The laws and Constitution are designed to survive, and remain in force, in extraordinary times.

-Supreme Court, June 12, 2008, Boumediene v. Bush

centerforconstitutionalrights

Annual Report 2008

Our Mission

The Center for Constitutional Rights is a non-profit legal and educational organization 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 committed to the creative use of law as a positive force for social change.

The cover quotation is from the U.S. Supreme Court decision in *Boumediene v. Bush*. See page 6 of this report for details of this historic victory for CCR, our clients at Guantánamo and for our system of checks and balances and the rule of law.

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Letter from the President



fter seven long years of struggle, CCR finally achieved the Supreme Court victory that we sought when we filed the first case on behalf of Guantánamo detainees in early 2002. In a 5-4 ruling in *Boumediene v. Bush*, the Court held that Guantánamo detainees have the constitutional right to go to a federal court and challenge their detentions. The efforts of the Bush administration to deny the prisoners their fundamental right of *habeas corpus* had failed.

When we filed the first Guantánamo cases, we were treated as legal and political pariahs. No other organization would join us and the hate mail piled up. We went forward in the belief that we had to do what was right, and what was right was to challenge the Bush administration's denial of constitutional rights in every possible way. In the beginning we were few, CCR and three other attorneys; but today we are many. Not only are CCR lawyers constantly at Guantánamo meeting with clients, but CCR also coordinates the hundreds of other lawyers who courageously came forward as counsel on these cases. They are heroes in this continuing fight to restore the Constitution. They, and the many of you

who support this work, have our thanks and the thanks of all those who understand the necessity of the struggle we are engaged in to protect our liberty.

Despite our victory, the struggle to close Guantánamo and end secret detention is not over. We are in the federal district court trying to have the hearings the Supreme Court required. If and when those hearings occur, I am sure that the Bush administration will not have sufficient evidence to detain most of the prisoners. CCR has already begun international advocacy on behalf of detainees likely to be released, working to ensure their resettlement to countries where they will not face persecution or torture.

We have also undertaken major initiatives to roll back the privatization of war and interrogation—interrogation that often leads to torture. Our cases against Blackwater for killings in Iraq and contract interrogators for torture in Iraq are testing not just the issue of accountability of private armies, but the deeper question of whether private armies have any place in a democracy.

A key issue going forward is whether high administration officials will be held responsible for the torture and rendition of hundreds, if not thousands, of human beings. Our efforts in U.S. courts have been met with bogus assertions of state secrecy and national security. So far, the courts have gone along with these executive claims, but we think that in at least some of these cases we will prevail – and we expect the next congress will take on this issue. Our efforts in Europe against Rumsfeld and others have not yet resulted in criminal charges, but they have put the investigation and prosecution of this administration on the agenda. Former administration officials visit Europe at their peril and going forward they will have much to fear. Even a presidential pardon cannot protect them if they leave our shores.

Although litigation is central to our work, CCR is more than a litigation organization. We understand that litigation is a tool for social change and to protect rights; and that activism, media, education and advocacy are necessary to win in the courts.

The Center has strong dockets in many areas. We are committed to aggressively building up our existing racial and economic justice work, as well as continuing our leadership in enforcing international human rights law. Defending dissent in this country is more important than ever, as we have seen in the

recent attacks on protestors at the RNC in St. Paul. CCR was born out of our defense of the Southern civil rights movement and we have not forgotten the importance of those struggles then and today.

Vincent Warren, our Executive Director, has been with us for just over two years. I can brag a lot about Vincent and the amazing job he has done. For now it is sufficient to say that CCR is in very good hands and that Vincent and the entire CCR staff represent a future for the Center that would make our founders proud. And *you*, our supporters, make that future possible.

I think we will all breathe a sigh of relief when this administration is over. Our work, however, will continue. Our Constitution has been badly battered; restoring it is not a job for sunshine patriots. It will take the hard work of us all. We feel proud of what we have achieved in the last years, but understand that we are only at the beginning of regaining our lost freedoms and restoring respect for the rule of law. We appreciate your support along this difficult journey and are confident that the values for which we all stand will prevail.

Michael Ratner

Midal Rahu

Letter from the Executive Director



his has been an extraordinary year for CCR. Once again, we have worked to make the impossible possible. We pushed back as hard as we could against gross government abuses and injustice and have knocked the Bush administration back on its heels. Our significant victory in the Supreme Court through the *Boumediene* case was extraordinary for several reasons. We were successful in framing the issues broadly so that the Court addressed not only the legal plight of the men that remain in Guantánamo, but also drew a clear line that was a significant step in putting presidential powers back in the constitutional box during a time of great national fear.

This case represents the fruit of six years of tireless work by CCR and our allies, but it is also the seed we have planted to lead the country beyond Guantánamo and toward a just vision – one anchored in the protections of the Constitution as well as the promise of the Universal Declaration of Human Rights, which will turn 60 this year.

The last seven years have seen systematic attacks on civil and other human rights. This year we will directly confront the legacy of illegality that will be inherited by a new

administration. No matter who is in office. you can count on us to continue to challenge the detention of individuals without charge in abusive and deplorable conditions at Guantánamo and elsewhere around the globe. We will work to ensure that those who are released are released to safety and not sent to more illegal detention, torture or abuse. We will oppose any effort by this administration or the next to torture or justify the rendition of people to countries that perpetrate torture. We will continue our fight against the complicity of corporations in the perpetration of human rights abuses. We will continue to challenge racial profiling and the unlawful stop, arrest or detention of individuals in any context. We will continue to be a leader in combating illegal government action through a secret program of warrantless domestic surveillance and the targeting, infiltration and monitoring of activist organizations. And we will increase our core work to combat racial and gender injustices that have only festered and grown in the post-9/11 period.

As CCR looks to the rest of 2008, the elections in November and a new presidential administration in early 2009, it has become increasingly clear that we have a unique role to play at this

critical moment in our country's history – that we must continue our decades-old work of challenging government abuses, and our rich experience in protecting and promoting human rights, to take maximum advantage of the opportunities presented by the change in administration and the effect it will have on Congress and the judiciary.

