown, even at ports of entry border patrol officers **have almost entirely ceased allowing migrants to present their cases for asylum**. The *East Bay* lawsuit dealt a major blow to the administration's efforts to formally block Latinx and other migrants at the Southern border: we won a preliminary injunction from a federal judge in Northern California that halted the asylum ban, and then defeated the government's attempt to obtain an emergency suspension of the ruling in the U.S. Court of Appeals for the Ninth Circuit and the Supreme Court.

**“Nearly every day it seems there is a new policy announced or effort uncovered aimed solely at making life for asylum seekers and immigrants in general unbearable.”**  
— Erika Pinheiro, *Al Otro Lado* Director of Litigation and Policy



## Staff Profile ANGELO GUISADO

Angelo Guisado grew up in Miami — his father a recently arrived refugee on the Mariel boatlift, his mother a former volunteer and supporter of the Black Panthers. Social justice “was instilled in me at such an early age that it was almost reflexive . . . it’s always been something I’ve cared about.” He traces the moment his activism sparked to the Jena Six incidents in 2006. Six Black teenagers in Jena, Louisiana were arrested, harassed, and abused after Black students protested the hanging of nooses outside their high school. At the time, he was a junior in college, studying philosophy, and the switch flipped: he joined the clarion call to action and has remained actively committed to social activism ever since.

As a paralegal, he worked on police abuse and anti-discrimination cases. In law school, he participated in the federal litigation clinic, representing the most vulnerable and unpopular clients, including a prisoner being denied medical care. After law school, he clerked for the late Damon J. Keith, a judge on the U.S. Court of Appeals for the Sixth Circuit and legend of the Civil Rights Movement. He honed his litigation chops at Paul Weiss, where he also took on multiple pro bono cases that touched on asylum, clemency, special education discrimination, and family separation.

Since joining the Center for Constitutional Rights as a staff attorney in March 2017, Angelo has tirelessly traveled to the U.S.-Mexico border, fighting for asylum-seekers, and throughout the states fighting against discriminatory policing and anti-immigration policies. One of his most rewarding moments to date has been helping a Central American client travel through Mexico, across the border, and safely into the U.S. to serve as a plaintiff in *Al Otro Lado v. Nielsen*, a lawsuit challenging the Trump administration’s unlawful and cruel turn-backs of asylum seekers along the U.S.-Mexico border.

Of the Center for Constitutional Rights, Angelo says, “It is just a really rad place to work. As near-ideal as it gets . . . I never knew a place of work could be so diverse in every sense of the word. This is where I belong.”

Only several months later, the Trump administration issued a new asylum ban rule (Asylum Ban 2.0), barring asylum for anyone who transited through a third country if they failed to seek protection there before applying for asylum at the U.S.-Mexico border. **This policy would effectively ban any non-Mexican asylum seeker** at the Southern border, including refugees fleeing horrific violence in the Northern Triangle countries in Central America as well as migrants from Africa and South America. In July, we again teamed up with the ACLU and SPLC in *East Bay Sanctuary v. Barr* and obtained yet another injunction, blocking this cruel, racist, and radical revision of our asylum laws. The ruling made national news and was covered by media outlets ranging from *The Philadelphia Inquirer*, MSNBC and Democracy Now! to all of the major broadcast stations.

Even before Trump initiated his asylum bans, DHS had a widespread and ongoing practice of turning asylum seekers away from official ports of entry at the Southern border. Many Mexican, Central American, and African migrants who have waited for months in border towns for their “turn” to apply have become desperate enough to cross the border without inspection. And, as we discovered over the past year through our class action lawsuit *Al Otro Lado v. McAleenan*, brought with a powerful grassroots border rights group and several individual plaintiffs, these illegal DHS practices are directly attributable to Trump’s high-level officials ordering CBP officials to restrict the entry of asylum seekers and make them wait weeks or months in dangerous Mexican border towns based on a false claim of a

# ABUSIVE STATE POWER

## Challenging Unjust Government Policies



lack of capacity to process them. To quote CBP officers, “**We have orders not to let anybody in.**”

As the denials have grown in number, the conditions in Mexican border areas have grown more dangerous, with migrants facing continued threats from gangs and kidnappers as they wait to be processed by CBP. Along with our partners the American Immigration Council and SPLC, we have named and attempted to shame high-level officials for their flagrant disregard of domestic and international law. In July 2019, a federal district judge in California rejected most of the government’s second attempt to dismiss the case, allowing our constitutional claims under the Due Process Clause and our international law claims under the Alien Tort Statute to proceed.

However, even as our class action case proceeds, the government has been taking retaliatory action against migrants and advocates. Recently, CBP detained and questioned Al Otro Lado staff lawyers who were attempting to cross the border to assist clients stranded in Mexico. The government has also placed alerts on Al Otro Lado staff’s U.S. passports and revoked travel documents without explanation.



Even within the U.S., the Center for Constitutional Rights is exposing an alarming pattern of sustained government harassment and retaliation against immigrants and immigrant rights advocates. In a case filed in November 2018, *Migrant Justice v. Nielsen*, we represent a Vermont-based grassroots organizing group fighting for economic justice, labor, and human rights. Along with three of its members and leaders, Migrant Justice is suing the Department of Homeland Security, Immigration and Customs Enforcement (ICE), and the Vermont Department of Motor Vehicles (DMV) for engaging in a years-long, systemic campaign of surveillance, harassment, arrest, and detention of nearly a dozen of its members in violation of the First Amendment. To

conduct this harassment campaign, ICE has relied on assistance from the Vermont DMV, which provided personal and sensitive information about Migrant Justice members as part of its discriminatory practices against Vermont’s Latinx community. ICE’s arrests and detention of activists are part of a disturbing national trend: since 2016, ICE has arrested twenty high-profile immigrant rights’ leaders around the country and has targeted countless others. *The Guardian*, *The Intercept*, *Democracy Now!* and local radio stations, including WAMC, covered the filing of our lawsuit, amplifying the voices of the many Migrant Justice members targeted by ICE.

On April 19, we filed a Freedom of Information Act (FOIA) request on behalf of the humanitarian organization **No More Deaths** seeking information regarding Border Patrol’s role in responding to requests for emergency assistance along the U.S.-Mexico border, particularly its interference with – and even sabotage of – humanitarian efforts in an area infamous for its high migrant death toll. Between 1998 and 2015, more than 6,500 migrants died on the U.S. side of the border, mostly from environmental heat exposure and drowning in the Rio Grande. Many more individuals remain uncounted. The JURIST, an online, real-time legal news and research service, featured our request, underscoring its importance and the dire circumstances of migrants at the U.S. border.

### THE FIGHT TO KEEP FAMILIES TOGETHER

Family separations, retaliation, harassment, and unrelenting prejudice are now the hallmarks of the Trump administration's immigration policies. At our borders, within the U.S. and across the world, migrants are increasingly threatened. The Center for Constitutional Rights is committed to ending these appalling and unconstitutional attacks on migrants and activists and to demanding justice. In the last year, we have worked with communities and social movement partners to challenge this type of government abuse. Whether standing with Yemeni families separated by the Muslim Ban, or demanding the reunification of a Honduran father and his toddler who were torn apart by ICE, our lawyers and advocates are committed to **securing the rights of all to move, to belong, and to maintain family unity.**

### CHALLENGING THE CRUEL AND ABSURD MUSLIM BAN

An ongoing war in Yemen has spawned a massive humanitarian crisis. Three-quarters of the population now requires assistance amidst widespread famine, a cholera epidemic, and the internal displacement of over two million people. Due to the war, the U.S. closed its embassy in Yemen in 2015 and began scheduling visa interviews at consulates in other countries. Thousands of Yemeni visa applicants began travelling to nearby Djibouti to interview for visas. Many had already faced serious delays and had been waiting years for visas. As a result, they were still in Djibouti awaiting interviews or visa approvals when Trump cruelly implemented the **Muslim Ban**. Many remain stranded there today, and others have made the difficult choice of returning to Yemen, a war zone, because they could no longer afford to remain in Djibouti. In December 2018, the Center for Constitutional Rights filed ***AlObayah v. Trump***, a lawsuit on behalf of three Yemeni-American clients whose immediate family members were stranded in Yemen and Djibouti. Each of their family members had received a notice of their visa approval, but once the third iteration of the Muslim Ban went into effect, they all received denials. However, on the ban's own terms, it cannot be applied to revoke already issued visas. Through this case, we shined a light on the Muslim Ban's devastating human impact, and succeeded in providing relief to some of the families. We are delighted to share that within weeks of the filing, all of the visas were issued, and our clients' family members arrived in the United States in January, reuniting in Brooklyn. The outcome in AlObayah was likely facilitated by the high-profile coverage we obtained of our clients' situations, including in *The New York Times*. Additionally, our team appeared with two of the clients — and a four-year-old daughter — on the December 26 episode of *Democracy Now!*

### PROTECTING ASYLUM SEEKERS AND THEIR FAMILIES

Last fall, we won two important family separation cases, bringing to light the trauma caused by Trump's immigration policies.

