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ANTIWAR ACTIVISTS WIN \$2 MILLION SETTLEMENT FROM NEW YORK CITY IN MAJOR VICTORY FOR FREE SPEECH RIGHTS

August 19, 2008, New York – A group of 52 local activists today announced a \$2 million settlement in their lawsuit against the City of New York. The activists were illegally arrested on April 7, 2003 while protesting against the Iraq war in front of a military contractor's offices in midtown. The settlement in *Kunstler et al v. New York City* follows the dismissal in 2003 of all criminal charges brought against these individuals and four costly years of delays by the City in negotiating an end to the civil lawsuit.

“The New York Police Department violated core constitutional rights when it arrested a group of peaceful demonstrators who were lawfully protesting against the commencement of the Iraq war and those who stood to profit from it,” notes Sarah Netburn, attorney with **Emery Celli Brinkerhoff Abady LLP**, which handled the civil rights case along with the **Center for Constitutional Rights**. “We are gratified by the City’s decision to compensate these individuals whose targeted arrests were without probable cause and intended to quell future protest in New York City. This lawsuit, and this settlement, vindicates our clients’ rights to assemble and speak their mind free from the fear that they will be punished for their views.”

Attorneys and plaintiffs noted, however, that the City's decision to drag the case out is part of a long and disturbing pattern by which it attempts to “wear down” plaintiffs to avoid political damage, even at huge expense of tax dollars and City resources. “My question is, why did the NYPD send over 100 police in riot gear, along with vehicles to block the street and disrupt the flow of morning rush hour traffic, all to stop a legal, peaceful protest, when there are far more important matters they could be pursuing? And, why did they fight us in court so doggedly when they knew the evidence proved that we were arrested without any police orders to leave?” asked Ahmad Shirazi, a film editor and grandfather and one of the plaintiffs in the case.

An NYPD videotape of the demonstration depicts a group of demonstrators lined along the sidewalk of West 56th Street between 5th and 6th Avenues – with ample space for pedestrians – who were arrested without any police warning or opportunity to leave. The police arrested 94 people that day.

The arrests took place outside the offices of the Carlyle Group, an investment firm with ties to the Bush family and an extensive portfolio of holdings in the military-defense sector. The police

tactics used that day became the model used by the NYPD during the 2004 Republican National Convention held in New York.

At that event, thousands of activists were illegally arrested, jailed and mistreated. Lawsuits related to the police conduct at the RNC are still winding their way through the courts. NYPD officials are now consulting with police departments in Denver and Minneapolis on their plans for the 2008 Democratic and Republican Conventions.

“We hope our victory helps convince the City to stop violating people's rights as a matter of policy and stop wasting taxpayers' money doing so,” said Sarah Kunstler, an attorney and filmmaker who is the daughter of the late William Kunstler, noted attorney and civil rights champion. Ms. Kunstler was acquitted after a trial of all criminal charges brought against her. “It should also serve as a reminder that Washington's illegal war in Afghanistan and Iraq is also being fought at home – against its own citizens and in the name of war profiteers like Carlyle and Halliburton. We intend to continue our resistance until this stops.”

The **Center for Constitutional Rights** is dedicated to advancing and protecting the rights guaranteed by the United States Constitution and the Universal Declaration of Human Rights. Founded in 1966 by attorneys who represented civil rights movements in the South, CCR is a non-profit legal and educational organization committed to the creative use of law as a positive force for social change. For more information on CCR's work visit our website at www.ccrjustice.org.