As we move beyond Guantánamo, we will press the new administration to renounce the executive orders and policies that have formed the bases of this lawless era in our history. This is the moment to roll back repressive legislation, repudiate executive signing statements that allow a president to act with impunity and, importantly, this is the moment for the perpetrators to be held accountable. CCR has launched the First 100 Days campaign which will provide a framework for us to pressure the next administration to make the work of restoring our rights a top priority. But make no mistake, this is not a plea for the restoration of our rights and accountability – this is a demand. A demand that will require all of our efforts to ensure that things are made right. A demand that will take vigilance and commitment. A demand that will, in essence, determine how far the next administration will go to repair the grave damage done to the rule of law. The First 100 Days campaign represents the next step of the journey

that we started when we filed the first *habeas corpus* petition six years ago. We have focused on three branches of government to make things right. Now is the time to focus on the fourth branch: the people. With your support, we will continue to insist that the damage be repaired in a way that promotes a just domestic and global framework.

This is a moment of celebration, promise and renewed commitment. As we celebrate the incredible achievements we have made, we now turn to the future which brings new opportunities to work for justice domestically and internationally.

In looking though this report, you will see what your support and partnership has made possible. We thank you for standing with us this year and we rely on your continued partnership and vigilance to ensure that we remain effective on this crucial journey. CCR looks forward to your support as we fulfill our mission to advance the rights enshrined in the Universal Declaration of Human Rights.

Vincent Warren

Supreme Court Victory for Guantánamo Detainees

"The laws and Constitution are designed to survive, and remain in force, in extraordinary times. Liberty and security can be reconciled; and in our system they are reconciled within the framework of the law. The Framers decided that habeas corpus, a right of first importance, must be a part of that framework, a part of that law." - Supreme Court, June 12, 2008 Boumediene v. Bush



"Security subsists...in fidelity to freedom's first principles, chief among them being freedom from arbitrary and unlawful restraint and the personal liberty that is secured by adherence to the separation of powers."

ince February 2002, when the Center for Constitutional Rights filed the first case challenging the illegal detentions in Guantánamo, we have been at the forefront of the struggle to seek justice on behalf of the Guantánamo detainees.

On June 12, 2008, CCR won a second U.S. Supreme Court victory on behalf of the men held at Guantánamo Bay. In an historic decision that restores our system of checks and balances, the Court ruled in *Boumediene v. Bush* that detainees have a constitutional right to file *habeas corpus* petitions in federal court challenging the lawfulness of their detention.

In a resounding victory for the rule of law, the Court rejected the President and Congress's attempts to declare that the Constitution did not apply at Guantánamo because it is located outside the sovereign territory of the United States. "Our basic charter cannot be contracted away like this. The Constitution grants Congress and the President the power to acquire, dispose of, and govern territory, not the power to decide when and where its terms apply." The decision also held that the procedures created by the Detainee Treatment Act were not an adequate substitute for

habeas hearings and emphasized that the lower courts must move their cases forward without delay.

Requiring government to operate within the law and ensuring access to an independent judiciary are part of the bedrock of a free society. This decision protects the individual rights and liberties of us all and impacts every area of CCR's work.

January 11, 2008 marked the sixth anniversary of the interrogation and detention camp in Guantánamo. Since then, over 770 men have passed through its gates, some as young as ten or as old as eighty. Hundreds of men – some 250-plus at last count – continue to be held, facing indefinite detention, torture, sham trials, and conditions that induce rapid psychological deterioration.

As we have from the very beginning of this struggle, CCR will continue our efforts to provide a measure of justice and hope for the men at Guantánamo. As we move forward, working with our cocounsel on the pending *habeas* cases in federal court, we will also persist in our efforts to shine a light on related abuses including the use of torture, "extraordinary rendition" and secret U.S. detentions at other facilities around the world.

January 2002 First prisoners are brought to Guantánamo Bay

February 2002 CCR files the first habeas corpus challenges, including Rasul v. Bush

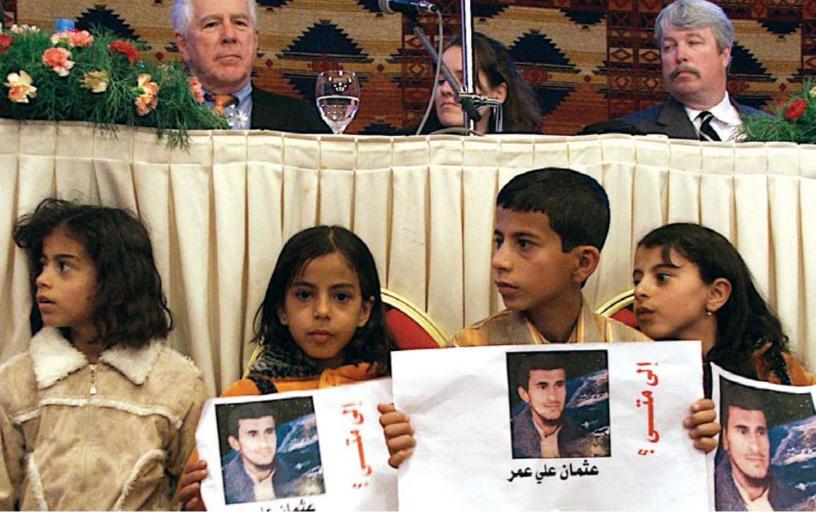
June 2004 Supreme Court upholds the detainees' right to access to federal courts in *Rasul v. Bush*

December 2005 In response, Congress passes the Detainee Treatment Act (DTA) purporting to strip federal courts of jurisdiction over prisoners in Guantánamo and creating a sham substitute for *habeas*

June 2006 Supreme Court affirms the detainees' right to protection under the Geneva Conventions and rejects the existing military commissions framework in *Hamdan v. Rumsfeld* decision

September 2006 In response, Congress enacts the Military Commissions Act (MCA) creating a new military commission system and purporting to strip the *habeas* jurisdiction articulated in *Rasul v. Bush*

June 2008 Supreme Court rules in *Boumediene v. Bush* that detainees have the right to challenge their detention in civilian courts, the MCA was an unconstitutional suspension of that right and *habeas* hearings must move forward without delay



Family members hold photos of Guantánamo detainees at the "Let Our People Go" International Action Conference in Yemen, January 2008. *Habeas* counsel panelists at table: (left to right) Stephen Truitt, CCR attorney Emi MacLean, and Charles Carpenter

Guantánamo's Refugees

After completing a survey in the summer of 2007 to determine which remaining Guantánamo detainees would be in danger if repatriated to their home countries, CCR has determined that approximately 50 "high-risk" detainees are in need of safe haven in third countries. These men – effectively refugees – cannot return because of

fear of torture or persecution.