In the first case, Mr. C. and his then 19-month-old son, D.J.C.V., fled Honduras under the threat of death and arrived at the U.S.-Mexico border at the end of April 2018, where they sought asylum. Detained in the notorious "hieleras" or "iceboxes," Mr. C. was found to have a reasonable fear of persecution, rendering him eligible to seek relief in immigration courts. But, after two days, ICE forcibly took the small toddler from his father, claiming that a misdemeanor arrest years before his son was born precluded Mr. C. from caring for his child. Mr. C. was detained in detention facilities and unable to communicate with his child, who was detained elsewhere for five months. In partnership with Mr. C.'s asylum lawyer, we filed ***D.J.C.V. v. U.S. Immigration and Customs Enforcement (ICE)***, arguing that the government had violated Mr. C.'s and his son's rights to family integrity, and making the novel claim that the prolonged separation of parent and child in pursuit of deterrence and punitive ends met the statutory and



### STORY OF MOHAMMED ALOBAHY

Mohammed Alobahy came to the U.S. at the age of 16, “full of hopes and dreams,” he said. “Those dreams included going to college and becoming an engineer, starting a family, and living a respectable and honorable life that I couldn’t have in Yemen.” Mohammed became a U.S. citizen, graduated from college, and became a structural engineer, but Trump’s Muslim Ban turned his dreams into a nightmare.

In January 2016, Mohammed returned to Yemen to marry his childhood sweetheart, Amal. He then returned to the U.S. to petition for his wife’s visa so she could join him

there. In November 2017, Amal made the arduous trip from Yemen to Djibouti for her visa interview. At the end of her interview, the consular officer informed her that her visa was approved and she could pick up her passport with the visa shortly. Over the phone, Mohammed and Amal celebrated their impending reunification, and he and his mother bought a wedding dress for Amal in anticipation of their second wedding reception once she arrived. But, in March, when Amal arrived at the U.S. Embassy to pick up her passport, she received a letter stating that her visa was now “provisionally revoked.” In the months that Amal had been waiting, Trump’s Muslim Ban had gone into effect, scattering loved ones and separating families. To support Amal, who was stranded in Djibouti, Mohammed uprooted his life and moved into his parents’ home so that he could send \$2,000 a month to cover his wife’s expenses abroad. He had not seen Amal in almost two years.

**“The question that breaks my heart and shatters my dreams, scaring my hopes, and swapping my smile with a tear and a frown is when my wife asks me ‘Mohammed, will we ever meet?’”**

In January 2019, Amal and Mohammed reunited, due to our lawsuit challenging the denial of their visas. They held a large celebration of their marriage and victory in Brooklyn with friends, family, and their community just days after she landed in the U.S.

Our strategy of drawing public attention to individual families impacted by the Ban has continued to prompt the government to grant waivers that enable families to reunite – further confirming the arbitrary nature of the ban and the absurdity of the administration’s purported security rationale. We continue to partner with members of the Yemeni-American community and are working with members of Congress to highlight the stories of the Yemenis stranded in Djibouti and advocate for individual cases, as well as for intervention to obtain broader, systemic change. Comedian Samantha Bee featured seven Yemenis that our team worked with on the April 10 edition of her show “Full Frontal with Samantha Bee,” and *The Washington Post* then featured their stories. We leveraged the national spotlight to request waivers for the families. Since the episode aired, all of the family members have been granted waivers and reunited with their loved ones in the U.S. Additionally, soon after NPR ran a story on June 26 about another of our clients who had been separated from her husband and four children for more than a year, she received a waiver and will be reunited with her family.



international definition of torture. After Mr. C. was released on bond, we sought a temporary restraining order to free his son, who had turned two while detained. At the hearing the judge ordered the immediate release of Mr. C.'s son, calling the government's practice of separating families "the most cruel of all cruelties." Within hours, father and son were reunited.

In the second reunification case, Ms. Q. and her then three-year-old son, J., fled extreme violence and gang persecution in El Salvador and sought asylum in the U.S. Shortly after arriving, **they were held in a crowded cell without bedding, adequate clothing, or sanitary supplies**. After J. became ill, vomiting on his clothing and with diarrhea, detention officers refused to provide him a change of clothes or medical attention. Pressured to sign voluntary departure papers in untranslated English, Ms. Q. refused, and immigration agents removed J. from her the next day, detaining her in Texas and

her son in Chicago. During the eight months he was held, J. began to show signs of extreme trauma. Ms. Q. was deemed ineligible for asylum based on an unsupported warrant in El Salvador claiming gang affiliation. Even after an immigration judge found that the Salvadoran warrant provided no evidence of dangerousness, ICE used it to insist that Ms. Q. and J. could not even be detained together, much less released. On October 24, in partnership with the National Immigrant Justice Center and Ms. Q.'s private lawyers, we filed **Ms. Q. v. U.S. Immigration and Customs Enforcement**, making the same arguments we did in Mr. C.'s case. At the hearing, U.S. District Judge Paul L. Friedman **ordered the mother and son reunited within three days**, even if they remained detained. In a surprising course-correction, ICE released Ms. Q. from custody, and she and her son were joyfully reunited.

## ENDING ISLAMOPHOBIA AND DISCRIMINATORY PROFILING

### STANDING WITH PEOPLE IN PRISONS

For decades, the Center for Constitutional Rights has stood in solidarity with people in prison fighting against cruel treatment. We believe that prisons are a harsh means of social control that have devastated communities of color in the U.S. and marginalized communities around the world. While we regularly challenge conditions of confinement and the existence of military prisons like Guantánamo, we are committed to imagining and building a world entirely without prisons.

### DEFENDING GUANTÁNAMO PRISONERS AND TORTURE SURVIVORS

As part of the Bush administration's so-called "War on Terror" — the military prison at Guantánamo Bay is one of the most shameful examples of human rights violations and unconstitutional practices perpetrated by the U.S. government. For nearly two decades, the Center for Constitutional Rights has fought for justice for prisoners. We have brought suits against the government on behalf of numerous individual detainees, including a mass *Habeas* filing for 11 prisoners, many of whom have been held for 16 years without charge or trial, and submitted filings on behalf of clients in foreign courts investigating U.S. torture and, more recently, to the **International Criminal Court in The Hague**. We work closely with NGO allies and grassroots partners to keep the spotlight on our clients, to connect with activists and organizations that continue the fight to close the prison, and to continue our call for action and

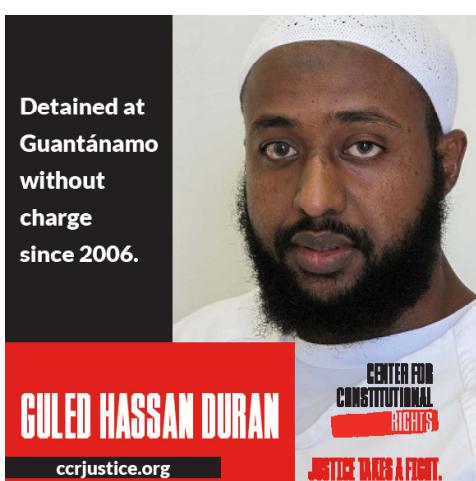
accountability within government. Our advocacy team organized events and actions around the 17th anniversary of the prison's opening in January, where we welcomed new voices into our coalition and briefed Congressional staffers and allies on the current state of the prison. We continue to convey our outrage at the government's position regarding boundless and inhumane detention. These key cases crystallize the battles we are fighting on behalf of victims of torture at the hands of U.S. agencies and successive administrations.

### AL HAJJ V. TRUMP ON DEATH BY INCARCERATION AT GUANTÁNAMO

Our client Sharqawi Al Hajj, a 45 year-old man from Yemen, has been detained without charge since 2002, including for over two years in CIA sites before his transfer to Guantánamo. **Today he is gravely ill**, the cumulative effects of years of torture, desperate protests through hunger strikes, and the cruelty of indefinite detention itself. He has been repeatedly hospitalized in Guantánamo, and this year his mental health in particular took a serious downturn, while the government continues to maintain that he is in good health. His continued detention is senseless and tragic, and may very well mean a death sentence.

### STRENGTHENING INTERNATIONAL MECHANISMS OF ACCOUNTABILITY:

#### INVESTIGATING WAR CRIMES AND CRIMES AGAINST HUMANITY AT THE INTERNATIONAL CRIMINAL COURT



As part of our long-running effort to hold Bush administration officials accountable for their role in implementing a global torture program, in 2018 we filed "victims' representations" on behalf of our clients **Sharqawi Al Hajj** (see above) and **Guled Duran** at the International Criminal Court (ICC) in support of its proposed investigation of crimes against humanity and war crimes by the Taliban, Afghan forces, and members of the U.S. armed forces and the CIA. In April 2019, the ICC issued an unprecedented and dangerous decision denying the prosecutor's request for an investigation, stating that the investigation would not serve "the interests of justice". The decision came on the heels of a campaign against the ICC by the Trump administration, led by National Security Advisor John Bolton, that included threats of sanctions, limits to the court's access to U.S. bank accounts, and a visa denial for the ICC Prosecutor. In response, we filed an appeal with the ICC Appeals Chamber, which remains pending, and we will be undertaking advocacy in New York and The Hague to ensure that the ICC is positioned to

meet its obligations to provide equal access to justice for all. We also filed a complaint to the United Nations Special Rapporteur on the Independence of Judge and Lawyers, calling for an investigation into U.S. interference with proceedings at the ICC.

**We will fight the government's attempts to suppress information on torture practices** and will seize every opportunity to put those who bear the greatest responsibility for systematic violations on trial. We are also prepared to mount new defenses should the Trump administration attempt to repopulate Guantánamo and will continue our work at the ICC to hold Bush administration officials accountable for their role in the torture of detainees at Guantánamo, Afghanistan, and secret "black sites" around the globe.