Through diplomatic and parliamentary contacts in the Middle East and Europe and international venues including the United Nations, the Inter-American Commission on Human Rights and the European Court of Human Rights, CCR is engaged in vigorous advocacy to transfer all of Guantánamo's refugees to the U.S. or safe third countries.

Torture

During the past six years, CCR has compiled evidence that many Guantánamo detainees have been tortured, abused and humiliated while in U.S. custody. In particular, CCR has been active in the individual representation of Majid Khan, a former "black site" detainee who was moved to Guantánamo in September 2006.

"Tell [my wife] to remarry. She should consider me dead."

- Chinese Uighur imprisoned at Guantánamo

The government initially denied access to Khan, claiming CIA black site locations and their "enhanced interrogation techniques" are top secret, and has required his CCR attorneys to agree to a strict protective order that prevents them from disclosing details of his treatment. This past year, CCR filed two motions on behalf of Mr. Khan - one to have the techniques used against him declared to constitute torture and one for preservation of evidence. The latter successfully led the Court of Appeals to promptly issue an order requiring the government to preserve evidence of his torture by the CIA.

In March 2008, CCR attorney Gita Gutierrez provided a classified briefing to the Senate Select Committee on Intelligence with details of Majid Khan's torture. This was the *first* time that Congress heard details of the CIA interrogation program from someone outside of the executive branch.

A lawsuit on behalf of three former Guantánamo detainees charging U.S. officials with ordering torture and religious abuse, *Rasul v. Rumsfeld*, was dismissed in January 2008. A petition for certiorari before the U.S. Supreme Court is pending.

As the *habeas* cases move forward in federal courts since the *Boumediene*

decision, CCR will use the opportunity to raise significant related issues including conditions of detention. For six years now, most of the detainees have been held in solitary confinement, including dozens who have been cleared for release. Many of them are losing their minds as a result.

CCR's ongoing work to ban and expose torture extends beyond Guantánamo to Bagram Airbase in Afghanistan, to Abu Ghraib and elsewhere in Iraq and to secret CIA prisons around the world.

Military Commissions

Early in 2008, the administration announced death penalty charges against CCR client Mohammed al Qahtani, and then dropped them in May after a vigourous defense by CCR. The use of torture against Mr. Qahtani is well-documented. This case illustrates that military commissions are political show trials based on unreliable evidence obtained through torture and that nothing can bring legitimacy to such an inherently flawed system.

The military commission system is cloaked in secrecy, tainted by torture and stacked against the defendants. What is at stake is fundamentally similar to what CCR has defended from the beginning in the *habeas* cases – the rule of law. This includes the right to be

free from torture and from the use of evidence obtained through torture and to be free from "disappearance" and secret detention. CCR is uniquely positioned to raise these issues and will continue to work relentlessly to challenge the military commissions system, end the use of torture and to hold the government accountable for its illegal actions.

Guantánamo prisoners have been:

- Held in solitary confinement for periods exceeding a year
- Deprived of sleep for days and weeks and, in at least one case, months
- Exposed to prolonged temperature extremes
- Beaten
- Threatened with transfer to a foreign country for torture
- Tortured in foreign countries or at U.S. military bases abroad before transfer to Guantánamo
- Sexually abused and humiliated or threatened with rape
- Deprived of medical treatment for serious conditions, or allowed treatment only on the condition that they "cooperate" with interrogators
- Routinely "short-shackled" (wrists and ankles bound together and to the floor) for hours and even days during interrogation.
- Subjected to brutal force-feeding when protesting these conditions by refusing food



or decades, CCR has been breaking new ground on the road to accountability for human rights violations committed by corporations and private contractors. This area of our work has become even more critical in today's world, where traditional governmental functions have been privatized and outsourced in an attempt to evade responsibility for criminal behavior

and which inevitably lead to human rights abuses by contractors.

For over 25 years, CCR has used the Alien Tort Statute (ATS) to allow victims of human rights abuses to bring cases in U.S. courts regardless of where the events occurred. We have expanded this area of law to cover abuses committed by corporations, including private military contractors.

This year, CCR and co-counsel filed two cases against the military contractor, Blackwater, for war crimes against civilians in Iraq. *Abtan v. Blackwater* seeks to hold the corporation accountable to Iraqi survivors or the estates of some of those who were killed when Blackwater mercenaries opened fire at Nisoor Square in Baghdad in September 2007. *Albazzaz v. Blackwater* is on behalf of the families of two Iraqi

"Ten years of misleading Americans about its record in Nigeria is too long. It's time for Chevron to come clean with the public about its operations in Nigeria and to take responsibility for violence done in its name."

- CCR client Larry Bowoto

civilians who were killed in a second Blackwater shooting two weeks later.

The Center's lawsuit against Titan (now called L-3) and CACI corporations for conspiring with U.S. officials to torture and abuse detainees in several Iraqi detention centers, including Abu Ghraib, is moving forward with appeals on both sides. We anticipate significant rulings in this case on the issue of private contractor accountability.

This year, the legal team filed five additional cases against CACI and L-3 corporations, and a number of individual contractors, on behalf of Iraqi detainees who were tortured at various detention centers in Iraq, including Abu Ghraib.

Between 1996 and 2004, CCR filed three cases against the Royal Dutch Shell oil company, one of its corporate officers and its Nigerian subsidiary, for human rights abuses in the oil-rich Ogoni region of Nigeria, including the execution of Ken Saro-Wiwa and other Nigerian political leaders. In March 2008, the District Judge dismissed the case against the subsidiary, Shell Petroleum Development Company, finding that it did not conduct sufficient

business in the United States to be tried in a U.S. court. CCR filed an appeal of this erroneous ruling and argument is expected in December 2008. CCR also filed two *amicus* briefs this year in a related case, *Kiobel v. Royal Dutch Petroleum*, on issues concerning the *Wiwa* plaintiffs.

In another related case, CCR is working with a team of human rights organizations and public interest lawyers on *Bowoto v. Chevron*, an ATS case that charges Chevron with involvement in an attack on unarmed environmental protestors in Nigeria in

1998. The case is set for trial in October 2008. A case brought under California state law is set for trial in 2009.

In September 2007, a federal appeals court affirmed the dismissal of CCR's case against Caterpillar, Inc. for selling bulldozers to the Israel Defense Forces knowing they would be used to unlawfully destroy homes and endanger civilians. The Court found it did not have jurisdiction to decide the case, claiming that doing so would intrude upon U.S. foreign policy decisions because the U.S. pays for the bulldozers. CCR's request for rehearing is pending.