### STANDING WITH PALESTINIANS AND THE MOVEMENT FOR FREEDOM AND DIGNITY

The Center for Constitutional Rights is proud to be fighting together with our Palestinian partners for freedom, justice, and dignity. For decades, we have challenged U.S. complicity in Israeli human rights violations, while supporting activists, academics, and organizations facing legal and other attacks for their advocacy on behalf of Palestinian rights. This year, we pushed back against the Israeli government's illegal settlement enterprise through innovative litigation against Airbnb and won a landmark victory for student activists to continue promoting Palestinian rights. Our lawyers and advocates are working in U.S. courts and internationally to shift discourse and policy on Palestine towards liberation.

### CHALLENGING THE ILLEGAL ISRAELI GOVERNMENT'S SETTLEMENT ENTERPRISE

In the current age of "people-to-people" tourism, Israeli settlers are renting out unlawfully seized properties — properties owned by Palestinians that Palestinians are prevented from accessing — to tourists via the Airbnb platform. In response to this continued land grab by their occupiers and by companies' complicity in the settlement of their land, Palestinian advocates campaigned for years to have Airbnb and other businesses withdraw operations from the occupied territory. Finally, in November 2018, Airbnb announced it would delist approximately 200 settlement properties in occupied Palestine. Within days, 11 Israeli settlers and eight U.S. citizens who sought to rent Airbnb properties in settlements brought suit against Airbnb in a Delaware court under the Fair Housing Act. In their lawsuit, *Silber v. Airbnb*, they claimed — without mention of their unlawful appropriation of the properties — that Airbnb's decision to delist the properties in the occupied West Bank "discriminates against Jews and/or Israelis on its face and in effect on the basis of race, religion and national origin." On April 9, Airbnb caved to this legal bullying and abandoned its plan to delist properties in the illegal settlements, in breach of its human rights obligations.

Prior to the April settlement, the Center for Constitutional Rights intervened in the suit and filed counterclaims against the settlers on behalf of the Palestinians who actually own or are prohibited from accessing the land where the listed properties unlawfully sit. The Palestinians — **Ziad Alwan, Randa Wahbe, the village of Jalud, and the town of 'Anata** — sought to protect their interests in preventing continued dispossession and discrimination, and to bring counterclaims against the Israeli settlers. The intervention marks **the first time that Palestinians are directly challenging the Israeli settlers living on their land in a U.S. court**. With this case, we are also standing up to the legal bullying tactics deployed by human rights violators in their efforts to extinguish any criticism of Israeli government policies.

After the dismissal of the case, we immediately filed a motion urging the federal judge in the case to permit our clients' claims against the Israeli settlers to proceed regardless of the dismissal of the case against Airbnb. Although that motion was denied, we continue to seek justice for the Palestinians whose land was unlawfully seized and keep pressure on Airbnb to reverse its unprincipled decision.

The media coverage in our lawsuit against Airbnb provides a good case study in how news coverage can move people to act. After outlets, including *The Nation Magazine*, *Now This News*, *Common Dreams*, *BuzzFeed*, and *Middle East Eye*, reported on the facts of the lawsuit, and prompted by calls from various coalition partners, the next cycle of stories were about people deactivating their Airbnb accounts because Airbnb did not remove the settlement properties from its website. Vice's headline read: "People Are Deactivating Airbnb for Allowing Listings in the Occupied West Bank."

### PROTECTING THE RIGHT TO ADVOCATE FOR PALESTINIAN FREEDOM

In **Awad v. Fordham**, with our co-counsel Palestine Legal and Alan Levine, we won a landmark victory on behalf of student activists who were barred by Fordham University from forming a **Students for Justice in Palestine (SJP)** club. Fordham's administration had vetoed the student government's approval of SJP, claiming it would create "polarization" on campus and "run contrary to the mission and values" of Fordham. In August, the court annulled Fordham's decision and ordered Fordham to recognize SJP. This is a victory for advocates of Palestinian freedom everywhere, but especially on college campuses, where such advocacy is routinely suppressed, even as it grows stronger every year.

In **Bronner v. Duggan**, we are defending Dr. Steven Salaita in two cases brought against him, the American Studies Association (ASA), and several other individuals following the ASA's passage of a resolution to endorse the call by Palestinian civil society to boycott Israeli academic institutions. After the federal case was dismissed in February, plaintiffs appealed and brought another case in D.C. Superior Court. The Center for Constitutional Rights and other defendants' counsel have moved to dismiss that case under D.C.'s Anti-SLAPP (Strategic Lawsuit Against Public Participation) Act, which protects defendants from meritless cases targeting advocacy on public interest issues. In the Washington State Court of Appeals, we are defending our victory in **Davis v. Cox**, in which we represent former Olympia Food Co-op board members who were sued in 2011 for the co-op's boycott of Israeli goods. The trial court dismissed the case in 2018, finding the plaintiffs had not shown that the co-op had suffered any injury.

In **Jordahl v. Brnovich**, we filed an amicus brief in support of a challenge to Arizona's law that forbids the state from contracting with companies that boycott Israel. We also filed an amicus brief in **Arkansas Times v. Waldrip**, which is challenging a similar law in Arkansas.

### LEGAL AND POLITICAL INTERVENTIONS TO DEMAND ACCOUNTABILITY AND PROTECT HUMAN RIGHTS

We continue in our efforts to deter serious violations of international law against Palestinian civilians and human rights defenders by holding Israeli officials accountable for past breaches. In addition to continuing to support Palestinian human rights organizations' work with the ICC, we filed an amicus brief in **Doğan v. Barak** on behalf of ourselves and the Rachel Corrie Foundation for Peace and Justice in support of the family of Furkan Doğan, the American teenager killed when Israeli forces intercepted and stormed the Gaza-bound flotilla in international waters



Ziad Alwan is a United States citizen and a Palestinian with West Bank residency. He was born in Ein Yabrud, Palestine, and currently lives in Chicago. Ziad's family's land, for which he has his father's deed, has been illegally seized by Israel. Israeli settlers established the settlement of Ofra on Alwan's land, and a settler now runs a bed & breakfast there, which she lists on Airbnb. Ziad and his family are not able to access their land, and can only view it through the online postings for the bed & breakfast. Though Ziad was young when he was last able to see the land, he continues to fight for it, teaching his five children about their land and their family's history.

in 2010. We urged the Ninth Circuit to deny former Israeli Defense Minister Ehud Barak immunity from claims of torture and extra-judicial killing. Disappointingly, the court dismissed the case on immunity grounds in August 2019 – an outcome urged by both the Obama and Trump administrations.

In April 2019, the Center for Constitutional Rights spearheaded a letter to the U.S. State Department, together with Palestinian human rights organizations, calling for the cessation of military aid to Israel. The letter followed renewed Congressional advocacy where a team from the Center for Constitutional Rights joined a delegation of Palestinian human rights defenders to promote a coherent human-rights-based foreign policy that includes Palestine. That significant shifts are taking place in the corridors of power is a reflection of the compelling work of Palestinians and the Palestine solidarity movement.

### SUPPORTING MOVEMENTS IN CHALLENGING OPPRESSIVE SYSTEMS THROUGH OPEN RECORDS REQUESTS

In May, the Center for Constitutional Rights launched the **Open Records Project: FOIA for the Movement**, providing resources and trainings focused on the process of making public records requests using the federal Freedom of Information Act (FOIA) as well as state open records laws.

This initiative draws on our long history of using FOIA as a tool for social change by supporting advocates' efforts to effectively use open records requests in challenging and exposing abusive government policies. The launch included publication of **FOIA Basics for Activists** — a guide for activists containing an overview of the FOIA process; step-by-step instructions for filing FOIA and state requests and navigating agency responses; and strategies to use open records requests and the documents they produce to advance social justice advocacy and campaigns.



In addition to resources, the project offers trainings on FOIA for activists, lawyers, and journalists.

**"Open records and freedom of information requests are powerful tools for activists to use in their efforts to challenge injustice. We hope the Open Records Project can assist our allies in achieving their social justice goals."**

— *Open Records Projects coordinator, Senior Legal Worker, and author of the booklet, Ian Head*

We also provide amicus support for important FOIA cases. Together with co-counsel at the Seton Hall Law School's Center for Social Justice, in March 2019 we filed an amicus brief to the Supreme Court in **Food Marketing Institute v. Argus Leader Media**, a case we correctly feared would overturn decades of Supreme Court precedent barring corporate third parties from appealing the federal government's loss in a FOIA case after the government declines to do so itself. On behalf of Detention Watch Network, Human Rights Defense Center, and the Prison Policy Initiative, we argued that private third parties do not have standing to demand that government information be kept secret under the FOIA. The 6-3 decision written by Justice Gorsuch will make it harder for activists to obtain crucial information about corporate capture of government work.

# NEW VISION FOR ADVOCACY

**For decades, the Center for Constitutional Rights has worked beyond the courtroom to amplify the stories of our clients and community, identifying key political moments and opportunities to center the experiences of those most impacted by systems of oppression. Our lawyers and advocates have stood with those on the frontlines to resist the world we have; while our principled resistance remains critical, we are committed to shifting our center of gravity towards imagining and building the world we want. Together with impacted people, movement partners, and allies, we are designing the cultural and political interventions that shift discourse and policy towards justice and liberation. This is what movement advocacy looks like.**

**Thank you for building with us!**

## NADIA BEN-YOUSSEF



Nadia joined the Center for Constitutional Rights as Advocacy Director — a new position in the organization — in January 2019, but in truth she has been working in partnership with the staff for years. After studying law and working in human rights in the U.S. and throughout the world, she journeyed to live and work in Palestine. There, starting in 2010, she led international advocacy efforts for *Adalah – The Legal Center for Arab Minority Rights in Israel*. For Adalah and numerous Palestinian human rights organizations based in Israel, the West Bank, and Gaza, the Center for Constitutional Rights has been a longtime, trusted partner for its principled commitment to human rights and belief that all struggles for freedom are interconnected.

*"I've been learning from the team at the Center for Constitutional Rights for many years, and am so grateful for their unflinching commitment and political coherence about the most significant human and moral issues of our time."*

Now, as Advocacy Director at the Center for Constitutional Rights, Nadia is looking forward to leading national and international advocacy efforts to elevate the voices and visions of our clients and community. Nadia is particularly interested in cultural interventions for shifting narratives, and looking forward to deepening the organization's work at the intersection of art and advocacy. A descendant of refugees, immigrants, and artists, Nadia defines herself, "as a lawyer by training and an artist at heart." She believes strongly in the power of art to change the world and the role of creatives in charting the future.

Early in 2019, a delegation from the Center for Constitutional Rights traveled to Washington, D.C. — which is not known as a place of radical possibility — to meet with new members of Congress. Thanks to the strength of social movements, we have members of a freshman class who are accountable to the principles of justice, equity, and collective freedom. For decision-makers, the Center for Constitutional Rights has long been a go-to organization for our breadth and depth of information and expertise on human and civil rights violations, but now we are also regularly approached by more progressive members of Congress for our analysis of necessary future social change. *"The Center for Constitutional Rights is a deeply political, uncompromising organization that is clear about its principles and values. In this political moment, that clarity is a gift."*

At a time when the onslaught on the most vulnerable communities feels relentless, Nadia finds that the Center for Constitutional Rights team and our movement partners are endlessly inspiring and says, *"It is a privilege to do this work."*

# NEW VISION FOR ADVOCACY

## ART & ADVOCACY

At the Center for Constitutional Rights, we believe in the transformative power of art and culture. We work with artists, storytellers, and cultural institutions to amplify issues, elevate cases, and center clients' stories. Through the visual arts, and in relationship with playwrights and filmmakers, we have been able to reach new audiences, cultivate public engagement, and, at times, offer alternative venues of justice. As we assess the current political moment, we are convinced that we must create the space for artists to not only reflect the world we have, but to help us imagine the world we want to see.

As part of this work, we have re-launched Freedom Flicks, the Center for Constitutional Rights' long-running film series, which harnesses the power of film to educate, activate, and build community. Our programming includes screenings of cutting-edge, socially engaged films followed by a short conversation with storytellers, lawyers, and activists. Through the series, we continue to build and deepen relationships with artists and NYC institutions such as the Brooklyn Academy of Music (BAM) and Film Forum.

Recent film selections include: "The Silence of Others," "The Feeling of Being Watched," and "The Women of Cancer Alley."

In the coming year, Advocacy Program Manager Aliya Hana Hussain will be spearheading new national cultural programming for the Center for Constitutional Rights. Stay tuned for upcoming art exhibits, film screenings, artist open-houses, and other opportunities to advance the vision of the world we want. Art is critical to our collective pursuit of justice – join us!



L to R: Senior Staff Attorney Omar Farah, filmmaker Assia Boundaoui, writer and activist Darnell Moore at Freedom Flicks screening of *The Feeling of Being Watched*, May, 2019.

# THE CENTER FOR CONSTITUTIONAL RIGHTS

## IN THE NEWS



The Center for Constitutional Rights Communications Department has had an incredible year, spreading our unapologetically radical perspective to thousands of readers and viewers on traditional and social media, and expanding our use of new media, such as videos and graphics, to reach new audiences.

Our strategies include:

- Press releases and statements on breaking news that get to reporters' inboxes first, which helped the department secure 6,624 media hits in the last fiscal year
- Our podcast, "The Activist Files," which features the stories of people on the front lines fighting for justice, including activists, lawyers, and artists
- Staying connected with reporters, producers, and bookers to keep them informed on our range of issues
- Op-eds from our clients and legal team offering radical thought leadership on the pages of major newspapers from *The New York Times* to the *Washington Post*
- Frequent appearances on MSNBC, Al Jazeera, Democracy Now! and more, bringing our distinctive analysis to TV audiences
- Facebook Live streams to bring our thousands of supporters into the conversation during and after hearings, press conferences, and actions
- Growing engagement on Twitter, Facebook, LinkedIn, and our Instagram account
- Frontlines of Justice, our weekly email newsletter that brings you the Center for Constitutional Rights' latest every Monday
- The Daily Outrage, the Center for Constitutional Rights' blog
- Emails on breaking news, upcoming events, and more

Your continued support enables the Center for Constitutional Rights to keep amplifying our uniquely radical perspective through diverse media channels, shift public opinion on our critical issues, and expand our audiences.

BUILDING THE NEXT GENERATION OF MOVEMENT LAWYERS

# BERTHA JUSTICE FELLOWSHIP PROGRAM

**The Bertha Justice Fellowship Program is a two-year program for emerging lawyers who are interested in gaining both practical experience working on Center for Constitutional Rights cases and a theoretical understanding of how legal advocacy can create social change.**

Bertha Justice Fellows are sponsored by the Bertha Foundation, which hosts emerging lawyers at legal organizations across the world.

The Center for Constitutional Rights is currently hosting four Bertha Justice Fellows, through September 2020.

**Astha Sharma Pokharel** is a 2017 graduate of New York University School of Law and has worked at the Center for Constitutional Rights to defend Palestinian human rights advocates and environmental justice activists against harassing SLAPP suits (strategic lawsuits against public participation), to challenge Fordham University's decision to deny recognition to a Students for Justice in Palestine club, and on the *Silber v. Airbnb* case, a federal suit challenging Israeli settlements in Occupied Palestinian Territory. She also works on immigrant rights issues.

**Aya Saed** is a 2018 graduate of Harvard Law School and works on issues of corporate accountability through *Al Shimari v. CACI*, a federal lawsuit on behalf of four Iraqi torture victims against U.S. based government contractor CACI Premier Technology. She is also involved in various Muslim Ban and domestic terrorism challenges.

**Brittany Thomas** is a 2018 graduate of the University of Miami School of Law and works at the Center for Constitutional Rights to challenge the Trump administration's Public Charge Rule, to protect the religious freedom of the Ramapough Lenape Nation, and to end unconstitutional ticketing practices in *Black Love Resists in the Rust v. City of Buffalo*.

**Lupe Aguirre** is a 2016 graduate of the University of California Berkeley School of Law and works on issues of biased and abusive police practices through *Floyd v. City of New York* in partnership with the grassroots coalition Communities United for Police Reform, and issues of immigrant rights in *Migrant Justice v. Nielsen*. She is also working with community partners in Pennsylvania to challenge death by incarceration.



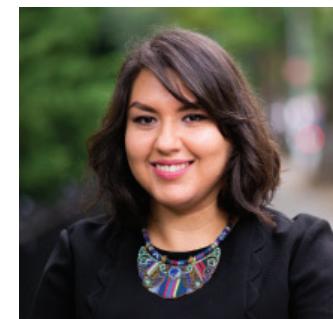
**Astha Sharma Pokharel**



**Aya Saed**



**Brittany Thomas**



**Lupe Aguirre**

BUILDING THE NEXT GENERATION OF MOVEMENT LAWYERS

# ELLA BAKER INTERNSHIP PROGRAM

CCR created the Ella Baker Summer Internship Program in 1987 to honor the legacy of Ella Baker, a hero of the civil rights movement, and to train the next generation of social justice lawyers. Through our program, interns gain practical litigation experience and sharpen their theoretical understanding of the relationship between social change, organizing, and lawyering. Ella Baker Interns also become connected to a global community of social justice law students and lawyers through our Ella Baker Alumni Network.

Find out more about two of our 2018 Ella Baker Interns below. Their fresh perspectives and commitment to dedicating their lives to the fight for social justice give us hope for the future!



L to R: Senior Staff Attorney Omar Farah, Ella Baker Intern Aaron Greene, Executive Director Vince Warren at the Southern Human Rights Conference in December, 2018.

where currently incarcerated activists gave updates on their conditions and provided strategies on the best ways to proceed with the litigation. It exemplified a movement philosophy at the Center for Constitutional Rights, which is to allow those impacted to lead the efforts. I also saw this during the press conference and rally against the Trump administration's Travel Ban on Yemen, where one of the speakers memorably said, "we will keep fighting this ban until justice rolls down like a mighty stream." Lastly, attending the U.S. District Court oral argument and seeing Center for Constitutional Rights attorneys work as a team to advocate for their clients incarcerated at Guantánamo Bay was remarkable. After departing the courtroom, their work did not stop as they continued their advocacy by recording an overview and taking pictures holding their clients' photos to share on social media.