"On September 16 2007, I was driving to work from one courthouse in Baghdad to the ministry of Justice through Nisoor Square. I saw four armored four-wheel drives blocking the main road. These vehicles belonged to the security company 'Blackwater.' As is usual to the Iraqi people, we should stop until these vehicles pass by because we are scared we might get shot.

After waiting for 15 minutes, the vehicles started shooting at civilians' cars that were parked there, including my car. This was a secure area near the Green Zone and no Iraqis shot at the security company.

At that time I saw some of the people fleeing their cars. They were afraid of being shot, and many of them did get shot. I also saw a white car on fire, and inside the car there were a young man and a woman burned."

- CCR client Hassan Salman's testimony at a UN Human Rights Council panel



"In sharing my experiences with you, I hope that the effects of torturing a human being will be better understood. I also hope to convey how fragile our human rights have become, and how easily they can be taken from us by the same governments that have sworn to protect them."

⁻ CCR client Maher Arar in video testimony at joint House Judiciary and Foreign Affairs Committees hearing, October 18, 2007

"Dressed head to toe in black, including masks, they blindfold and cut the clothes off their new captives, then administer an enema and sleeping drugs... Their destinations: either a detention facility operated by cooperative countries in the Middle East and Central Asia, including Afghanistan, or one of the CIA's own covert prisons – referred to in classified documents as "black sites.""

- Description of CIA Counter Terrorist Center's "Rendition Group" from the Washington Post

xtraordinary rendition is the forced transfer of a person from one country to another in order to secretly do what the law forbids – torture the suspects and detain them without judicial oversight. Individuals are transferred into the custody of notorious human rights-abusing regimes for interrogation by officials of that country, or to secret overseas prisons, run by the U.S. Central Intelligence Agency. These individuals are victims of enforced disappearance as defined by international law. The CIA admits to using 'enhanced interrogation techniques' against ghost detainees. These techniques, such as waterboarding, are torture.

Rendition victim Maher Arar had a notable year in his quest for justice and accountability. In November 2007, CCR Board member David Cole argued our appeal of the dismissal in *Arar v. Ash-croft*. The three-member panel affirmed the dismissal, deciding that adjudicating Mr. Arar's claims would interfere with national security and foreign policy. In an extremely rare and encouraging move in August, the court announced, even before CCR was able to file for a

rehearing, that it would hear the case before the full panel of judges in December 2008.

Members of Congress have also investigated Maher's rendition to torture. In October 2007, Maher testified via video-link at a House joint hearing convened to examine his rendition to Syria. At the hearing, members of Congress apologized to Mr. Arar – the only apology he has received from members of the U.S. government. In June, the Inspector General of the Department of Homeland Security testified that he could not rule out the possibility that Mr. Arar was sent to Syria in order to be interrogated under unlawful conditions.

In Amnesty International, et al., v. CIA, et al., CCR and co-counsel are seeking the release of records from several government agencies about secret detentions and extraordinary rendition in the so-called "war on terror." This year, the district court judge granted the government's summary judgment with the Department of Homeland Security. We are currently briefing on a summary judgment motion with the Central Intelligence Agency

and preparing for upcoming briefing with the Departments of Justice, State and Defense.

Rendition and secret detentions are illegal under U.S. and international law. There is no way to know where all of these secret prisons are or how many people the U.S. is holding in proxy detention around the world. CCR is committed to shining a light on these clandestine abuses and working to end the practice, wherever it occurs.

"Canadian investigators made extensive efforts to find any information that could implicate Mr. Arar in terrorist activities. They did so over a lengthy period of time, even after Mr. Arar's case became a cause célèbre. The results speak for themselves: they found none."

- Justice Dennis O'Connor for the Commission of Inquiry into the Actions of Canadian Officials in Relation to Maher Arar



Members of the Morning-After Pill Conspiracy at a 2004 March for Women's Lives in Washington, D.C. CCR represents members of the 'MAP Conspiracy' in our lawsuit against the FDA for refusing to approve the morning-after pill as an over-the-counter drug available to women of all ages

or years CCR has partnered with the Vulcan Society, the organization of Black firefighters in New York City, to challenge racial discrimination in recruitment and the entrance exam that determines who will be hired. New York has a shameful record of only 2.9 percent black firefighters in a city that is 27 percent Black; the worst percentage of any major U.S. city.

After CCR's Equal Employment Opportunity Commission charges resulted in rulings that the test was discriminatory, U.S. Department of Justice (DOJ) filed a lawsuit charging that the test has no relationship to job skills and results in far fewer Black and Latino hires. CCR has joined the DOJ suit. Now called *United States of America and Vulcan Society v. City of New York*, the case continues to be actively litigated and

the Center is working with the Vulcan Society to increase racial diversity and opportunity within the FDNY.

Another CCR challenge to discriminatory testing is a long-running class action suit on behalf of public school teachers of color who have challenged the use of discriminatory tests that branded them as being unqualified, deprived them of equal salaries,

pensions, benefits and seniority, yet kept them in the classroom. In June 2008 the U.S. Supreme Court denied defendant's request for review of our win at the NY Court of Appeals and Gulino v. The Board of Education of the City of New York and the New York State Education Department will move forward.

CCR's case defending the religious freedom and First Amendment rights of Sikh transit workers, *Harrington v. New York Metropolitan Transit Authority*, is a civil suit on behalf of a Sikh subway motorman against the New York Transit Authority, which attempted to prevent him from wearing his turban while on the job. The MTA's motion for summary judgment is pending.

Gender Justice

This year, CCR represented several feminist activists from the "Morning-After Pill Conspiracy." *Tummino v. Von Eschenbach* challenges the Federal Drug Administration's failure to approve the Morning-After Pill (emergency contraception) as an over-the-counter medication for women. This case is part of the *MAP Conspiracy* organizing campaign, exposing how the FDA's science-based decision-making process was prejudiced by anti-birth control sentiments within the government.

In our *amicus* work, CCR continues to support The Legal Aid Society of New York in its lawsuit *Amador v. Superin*-

tendents of the Department of Correctional Services, challenging the systemic sexual abuse and harassment of women prisoners in New York State prisons.