Following the Ella Baker internship, I served as the President of the Matthew J. Perry Chapter of the Black Law Student Association. We hosted social justice programs for the university, including a forum with Jaribu Hill (whom I met when she presented for the Ella Baker Movement Lawyer Workshops), Gicola Lane, and Ben Crump, provided monthly presentations on legal issues to five community high schools, and were named the 2018-2019 Southern Region Chapter of the Year. As the National Coordinator for the Earn Our Vote initiative, I organized grassroots voter education efforts in Washington, D.C., partnered with the NAACP Legal Defense Fund for voter protection efforts, and presented at various forums including the 2018 Southern Human Rights Organizers' Conference (SHROC).

BUILDING THE NEXT GENERATION OF MOVEMENT LAWYERS

# ELLA BAKER INTERNSHIP PROGRAM

I'm currently working to finish my first book, *Break Every Chain*. The book details the similarities between the era of slavery, convict leasing, and the era of mass incarceration, and includes original letters and poems from prisoners across the nation.

To my Center for Constitutional Rights family, I say, "thank you for providing a life-changing experience. Each one of you exemplified an important lyric from Ella's Song: "we who believe in freedom cannot rest."

## RAFAELA URIBE



Since my time at the Center for Constitutional Rights, I've graduated from Temple University Beasley School of Law as an associate member of Temple's Rubin Public Interest Law Honor Society, a special designation for students whose public service efforts have exceeded expectations. I also received the Lena L. Hale Award for outstanding contributions to the law school community. During my last year of law school, I was the co-director of training for the Temple Student Disciplinary Advocacy Service and a member of the Moot Court team. This fall I started as a staff attorney in the Child Advocacy Unit at the Philadelphia Defender's Association.

My experience as an Ella Baker Intern was one of the most rewarding experiences of my law school career. It was completely refreshing to be in a legal environment where the attorneys were as concerned with issues of race, gender, class, and equity as they were with the intricacies of the legal questions at hand. The programming and speakers we heard from pushed me to think about movement lawyering and the dynamic positions lawyers can occupy in social movements. The Center for Constitutional Rights

was the first legal space where I felt that I could actually bring my whole self into the work, something that is usually missing from the white and male-dominated spaces typical of the legal profession.

Being surrounded by other brilliant law students, attorneys, and advocates showed me that there are many different ways to answer legal questions, that the law can be used not only for outcomes but to create dynamic social change, and that in order to do so, we need lawyers working hand in hand with the most impacted communities for those outcomes. I hope to carry everything I learned at the Center for Constitutional Rights into my legal career!

# CASE | INDEX

CASE/PROJECT NAME	CASE DESCRIPTION	PARTNERS
STRUCTURAL RACISM		
Floyd v. City of New York	Federal class action lawsuit against the City of New York that successfully challenged the NYPD's practice of racial profiling and unconstitutional stop and frisks, and that is now implementing broad reforms to NYPD policing practices.	Jonathan Moore, Dominique Day, and Luna Droubi of Beldock Levine & Hoffman LLP; Jenn Rolnick Borchetta of Bronx Defenders; Communities United for Police Reform (CPR)
Furlow v. Belmar	Federal class action lawsuit challenging the so-called "wanteds" system as used in St. Louis County, Missouri, because it routinely leads to unconstitutional arrests, predominantly of Black residents.	Arch City Defenders (St. Louis); Paul, Weiss, Rifkind, Wharton & Garrison LLP
Color of Change v. FBI, DOJ & DHS	FOIA litigation against federal law enforcement agencies, seeking information on their surveillance of Movement for Black Lives activists.	Color of Change; Avidan Cover of the Civil Rights and Human Rights Clinic at Case Western University School of Law
Phillips v. Snyder (formerly Bellant v. Snyder)	Federal lawsuit challenging the constitutionality of state-appointed "Emergency Managers" that took away local democratic processes in predominantly Black and Brown communities of Michigan.	John Philo, Anthony Paris, and Stephanie Vaught of Sugar Law Center; Bill Goodman and Julie Hurwitz of Goodman & Hurwitz, P.C.; Herbert Sanders of the Sanders Law Firm; Keith Flynn of Miller Cohen PLC; Cynthia Heenan and Alec Gibbs of Constitutional Litigation Associates; Mark P. Fancher, Michael J. Steinberg, and Kary L. Moss of the ACLU Fund of Michigan; Samuel Bagenstos of University of Michigan Law School
Gulino v. Board of Education of the City of New York and the New York State Education Department	Federal class action lawsuit that successfully challenged the racially discriminatory impact of several standardized tests New York City used in a re-certification process for city public school teachers, developing a large back pay award for class members.	DLA Piper; Josh Sohn of Strook, Strook & Lavan LLP; Samuel R. Miller
United States of America and Vulcan Society, Inc. v. City of New York	Federal class action lawsuit on behalf of the Vulcan Society of Black firefighters and individual firefighters and firefighter applicants that successfully challenged the New York City Fire Department's racially discriminatory hiring and promotions practices and that is now implementing reforms.	Richard Levy, Dana Lossia, Robert Stroup, and Rebekah Cook-Mack of Levy Ratner, P.C.; Judy Scolnick of Scott + Scott LLP; the Vulcan Society
Black Love Resists in the Rust v. Buffalo	Federal class action lawsuit challenging racially discriminatory and economically exploitative traffic checkpoints in predominantly Black and Brown neighborhoods in Buffalo.	Black Love Resists in the Rust; National Center for Law and Economic Justice, Western New York Law Center; Covington & Burling LLP
Ramapough Mountain Indians, Inc. v. Township of Mahwah, Ramapo Hunt & Polo Club	Federal lawsuit against the Township of Mahwah, NJ and the Hunt & Polo Club protecting the Ramapough's First Amendment right to use their land for religious worship and ceremonies without excessive municipal fines and harassment.	Ramapough Lenape Nation; Weil Gotshal & Manges LLP; Jonathan Wallace; Matthew Daloisio; Valeria Gheorghiu of the National Lawyers Guild; Covington & Burling LLP

CASE/PROJECT NAME	CASE DESCRIPTION	PARTNERS
Puerto Rico Freedom of Information Act (FOIA) Requests	FOIA litigation seeking information about the controversial and anti-democratic fiscal control board established in 2016 to address Puerto Rico's debt crisis pursuant the Puerto Rico Oversight, Management, and Economic Stability Act (PROMESA).	Natasha Lycia Ora Bannan of LatinoJustice PRLDEF; Carla Minet of Centro de Periodismo Investigativo (Center for Investigative Journalism)
<b>PATRIARCHY</b>		
R.G. & G.R. Harris Funeral Homes v. Equal Opportunity Commission and Aimee Stephens (Amicus)	Amicus brief to U.S. Supreme Court on behalf of 40+ organizations, demonstrating the pervasiveness and consequences of workplace discrimination against trans persons "on the basis of sex," that highlighted trans voices.	Transgender Law Center; Akerman LLP
Keohane v. Florida Department of Corrections (Amicus)	Amicus brief to Eleventh Circuit Court of Appeals on behalf of the Center for Constitutional Rights and 10 organizations advocating for LGBTQIA rights, explaining through individual stories how the denial in prison of full gender dysphoria care causes immense suffering that rises to cruel and unusual punishment under the Eighth Amendment.	Lambda Legal
Doe v. Hood	Federal lawsuit challenging Mississippi's ongoing enforcement of its sodomy statute through required sex offender registration, over a decade after such statutes were struck down by the Supreme Court.	Jacob W. Howard; Robert B. McDuff; Matthew Strugar
Survivors Network of those Abused by Priests (SNAP) v. the Pope	Legal submissions before international human rights bodies and advocacy on behalf of the Survivors Network of those Abused by Priests (SNAP) charging Vatican officials with enabling and concealing widespread and systematic sexual violence against children and vulnerable adults by Catholic clergy.	Survivors Network of those Abused by Priests (SNAP); Bishop Accountability; Ending Clergy Abuse (ECA)
<b>STRUCTURAL ECONOMIC INJUSTICE</b>		
Energy Transfer v. Greenpeace, Earth First!	Defending Earth First! Journal and Krystal Two Bulls in a SLAPP (Strategic lawsuit against public participation) brought by the pipeline company to harass environmental activists.	Greenpeace, Earth Rights International, Protect the Protest coalition, Civil Liberties Defense Center
Center for Constitutional Rights v. St. Charles Parish Sheriff's Office	A case brought under the Louisiana public records law seeking the release of records relating to the travel to Standing Rock of the sheriff, who served as president of the National Sheriffs Association, and his employees, as well as communications with the pipeline company and private security firms.	Bill Quigley
Atchafalaya Basinkeeper, Louisiana Bucket Brigade, and 350 New Orleans v. Bayou Bridge Pipeline, LLC	A case brought to enforce the Louisiana public records law against a pipeline company, which has been delegated the power of eminent domain, seeking records concerning their land expropriations across the 162-mile route of the pipeline.	Bill Quigley



CASE/PROJECT NAME	CASE DESCRIPTION	PARTNERS
Louisiana Bucket Brigade v. Office of the Governor	A case brought under the Louisiana public records law against Louisiana Governor John Bel Edwards seeking records of meetings and communications with representatives of pipeline companies involved in the Bayou Bridge Pipeline project.	Bill Quigley
Louisiana Bucket Brigade v. Mayor of St. Gabriel	A case brought under the Louisiana public records law against the mayor of the town of St. Gabriel for records relating to the zoning board.	Bill Quigley
Bayou Bridge Pipeline, LLC, v. 38.00 Acres, More or Less, Located in St. Martin Parish	Representing landowners in Louisiana who are challenging the exercise of eminent domain by private oil pipeline company.	Bill Quigley; Misha Mitchell of Atchafalaya Basinkeeper
White Hat v. Landry	First Amendment challenge of gas-industry sponsored Louisiana law that punishes protestors for standing on pipeline lands.	Bill Quigley
Coalition Against Death Alley v. Edwards	Case brought to assert protesters' rights to march across two bridges in Louisiana as part of their march to bring attention to the poisoning of African-American communities along the Mississippi River between Baton Rouge and New Orleans.	Bill Quigley
Al Shimari v. CACI	Federal lawsuit on behalf of four Iraqi torture victims against U.S.-based government contractor CACI Premier Technology, Inc. challenging corporate impunity under the Alien Tort Statute for war crimes and torture at Abu Ghraib prison.	Patterson Belknap Webb & Tyler LLP; Jeena Shah; John Zwerling; Shereef Akeel; Mohammed Alomari
OPPRESSIVE STATE POWER		
Silber v. Airbnb	Intervention on behalf of Palestinians in a federal lawsuit brought by Israeli settlers against Airbnb for its (now rescinded) decision to delist settlement properties.	Misty A. Seemans
Immigrant Defense Project (IDP) v. Immigration and Customs Enforcement (ICE) and Department of Homeland Security (DHS)	FOIA litigation against the Department of Homeland Security (DHS) and Immigration and Customs Enforcement (ICE) seeking information related to ICE's home raids policies and arrest data.	Immigrant Defense Project; Hispanic Interest Coalition of Alabama
Jailhouse Lawyers Handbook	The Jailhouse Lawyers Handbook (JLH) is a resource for prisoners who wish to file a federal lawsuit addressing poor conditions in prison or abuse by prison staff. We distribute approximately 10,000 copies of it per year in response to direct requests for the handbook or requests for help with the issues it covers.	National Lawyers Guild
Turkman v. Ashcroft (known as Ziglar v. Abassi in the Supreme Court)	Federal class action lawsuit challenging abuse of Muslim, Arab, and South Asian men following 9/11 immigration sweeps.	Michael Winger; Alexander Reinert; Covington & Burling LLP
Al Otro Lado v. Nielsen	Class action lawsuit against officials at DHS and Customs and Border Protection (CBP) challenging CBP's unlawful practice of depriving asylum seekers along the U.S.-Mexico border access to the U.S. asylum process.	Al Otro Lado; American Immigration Council; Southern Poverty Law Center; Mayer Brown
Tanvir v. Tanzin (formerly Tanvir v. Holder)	Federal lawsuit challenging the FBI's abuse of the No-Fly List to coerce law-abiding American Muslims into spying on their religious communities.	Creating Law Enforcement Accountability and Responsibility of CUNY School of Law (CLEAR); Debevoise & Plimpton
Muslim Ban Waiver FOIA	FOIA litigation to obtain documents that would provide much-needed clarity on the process for obtaining a waiver to the Muslim Ban.	Muslim Advocates

CASE/PROJECT NAME	CASE DESCRIPTION	PARTNERS
Detention Watch Network (DWN) v. Immigration Customs and Enforcement (ICE) and Department of Homeland Security (DHS)	FOIA litigation that obtained documents regarding private prison industry's role in controversial immigrant detention quotas; established right to information in government contracts with private entities.	Detention Watch Network; Jennifer B. Condon of Seton Hall University School of Law, Center for Social Justice
Animal Legal Defense Fund v. Herbert (Amicus)	Amicus brief supporting plaintiffs' successful motion for summary judgment invalidating Utah's "ag-gag" law, which targeted animal rights activists, in violation of the First Amendment.	R. Shane Johnson
Animal Legal Defense Fund v. Wasden (Amicus)	Amicus brief on behalf of two journalism professors to Ninth Circuit Court of Appeals supporting affirmation of the lower court ruling that Idaho's "ag-gag" law violates the First Amendment.	
Davis v. Cox	Defense of former Olympia Food Co-op board members who were sued over the decision to boycott Israeli goods.	Davis Wright Tremaine LLP; Barbara Harvey
Palestine Movement Support	Advocacy and legislative work challenging suppression of Palestinian rights advocacy.	Palestine Legal; National Lawyers Guild; Jewish Voice for Peace; Institute for Middle East Understanding
Awad v. Fordham University	Lawsuit challenging Fordham University's decision to deny students' application to start a Students for Justice in Palestine (SJP) club on campus.	Palestine Legal; Alan Levine
Bronner v. Duggan	Defending Dr. Steven Salaita in two lawsuits brought against him, the American Studies Association (ASA), and several other individuals for the ASA's resolution to endorse a boycott of Israeli academic institutions.	Whiteford, Taylor & Preston; Law Office of Mark Kleiman; Richard Renner
Jordahl v. Brnovich	Amicus Brief to Ninth Circuit to uphold injunction of anti-BDS law that forbids Arizona from contracting with companies that boycott Israel.	Palestine Legal
Arkansas Times v. Waldrip	Amicus Brief to Eighth Circuit to reverse dismissal of challenge to Arkansas' anti-BDS law.	Palestine Legal; Law Office of Matthew Strugar
Doğan v. Barak	Amicus Brief to Ninth Circuit arguing that former Israeli official is not entitled to immunity for the killing of U.S. citizen.	Rachel Corrie Foundation for Peace and Justice
Barhoumi v. Trump	Continued representation of an Algerian citizen held at Guantánamo since 2002.	Maj. Justin Swick (USAF) of Military Commissions Defense Organization; Richard Reiter; Jared Kneitel



CASE/PROJECT NAME	CASE DESCRIPTION	PARTNERS
Ameziane v. United States / Ameziane FOIA	Human rights petition and request for precautionary measures before the Inter-American Commission on Human Rights (IACtHR) urging the IACtHR to declare that the U.S. government violated Ameziane's human rights and prescribe relief, including a public apology for what was done to him; FOIA action seeking information about alleged government policy of keeping seized Guantánamo detainee property.	Andrew J. Brouwer of Refugee Law Office; Sophie Weller; Jennifer Oscroft of Cornerstone Barristers; Francisco Quintana and Elsa Meany of Center for Justice and International Law (CEJIL)
Al Qahtani v. Trump	Continued representation of the only Guantánamo detainee the government has openly admitted was tortured.	Ramzi Kassem, CUNY School of Law; Sandra Babcock of Cornell Law School; Lawrence Lustberg of Gibbons P.C.
Khan v. Trump / Khan v. Gates / United States v. Khan	Continued representation of Guantánamo prisoner Majid Khan, a victim of the CIA torture program who was charged in military commissions.	Katya Jestin and Natalie Orpett of Jenner & Block LLP; LTC Jon Jackson; LCDR Jared Hernandez; Military Commissions Defense Organization; Anna Gallagher of Maggio + Kattar, P.C.; Sameer Khosa of Axis Law Chambers (Pakistan)
Duran v. Trump	Continued representation of a Somali native who was captured in Djibouti, rendered to the CIA in March 2004, and to Guantánamo in September 2006, where he has since been held indefinitely and without charge.	
Guantánamo partners	Litigation and advocacy on behalf of the men at Guantánamo	John Chandler; Eugene Fidell; Eric Freedman; Stephen Vladeck; Ramzi Kassem, Office of the Federal Public Defender, District of Oregon; Military Commissions Defense Organization; David Remes; Jenner & Block LLP; Covington & Burling LLP; Debevoise & Plimpton LLP; Robert Kirsch; Sabin Willett; Dr. Katherine Porterfield; Martha Rayner; Witness Against Torture; Amnesty International USA; Constitution Project; American Civil Liberties Union; Reprieve; National Coalition to Protect Civil Freedoms; Center for Victims of Torture; Gibbons PC



Senior Staff Attorney Katie Gallageher speaks at "The Threshold from Occupation to Annexation" Conference held at Birzeit University, in Ramallah, Palestine. Co-sponsors were Al-Haq, Palestinian Center for Human Rights (PCHR) and the International Federation for Human Rights (FIDH), October, 2018.