We also filed *amicus* briefs in *Dukes* v. *Wal-Mart Stores*, in support of a class action against Wal-Mart for discriminating against female employees, and in *Witt v. Department of Defense*, a challenge to "don't ask, don't tell" policy that discriminates against LGBT members of the military and violates their right to privacy under international law.

Prison Telephone

Last year, our NY Campaign for Telephone Justice victory ended the kickback on collect calls from prisons. Our lawsuit, *Byrd v. Goord*, was dismissed in September 2007, since the organizing efforts of the campaign had resulted in policy changes and new legislation that address the issues raised in that case. *Walton v. New York State Department of Correctional Services* (NYSDOCS) *and MCI/Verizon*, is continuing to move forward, seeking compensation for friends and family of prisoners who were unfairly overcharged for years.

Over 40 states have similar policies, exploiting prison families for profit and keeping families disconnected. We continue our work with grassroots groups and activists in other states to end the practice across the country.

Profiting from Prisons

Single-carrier collect call systems are the norm for telephone service in prisons across the United States. People in prison can only call collect, and loved ones who accept the calls must accept the terms dictated by the phone company. Typically, states receive kickback commissions from the phone companies, creating a situation in which there is no incentive to seek competitive bids. Unsurprisingly, rates for such calls are well above market rates – 630% more than typical consumer rates for phone calls.

Telephone companies and state governments often make millions of dollars in profits from surcharges and inflated per-minute rates for prisoners. In New York State, 57.5% of the profits – over \$200 million since 1996 – were kicked back to the State in the form of commissions.

Responding to the demands of CCR's campaign, New York State eliminated prison telephone kickbacks. In October 2007, NY prison telephone rates had been reduced by 57.5%. CCR's case, *Walton v. New York State Department of Correctional Services and MCI/Verizon* continues to seek compensation for this illegal form of taxation that targeted friends and family of prisoners.



"Immigration law cannot be used as a short-cut around the Fourth Amendment"

- CCR staff attorney Rachel Meeropol's oral argument in CCR's post-9/11 immigration detentions case, Turkmen v. Ashcroft

Police Accountability

In January 2008 CCR filed a federal class action, Floyd v. City of New York, a companion lawsuit to our ground-breaking racial profiling case, Daniels v. City of New York, which shut down the infamous Street Crimes Unit. Based on analysis of the data CCR received as part of the settlement agreement in Daniels, the new lawsuit challenges widespread racial profiling and suspicionless 'stop-and-frisks' of law abiding New York City residents in targeted communities.

Another element of CCR's work to end racial profiling is our ongoing recent case, *Bandele v. City of New York*, representing members of the Malcolm X Grassroots Movement who were arrested while filming New York City police officers as part of a CopWatch program.

CCR prepared a report on the issue of police brutality for the UN Special Rapporteur on Racism's visit to New York City this year, and has been working towards strengthening the authority of New York City's Civilian Complaint Review Board. We intend to remain active in the movement to elevate police abuse issues – as they relate to immigrants, the LGBT community, as well as to young men of color – to the level of human rights abuses.

Immigrant Detention

In February 2008, CCR staff attorney Rachel Meeropol argued the appeal in the Center's case, *Turkmen v. Ashcroft*, challenging the post-9/11 racial profiling and detentions of Muslim, Arab and South Asian men, calling again for high-ranking officials to be held accountable for the illegal round-ups and subsequent abuse that occurred in the detention facilities.

In *Turkmen*, CCR charges that the government used minor immigration violations as a pretext to unlawfully hold these men in detention while the FBI conducted a criminal investigation. Based entirely on racial, religious and ethnic profiling, these men were held; often for months – long after their immigration cases were completed – before being cleared by the FBI of any "terrorist" related activity.

In the oral argument, CCR defended our lower court victory that allowed the conditions of confinement and religious discrimination challenges to go forward and kept high-level officials in the case. At the same time, CCR is appealing the dismissal of the profiling and illegal detention claims, arguing that plaintiffs' constitutional rights to due process and equal protection were violated.

In our *amicus* work, CCR submitted two briefs in support of immigrants' rights this year. *Khouzam v. Chertoff* supports a U.S. resident's challenge to removal, arguing that diplomatic assurances from the Egyptian government do not provide a safeguard against torture if he is deported to Egypt. Our brief in *Casas-Castrillon v. Lockyer*, argues that prolonged immigration detention degrades constitutional due process protections by requiring people to surrender their rights in exchange for judicial review.

Racial Profiling by the New York City Police Department*

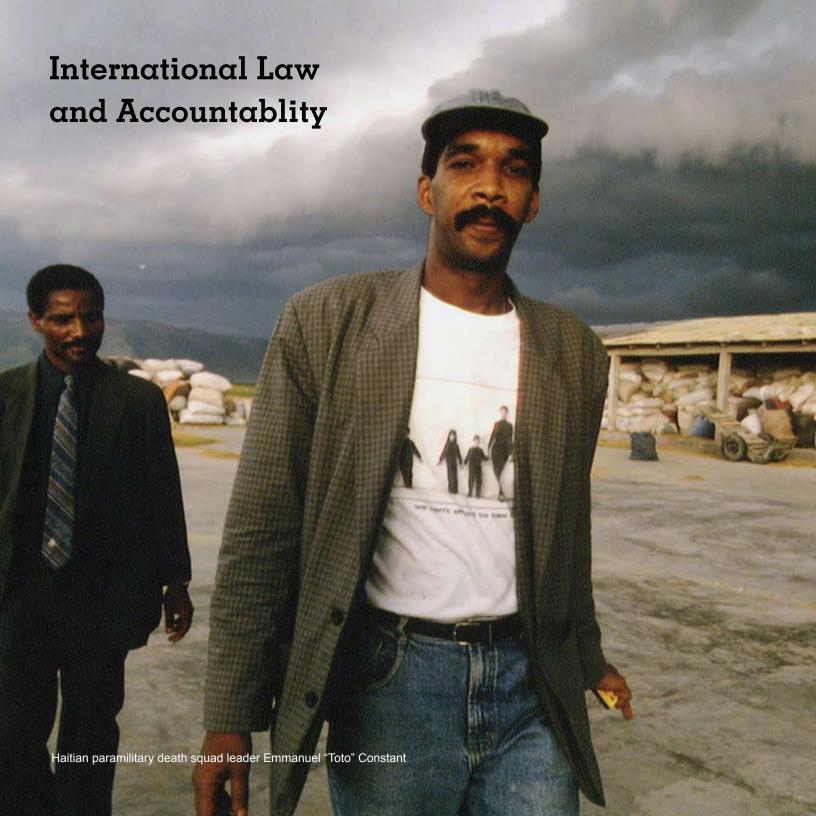
In 2006, the NYPD stopped, questioned and/or frisked over 506,491 people — **an increase of over 500%** from 2002

Nearly 90% of those stopped and frisked were Black or Latino, while these groups make up only 52% of the City's population

Only **10% of stops led to a summons or arrest**, demonstrating that these stops lack the required reasonable suspicion

46% of Blacks who were stopped were subjected to an intrusive frisk compared to **29% of Whites**

*figures are for 2006



"We cannot and should not sit idly by while high-level officials in the most powerful country in the world are allowed to torture with impunity..."