CASE/PROJECT NAME	CASE DESCRIPTION	PARTNERS
Al Hajj v. Trump (Mass Habeas)	Motion on behalf of 11 Guantánamo detainees challenging the legality of Trump's Guantánamo policy to foreclose possibility of any prisoner releases, regardless of individual circumstances.	George M. Clarke III; Clive Stafford-Smith and Shelby Sullivan Bennis of Reprieve; Thomas A. Durkin; Martha Rayner of Fordham University School of Law; Mari Newman and Dari W. Killmer of Killmer, Lane & Newman, LLP; Stephen M. Truitt; Charles H. Carpenter of Carpenter Law Firm PLC; Agnieszka M. Fryszman of Cohen, Milstein, Sellers & Toll PLLC; Law Office of H. Candace Gorman; Darin Thompson; Office of the Federal Public Defender, Cleveland, Ohio; Professor Joseph Margulies of Cornell University School of Law; George Brent Mickum IV; Erin Herro; Mark Denbeaux; Amanda L. Jacobsen of University of Copenhagen, Faculty of Law
Ashker v. Governor of California	Class action lawsuit that successfully challenged prolonged solitary confinement as cruel and unusual punishment. Currently monitoring settlement agreement.	Jules Lobel; Weil, Gotshal & Manges LLP; Law Offices of Charles Carbone; Legal Services For Prisoners With Children; California Prison Focus; Siegel & Yee; Ellenberg & Hull; Bremer Law Group PLLC; Samuel R. Miller; Eva DeLair; Law Office of Matthew Strugar; Azure Wheeler
Aref v. Sessions	Federal lawsuit challenging Communications Management Units (CMUs), two highly restrictive federal prison units that segregate certain prisoners and severely limit and control their communications.	Weil, Gotshal & Manges LLP; Kenneth A. Kreuscher
Food Marketing Institute v. Argus Leader Media	Amicus Brief to U.S. Supreme Court arguing that private third parties cannot demand that government information be kept secret under FOIA.	Seton Hall Law School's Center for Social Justice; Detention Watch Network; Human Rights Defense Center; the Prison Policy Initiative
Accountability for U.S. Torture: France	Supporting action seeking accountability for U.S. torture, brought in France under the principle of universal jurisdiction.	European Center for Constitutional and Human Rights (ECCHR)
Accountability for U.S. Torture: Spain	Actions seeking accountability for U.S. torture, brought in Spain under the principle of universal jurisdiction.	European Center for Constitutional and Human Rights (ECCHR); Gonzalo Boye of Boye-Elbal y Asociados
International Criminal Court: Palestine Preliminary Examination	Submission on the closure of Gaza as a crime against humanity – persecution.	Palestinian Center for Human Rights; Al-Haq; Al Mezan
Mamani v. Sánchez de Lozada / Mamani v. Sánchez Berzaín	Federal lawsuit against former President and Defense Minister of Bolivia for extrajudicial killings of indigenous Bolivians.	Judith Chomsky; Beth Stephens; Akin Gump Strauss Hauer & Feld LLP; Susan Farbstein, Thomas Becker, and Tyler Giannini of the International Human Rights Clinic at Harvard Law School; Claret Vargas of the Center for Law, Justice and Society (Dejusticia); Paul Hoffman of Schonbrun, Seplow, Harris and Hoffman LLP.

CASE/PROJECT NAME	CASE DESCRIPTION	PARTNERS
East Bay Sanctuary Covenant v. Trump	Federal lawsuit challenging Trump administration regulation that would deny asylum to individuals who cross into the United States outside of ports of entry.	ACLU Immigrants' Rights Project; ACLU of Northern California; Southern Poverty Law Center
East Bay Sanctuary Covenant v. Barr	Federal lawsuit challenging Trump administration regulation that would deny asylum to individuals who have transited through a third country before arriving at the U.S. border.	ACLU Immigrants' Rights Project; ACLU of Northern California; Southern Poverty Law Center
No More Deaths FOIA	FOIA request on behalf of the advocacy group No More Deaths seeking data and protocols regarding Customs and Border Protection's ineffective search and rescue operations on the Southern border.	No More Deaths
Migrant Justice v. Nielson	Federal lawsuit challenging Immigration and Customs Enforcement's harassment, infiltration, and retaliation against a labor and immigrant advocacy group for its activism.	Migrant Justice; National Center for Law and Economic Justice; Gibson Dunn & Crutcher
Alobahy v. Trump	Successful federal lawsuit challenging improper denial of visas to Yemeni applicants under the Muslim Ban.	Debevoise & Plimpton LLP
Ms. Q. v. U.S. Immigration and Customs Enforcement	Successful federal lawsuit releasing and reuniting a mother with her four-year-old son who was taken from her under Trump's family separation policy.	Gibson, Dunn & Crutcher LLP; National Immigrant Justice Center
D.J.C.V. v. U.S. Immigration and Customs Enforcement	Successful federal lawsuit reuniting a father with his two-year-old son who was taken from him under Trump's family separation policy.	Morgan Lewis & Bockius LLP
Accountability for International Crimes in Afghanistan	Victims' representations and appeal on behalf of two Guantánamo detainees with the International Criminal Court in support of an investigation into the Bush administration's global torture program; a complaint with the U.N. Special Rapporteur on Independence of Judges and Lawyers alleging interference by the Trump administration with ICC proceedings.	International Federation for Human Rights (FIDH)
Ali v. Trump	Appeal in the D.C. Circuit Court of Appeals seeking application of the due process clause to Guantánamo and corresponding limits to the duration of detention there.	Candace Gorman



# CHANGEMAKERS RECEPTION

*"If you have an activist, a lawyer, and a storyteller, you can change the world."*

On October 18, 2018, we held our second annual Changemakers reception in Manhattan.

The 2018 Changemakers awards went to Dolores Canales, co-founder of California Families to Abolish Solitary Confinement and a powerful voice in the movement to end mass incarceration and solitary confinement; Weil, Gotshal & Manges LLP, which has been an invaluable partner to us in our fight against solitary confinement at California's Pelican Bay prison as well as in our work in defense of Indigenous Peoples' rights to land and religious ceremony; and Sara Jayyousi, the daughter of Center for Constitutional Rights client Kifah Jayyousi, a writer-storyteller-activist who uses the art of spoken word to stand with the Center for Constitutional Rights in our on-going challenge to Communication Management Units ("experimental prison units").

The evening included a cocktail reception, the Changemakers Awards ceremony, and a dynamic conversation with the Changemakers. We are very grateful to our generous event sponsors who helped make the evening possible: Rosemary R. Corbett & David Kaiser and Weil, Gotshal & Manges LLP.



Board Chair Katherine Franke



L to R: 2018 Founders Awardee Ellen Yaroshefsky and former Board President Jules Lobel



L to R: Changemaker Sara Jayyousi, Board Chair Katherine Franke, former Board President Jules Lobel, Changemaker Dolores Canales, Senior Staff Attorney Rachel Meeropol, Changemaker Miriam Buhl of Weil, Gotshal & Manges, LLP, Executive Director Vince Warren



L to R: Bertha Fellows Astha Sharma Pokharel, Brittany Thomas, Lupe Aguirre, Legal Aid Society ally Ashley Johnson

# CHANGE IS GOOD

As part of the Center for Constitutional Rights' 50th anniversary celebration in 2016, we revamped our strategic framework and thought about why we do the work we do and what our work could look like in the future. While our core mission and vision have remained the same, we determined that our future work, new strategic framework, and the more expansive audiences we want to reach required us to reexamine our mission and vision statements. So, we used this opportunity as a pathway to update our look, our vision for the future, and how we achieve it, which are now more adaptive and bold.

After working 10 months on the visual and written elements, we revealed our new logo, tagline, and key messaging, which include the vision and mission statements. On October 18, 2018, we celebrated with 300 friends and supporters — mostly unaffiliated progressives, the exact audience we're trying to reach with our new look and feel.



Executive Director Vince Warren



L to R: Board Chair Katherine Franke, Staff Attorney Diala Shamas, Bertha Justice Fellow Lupe Aguirre



Graffiti Artist Vincent Ballentine



L to R: Events Associate Obi Nwabuzor and Communications Director Chandra Hayslett



"We Are Fighting For" Post-It wall



Racial and Religious Profiling case installation

# A SPLENDID BODY OF TIGERISH PEOPLE RECEPTION

On June 12, 2019 in New York City, we held our annual thank-you reception for our generous supporters, "A Splendid Body of Tigerish People," whose name evolved from a description of the Center for Constitutional Rights by Alexander Cockburn in *The Village Voice*. We had a festive celebration at Midtown Loft & Terrace, and presented two awards: the Founders Award to Vincent McGee, and the Radical Leadership Award to Chief Dwaine Perry.

Vincent McGee is a steadfast advocate for international human rights, non-violence, and access to healthcare.

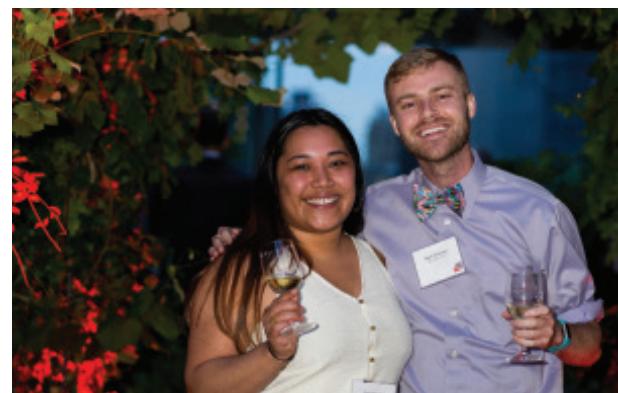
A philanthropic leader for many years, he is a long-time friend, partner, and advisor to the Center for Constitutional Rights. Chief of the Ramapough Lenape Nation, Dwaine Perry serves not only as a spiritual guide, but also a staunch activist, leading a forceful resistance against the stripping away of Indigenous Peoples' rights. Vincent and Chief Perry's leadership serve as an inspiration to the Center for Constitutional Rights and all of those who stand with us in the struggle for justice. Their bravery, commitment, and creativity embody our history and mission and what it means to be dedicated to the longstanding fight for justice.