-Excerpt from the opening statement in The Trial of Donald Rumsfeld, by Michael Ratner and the Center for Constitutional Rights

he Center filed two cases in September 2007 against the former Bolivian President and Minister of Defense for their roles in the killing of civilians during popular protests against the Bolivian government in 2003. The lawsuits, Mamani v. Sanchez de Lozada and Mamani v. Sanchez Berzain, charge the former officials with extrajudicial killings and crimes against humanity for the massacre of unarmed civilians, including children.

This year we also continue our ongoing efforts to hold former U.S. Secretary of Defense Donald Rumsfeld accountable for torture. CCR and our allies filed a complaint before the Paris District Prosecutor charging Rumsfeld with responsibility for personally crafting and ordering the use of "harsh" interrogation techniques constituting torture. Supported by testimony from former U.S. Brigadier General Janis Karpinski, the complaint charges that such techniques were implemented under his supervision, notably at Guantánamo and Abu Ghraib, and that starting in 2002, Rumsfeld personally managed several torture sessions.

Unfortunately, the Paris Prosecutor dismissed the complaint, purportedly relying on the opinion of the French Ministry of Foreign Affairs. Two United Nations Special Rapporteurs have been apprised of this issue and are communicating with French authorities.

Matar v. Dichter is a federal class action lawsuit against Avi Dichter, former Director of Israel's General Security Service, for dropping a oneton bomb on a residential neighborhood in Gaza City at midnight, killing fifteen and injuring over 150 civilians. The attack has been condemned by the Bush administration and is the subject of a criminal investigation in Israel. In May 2007, the district court dismissed the case, finding that Dichter was immune under the Foreign Sovereign Immunities Act (FSIA) because, according to the Israeli government, he was acting

in the course of his official duties. We appealed in June 2007, arguing that the FSIA does not immunize former officials, or acts outside of an official's authority, such as war crimes.

In December 2007, we had oral argument in the appeal in our class action suit *Belhas v. Ya'alon*, against a former Israeli official responsible for the 1996 shelling of a UN compound in Qana, Lebanon in 1996 that killed over 100 civilians and injured even more. In February 2008, the judges affirmed the district court's dismissal on immunity grounds, ending the case in the U.S.

CCR is dedicated to the struggle to hold government officials accountable for their crimes.

Emmanuel "Toto" Constant led the Haitian paramilitary death squad known as FRAPH during Haiti's 1991-1994 military rule. In 2004, CCR and the Center for Justice and Accountability filed *Doe v. Constant* on behalf of three women who survived FRAPH's campaign of violence against women. Constant was found liable for torture, including rape, attempted extrajudicial killing and crimes against humanity and was ordered to pay \$19 million in damages.

After his arrest in New York in 2006 for mortgage fraud, CCR worked with Haitian community allies asking the court to consider his human rights record, resulting in the judge rejecting an initial plea bargain. Mr. Constant was convicted in July 2008 and awaits sentencing.

CCR has worked for years to hold Constant accountable for his crimes, from filing lawsuits to leading protests and working with grassroots groups in New York and Haiti to have him brought to justice.



"Arbitrary general searches and seizures are always... the path to the insertion of tyrannical control over the lives of people."

- CCR founder Author Kinoy's historic Supreme Court agurment in U.S. v. U.S. District Court in 1972

n late 2005, it was revealed that the National Security Agency (NSA), with the approval of President Bush, had, since 9/11, engaged in a widespread program of warrantless electronic surveillance of domestic telephone calls and emails. In response, CCR filed CCR v. Bush asking the courts to order a halt to the NSA program. CCR v. Bush argues that the program violates wiretapping statutes created in the wake of the Watergate scandal. CCR filed the suit on behalf of itself and the individual CCR attorneys and staff who represent clients who fit the criteria described by the Attorney General for targeting under the program.

We moved for summary judgment based on public admissions made by administration officials that proved the program's illegality, and await rulings on our motions. In the interim, Congress passed a pair of new laws designed to whitewash the program. The most recent, the FISA Amendments Act, moves constitutionally mandated judicial review of some aspects of these surveillance programs into the hands of the secret FISA court. CCR is currently considering next steps in light of the new Act.

Shortly after *CCR v. Bush* was filed, CCR also filed FOIA requests demanding that the government turn

over records of the NSA's warrantless wiretapping of a number of attorneys – including CCR staff attorneys
Gitanjali Gutierrez and Wells Dixon – who represent detainees at Guantánamo and therefore have reason to believe they may have been targets of the NSA program. The NSA and the Department of Justice (DOJ) refused to turn over those records, and CCR filed a suit, Wilner v. NSA, to compel them to do so.

Both the DOJ and the NSA refuse to confirm or deny whether the lawyers in the case were being subjected to warrantless surveillance, or whether the government possesses records of such surveillance. In June 2008, the district court judge agreed that the NSA could not be forced to reveal information about its domestic spying program because "confirming or denying whether plaintiffs' communication with their clients has been intercepted would reveal information about the NSA's capabilities and activities." CCR plans an appeal.

While the government may act to protect legitimate interests in preventing sensitive information from public disclosure, it cannot be allowed to use secrecy to conceal illegal activity. Warrantless government surveillance of attorneys is particularly pernicious: in addition to

violating the wiretapping laws, it also makes it harder for attorneys to effectively challenge other illegal behavior of this administration.

State Secrets Privilege

In addition to the NSA warrantless wiretapping program, *CCR v. Bush* challenges the use of the "State Secrets Privilege," a doctrine the government invokes to block litigation, claiming that the case involves information that cannot be publicly disclosed. The Bush administration has asserted this privilege more often than any other administration, wielding it as a shield to avoid public scrutiny of its policies and to evade accountability.

"When federal courts accept the executive branch's state secrets claims as absolute. our system of checks and balances breaks down. By refusing to consider key pieces of evidence, or by dismissing lawsuits outright without considering any evidence at all, courts give the executive branch the ability to violate American laws and constitutional rights without any accountability or oversight, and innocent victims are left unable to obtain justice."

- Senator Edward Kennedy



CR celebrated a huge victory in April 2008 with an \$895,500 settlement for our clients in Killmon v. City of Miami, which challenged the government's attack on the constitutional rights of protesters during the 2003 Free Trade Area of the Americas (FTAA) meeting in Miami. Over 40 local, state and federal law authorities coordinated an all-out assault on the First Amendment, engaging in widespread political profiling, sweeping the streets of anyone viewed as being an anti-FTAA activist and unlawfully arresting almost 300 hundred people.

CCR has also worked to decriminalize dissent by launching a joint educational and legal effort against enforcement of the Animal Enterprise Terrorism Act (AETA), a bill that brands a huge range of legitimate protest activity as "terrorism" if carried out against a business that uses animals or is related to such a business. As part of this work, CCR and our partners organized the Coalition to Abolish the AETA to educate the public about this repressive legislation and filed an *amicus* brief in support of the 'SHAC 7'- activists who were convicted of 'Animal Enterprise Terror' based on website postings and organizing demonstrations.

The Center is also continuing our educational and litigation efforts to

challenge material support provisions and related prohibitions created by President Bush's executive order that make it illegal to provide support, including humanitarian aid, expert advice or political advocacy, to any foreign group that the government labels "terrorist." CCR argues that these provisions violate the First Amendment and amount to guilt by association by criminalizing support solely intended to promote the lawful activities of a designated organization.

CCR has a series of cases on behalf of the human rights group Humanitarian Law Project, and Tamil-American aid groups which sought to provide tsunami relief in areas of Sri Lanka that are controlled by a designated organization. The court has ruled multiple times that the material support provisions are unconstitutionally vague. Appeals from both sides are moving forward. CCR's two decade struggle to win justice for two Palestinian immigrants finally came to an end in October 2007 when the Bush administration agreed to dismiss all charges. The government had been seeking to deport Khader Hamide and Michel Shehadeh since 1987 based on their lawful First Amendment activities in support of Palestinians. Calling the government's actions "an embarrassment to the rule of law," the judge terminated deportation proceedings last year citing the government's refusal to disclose favorable evidence in compliance with his orders.

Social justice movements depend on the ability to organize, demonstrate and provide mutual support. CCR will continue to challenge legislation and government misconduct aimed at criminalizing these activities either by attempting to label activists as "dangerous" or by targeting protestors.

[These] convictions sent a chill through the activist community. Should this Court uphold these convictions, it would blur the line between protected advocacy and criminally sanctionable speech... When First Amendment protections are blurred, previously resolute voices err on the side of caution out of fear of prosecution.

The focus of this case is words — primarily words posted to a website — used in the context of an emotionally charged political struggle. Appellants now sit in federal penitentiaries for using those words. If Appellants' convictions stand, virtually all internet-based social justice campaigns are at risk of prosecution.

- from CCR's *amicus curiae* brief in support of the 'SHAC7': *United States v. Stop Huntingdon Animal Cruelty, Inc.*

International Advocacy

he Center's impact extends beyond national borders to other national and regional governmental bodies, the United Nations and working alongside other NGOs in the international movement for social justice and accountability. Below are some highlights from our international work this year.

United Nations Human Rights Council in Geneva

Hassan Salman, a victim of the Nisoor Square shooting in Baghdad and a plaintiff in CCR's case *Abtan v. Blackwater*, testified at a Human Rights Council panel in Geneva. CCR attorney Katherine Gallagher accompanied him and advocated among delegates to ensure that the views and experiences of those directly affected by corporate abuses are incorporated into discussions seeking solutions.

European Court of Human Rights

In November, we submitted an *amicus* brief to the European Court of Human Rights in *Boumediene v. Bosnia and Herzegovina*, the companion case to *Boumediene v. Bush* in the U.S. Supreme Court. The European case challenges the role of Bosnia in the illegal transfer of six Bosnian-Algerian petitioners to U.S. authorities, who then transferred them to



CCR client and Blackwater shooting victim Hassan Salman testifies at a hearing in Geneva

Guantánamo, where they remain imprisoned. The case also argues that Bosnia breached its duty to protect the men's human rights, including by failing to press more effectively for their return to Bosnia.

Inter-American Commission on Human Rights

In July, CCR attorney Emi MacLean participated in a hearing before the Inter-American Commission on Human Rights on the U.S. government's compliance with urgent measures of protection that the Commission issued for Guantánamo detainees. CCR, in collaboration with the Center for Justice and International Law and American University's Washington College of Law, has filed annual requests for such measures since 2002, which the Commission granted and has renewed each year.

United Nations Headquarters in New York

CCR Executive Director Vincent Warren participated in a panel on human rights and the struggle against racism at UN headquarters in New York City. What Would Martin Say? Human Rights and the Struggle Against Racism Forty Years after the Death of Martin Luther King, Jr. was part of a series of discussions leading up to the celebration of the 60th Anniversary of the Universal Declaration of Human Rights, on December 10 2008.

CCR Executive Director Vincent Warren speaking at UN headquarters in NY

United Nations Special Rapporteurs

CCR worked with several UN Special Rapporteurs this year, including briefing the Special Rapporteur on Human Rights and Counter-Terrorism and the Special Rapporteur on Extraindicial Summers or Arbitrary Executions, during their missions to the United St.

on Extrajudicial, Summary or Arbitrary Executions, during their missions to the United States. We also worked with the Special Rapporteur on Torture in our efforts to find safe third countries for the resettlement of Guantánamo prisoners who face the risk of torture if returned to their home countries.

International Travel

Afghanistan

CCR attorney Pardiss Kebriaei traveled to Kabul to follow the situation of Guantánamo prisoners being returned to Afghanistan. Since April 2007, all such prisoners have been sent to a U.S.-built detention facility within the Soviet era Pule-charkhi prison located outside Kabul. Some of these men have been held for over a year without charges or trials. CCR and its partner organization, FIDH, have lobbied the UN to pressure the U.S. and Afghan governments to be more transparent about the detention facility, to promptly charge or release prisoners, and to ensure that any trials comport with fundamental due process requirements.