Bertha Fellow Brittany Thomas presents Radical Leadership Award to Chief Dwaine Perry of the Ramapo Lenape Nation



L to R: Staff Attorneys Diala Shamas, Angelo Guisado, Senior Legal Worker Ibrahim Qatabi, Advocacy Program Manager Aliya Hussain, Advocacy Director Nadia Ben-Youssef, Senior Staff Attorney Pardiss Kebriaei, CUNY Law Professor and co-counsel on several Center for Constitutional Rights cases Ramzi Kassem, Former Ella Baker Intern Thomas Power, Advocacy Program Manager Dominic Renfrey

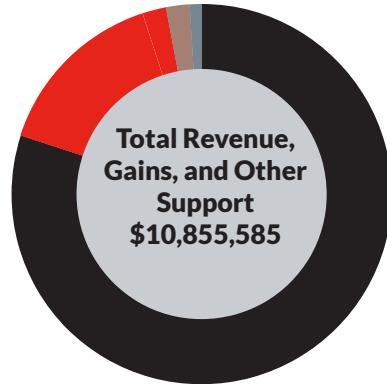
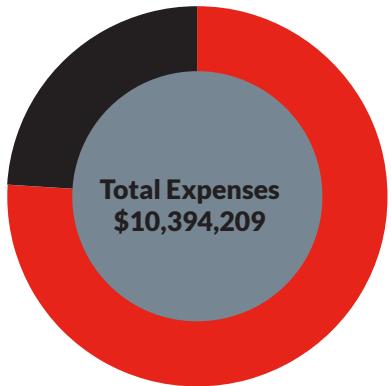


L to R: 2019 Ella Baker Interns Tania Murrillo, Drew Heckman



L to R: Radical Leadership Awardee Chief Dwaine Perry, Founders Awardee Vincent McGee, Executive Director Vince Warren

# FINANCIAL REPORT



■ Program Services (Litigation and Advocacy) \$7,968,312  
■ Supporting Services (Administration and General) \$2,425,897

■ Grants and Contributions	\$8,106,283
■ Court Awards and Attorney Fees	\$1,986,729
■ Net Investment Income	\$ 399,490
■ In-Kind Income	\$ 349,957
■ Other Income	\$ 13,126

The Center for Constitutional Rights is a nonprofit charitable organization  
that relies on individual and foundation support.

Your dedication and generosity is indispensable in the fight for justice. Thank you!

*These are preliminary figures. Our audit is in progress.*

# WELCOME, NEW BOARD MEMBER



## JUSTIN HANSFORD

Justin Hansford is an associate professor of law and executive director of the Thurgood Marshall Civil Rights Center. He was previously a Democracy Project Fellow at Harvard University, a visiting professor of law at Georgetown University Law Center, and an associate professor of law at Saint Louis University. He has a B.A. from Howard University and a J.D. from Georgetown University Law Center, where he was a founder of the Georgetown Journal of Law and Modern Critical Race Perspectives. He has also received a Fulbright Scholar award to study the legal career of Nelson Mandela and served as a clerk for Judge Damon J. Keith on the United States Court of Appeals for the Sixth Circuit.

Justin is a leading scholar and activist in the areas of critical race theory, human rights, and law and social movements. He is a co-author of the forthcoming Seventh Edition of *Race, Racism and American Law*, the celebrated legal textbook that was the first casebook published specifically for teaching race-related law courses. His interdisciplinary scholarship has appeared in academic journals at various universities, including Harvard, Georgetown, Fordham, and UC at Hastings.

In the wake of the killing of Michael Brown in Ferguson, Missouri, Justin worked to empower the Ferguson community through community-based legal advocacy. He co-authored the "Ferguson to Geneva" human rights shadow report and accompanied the Ferguson protesters and Mike Brown's family to Geneva, Switzerland, to testify at the United Nations. He has served as a policy advisor for proposed post-Ferguson reforms at the local, state, and federal level, testifying before the Ferguson Commission, the Missouri Advisory Committee to the United States Civil Rights Commission, the President's Task Force on 21st Century Policing, and the Inter-American Commission on Human Rights. On August 9, Justin was awarded the 2019 Right to Fight Award for his work as a leader in racial and social justice by the Michael O.D. Brown We Love Our Sons & Daughters Foundation. This honor was especially meaningful as it fell on the 5th anniversary of Michael Brown's death.

# BOARD, STAFF, ELLA BAKERS, INTERNS, VOLUNTEERS

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Alex Webster  
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# BOARD, STAFF, ELLA BAKERS, INTERNS, VOLUNTEERS

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Bertha Justice Fellow  
(as of September 2018)

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Senior Staff Attorney

Claire Dailey  
Legal Worker

J. Wells Dixon  
Senior Staff Attorney

Chinyere Ezie  
Staff Attorney  
(as of October 2018)

Omar Farah  
Senior Staff Attorney

Katherine Gallagher  
Senior Staff Attorney

Angelo Guisado  
Staff Attorney

Ian Head  
Senior Legal Worker

Aliya Hussain  
Advocacy Program Manager

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Senior Managing Attorney

Pardiss Kebriaei  
Senior Staff Attorney

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Diala Shamas  
Staff Attorney

Astha Sharma Pokharel  
Bertha Justice Fellow  
(as of October 2018)

Pamela Spees  
Senior Staff Attorney

Brittany Thomas  
Bertha Justice Fellow  
(as of September 2018)

Leah Todd  
Senior Legal Worker

Britney Wilson  
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(through September 2018)

Noor Zafar  
Bertha Justice Fellow  
(through August 2018)

Nahal Zamani  
Advocacy Program Manager

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Jonathan Cohen  
Eliana Green  
Aaron Greene  
Elizabeth Gyori  
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Jennifer Jones  
Daniel Levine-Spound  
Samuel Martinez  
Beth Patel  
Rafaela Uribe

## Interns

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Erik Crew  
Leen Dweik  
Mario Fitzgerald  
Asma Jaber  
Joy Mitchell  
Hyatt Mustefa  
Florence Otaigbe  
Gerardo Romo  
Mahum Shabir  
Jayson Swain  
Sophia Maria Wistehube  
Brian Yeh

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Lorenzo G. DiSilvio  
Merry Neisner

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# OTHER WAYS TO SUPPORT THE CENTER FOR CONSTITUTIONAL RIGHTS!

We are calling on you.



**JOIN FORCES** with activists, lawyers, and storytellers to fight oppression and build power. You have a role to play. Donate. Act. Share.



**MAKE AN ONLINE GIFT** at [www.CCRjustice.org/](http://www.CCRjustice.org/). Donate. It's fast, easy, and secure, and your gift will go to work right away. Online gifts are a quicker and greener way to give.



**JOIN THE JUSTICE SUSTAINERS.** These gifts provide the Center for Constitutional Rights with a reliable, steady source of income, making it possible for us to plan, leverage, and allocate resources in a way that means more hope for our clients, more support for movements, more justice and accountability. Sign up online to give monthly at our website: [www.CCRjustice.org/Donate](http://www.CCRjustice.org/Donate).



**INCLUDE THE CENTER FOR CONSTITUTIONAL RIGHTS IN YOUR WILL.** Including the Center for Constitutional Rights as a beneficiary in your will is an excellent way to make a statement about the values you held during your lifetime, while ensuring that we will be here for the long haul. You may choose to make a bequest of a specific dollar amount or a percentage of your estate.



**MAKE THE CENTER FOR CONSTITUTIONAL RIGHTS YOUR BIRTHDAY GIFT!** Ask friends and family to make gifts to the Center for Constitutional Rights in your honor as your holiday/birthday/anniversary/no-reason-at-all gift OR make gifts to us in honor of the folks on your shopping list. These gifts will pay tribute to our shared social justice values and build our audience, while fueling our efforts to fight for the most vulnerable and building the power of social movements.



**DONATE STOCK.** If you sell depreciated stock and give the proceeds to the Center for Constitutional Rights, you may be able to claim the loss on your taxes, as well as the charitable deduction. If you donate appreciated securities to us, you may avoid capital gains taxes and receive a charitable deduction. For stock transfer information, go to [www.CCRjustice.org/gifts-stocks-funds](http://www.CCRjustice.org/gifts-stocks-funds).



**HOST A MEET FOR JUSTICE HOUSE PARTY** to introduce friends and allies to our work. Now more than ever, we need your help in expanding our reach to those who care about freedom and justice. Help us connect with those in your network who share these values.



**ATTEND A LOCAL EVENT** if we are in your neighborhood — and bring a friend! If you are on our email list, you will receive invitations. Public events are listed on our calendar at [www.CCRjustice.org/calendar](http://www.CCRjustice.org/calendar).



## STAY UP-TO-DATE AND SHARE OUR NEWS!

Follow @theCCR on Twitter, CCRJustice on Instagram, and Center for Constitutional Rights on Facebook and bookmark our website: [www.CCRjustice.org](http://www.CCRjustice.org). Sign up for our weekly newsletter, the *Frontlines of Justice*, at [ccrjustice.org/home/get-involved/get-latest](http://ccrjustice.org/home/get-involved/get-latest). Share our newsletters, action alerts, and appeals with your friends.

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A FIGHT.** >

For more information on any of the above, please contact Theda Jackson-Mau, Director of Development at 212-614-6448 or [tjackson-mau@ccrjustice.org](mailto:tjackson-mau@ccrjustice.org).



**The Center for Constitutional Rights is grateful  
for your dedication and partnership. You make  
it possible for us to think big and to stake out  
daring positions.**

**Because of you, our litigation and advocacy are  
holistic, fearless, and relentless.**

**Together, we are transforming the power  
structures that oppress vulnerable  
communities, building the strength of social  
justice movements, and training the next  
generation of movement lawyers and activists.**

**Thank you!**

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# **JUSTICE TAKES A FIGHT.**

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