Egypt

Staff Attorney Emi MacLean traveled to Egypt twice to meet with a released Guantánamo detainee who is forced to use a wheelchair as a result of his detention and abuse. She also participated in an annual meeting of the International Federation for Human Rights (FIDH), of which CCR is a member.

Europe

CCR staff attorney Emi MacLean traveled to Denmark, Germany, Switzerland, Italy, France and Belgium in work related to repatriating Guantánamo's refugees. These trips included meetings with government officials, parliamentarians, lawyers and activists. Ms. MacLean also testified on the issue before the European Parliament, which has demonstrated its strong support for European countries to offer humanitarian protection to refugees.

CCR staff attorney Gitanjali Gutierrez attended the 21st International School on Disarmament and Research on Conflicts meeting in Andalo, Italy where she presented a lecture entitled The Failure of the 'War on Terror' Model and Restoring Criminal Justice Safeguards.

Mexico

CCR legal worker Marc Krupanski attended an international seminar in Mexico on the human rights of migrants, where he moderated a panel entitled *Deprivation of Liberty: Due Process and Deportation*.



"Let Our People Go" International Action Conference on the Yemeni Prisoners in Guantánamo, January 2008, Yemen

Thailand

CCR attorney Jennie Green and cooperating attorney Judith Chomsky went to Thailand to follow-up on the settlement in our case, Doe v. Unocal. CCR sued the U.S. oil giant for complicity in forced labor, rape and murder committed in the mid-1990's by soldiers providing security for Unocal's natural gas pipeline in southern Burma. Settlement funds will compensate the villagers and enable the plaintiffs to develop programs to improve living conditions, health care and education and protect the rights of people from the pipeline region.

Yemen

CCR attorneys, Emi MacLean and Pardiss Kebriaei, traveled to Yemen to support the repatriation of Yemenis who remain in Guantánamo. Of approximately 270 detainees in Guantánamo in the summer of 2008. more than one-third were from Yemen. Both attorneys participated in a conference with government officials, family members, religious leaders, released detainees and the public. They also met separately with government officials, allies and family members of CCR clients.

2008 President's Reception

CR's President's Reception was held on May 1, in New York City. This year, we commemorated the 20th anniversary of the Ella Baker Fellowship Program and its graduates, who embody CCR's goal to train the next generation of social justice lawyers. Special honor was given to Marilyn Clement, the program's founder and Dorothy Zellner, the program's first director.

Other honorees included: Covington & Burling LLP for its pro bono support of CCR's post-9/11 immigration sweep case, *Turkmen v. Ashcroft*; the Liberty Hill Foundation for supporting social change at the grassroots level and for financial support to CCR from its Donor Advised Funds; and Cassim and Chung Ja Jadwat and their son Omar for making the support of CCR a family affair. Jeremy Scahill, author of the acclaimed book *Blackwater: The Rise and Fall of the World's Most Powerful Mercenary Army* was the featured speaker.

The President's Reception is CCR's annual event that honors the generous benefactors who are the Center's indispensable partners in advancing and protecting fundamental human rights for all.



Jeremy Scahill, author and longtime *Democracy Now!* correspondent

Celebrating 20 Years of the Ella Baker Fellowship Program



Marilyn Clement at CCR's 2008 President's Reception

Marilyn Clement established the Ella Baker Fellowship Program in 1987, while she served as CCR's Executive Director. After attending Ella Baker's funeral in 1986, Marilyn was struck by how many diverse groups within the civil rights movement were represented there. Marilyn immediately decided to create the Fellowship Program to help students develop their political education and to cultivate the next generation of dedicated political lawyers and activists.

Since that time, the Ella Baker Program has trained hundreds of Fellows. The Center is grateful for Marilyn's vision and leadership and proud of the legions of Fellows who have continued the tradition of political lawyering and advocacy.

"They all came together to honor Miss Baker and I saw the effect that one tiny powerful figure, a woman no less, could have in changing history."

 Marilyn Clement, CCR board member and former Executive Director and founder of the Ella Baker Fellowship Program

Internships and Fellowships

he Ella Baker Fellowship Program was named in honor of a great and often unheralded leader of the civil rights movement. The program strives to exemplify Ella Baker's firm commitment to mentoring and developing young leaders to carry the mantle of the struggle for social justice through the generations.

In addition, CCR hosts undergraduate students who work on cases and campaigns throughout the year. Our International Scholars program brings law students, legal scholars and lawyers from around the globe to work with CCR attorneys on constitutional, international and human rights litigation. More information on all of these programs is available on our website at www.CCR justice.org.



Toni Holness

Toni Holness became an Ella Baker Fellow following her first year at Temple University-Beasley School of Law. Born and raised in Jamaica, she witnessed

the common injustices faced by Jamaicans and disenfranchised communities in the U.S. and has dedicated herself to working toward a system of global economic justice. During her time at CCR, she had the opportunity to work within the Corporate Accountability and Government Misconduct docket areas. Toni is currently pursuing a JD/MA-Economics at Temple and plans to graduate in 2011.

"My time with CCR was unparalleled in so many ways. Most memorable is the activist spirit of the office, which kept me from ever losing sight of the social relevance of CCR's work and also that of my own individual projects. The attorneys and staff were a constant source of mentorship."

Adrián Alvarez

Adrián Alvarez is a native of El Paso, Texas. As a Latin American Studies student hungry to learn about his cultural heritage, he discovered Rigoberta Menchu's autobiography



and books on liberation theology which inspired him to work against the systemic discrimination in the U.S. criminal justice and immigration systems. As an Ella Baker fellow, he supported the International Human Rights and Racial Justice/Government Misconduct dockets, helping to file an appellate brief and researching criminal justice issues in New Orleans. Adrian expects to graduate from American University's Washington College of Law in 2010.

"My fellowship with CCR allowed me to support cutting-edge litigation, with attorneys grounded in the community and an inspiring class of fellow interns. I go back to law school understanding the importance of crafting legal strategies driven by the communities we represent."

Awards



CCR is proud of our staff and board members who have received awards this year for their work with the Center. The following are a few of these honors:

In recognition of her groundbreaking feminist legal work, board member Rhonda Copelon received two awards this year. The **2008 Rosie Jimenez Award from the Women's Medical Fund** recognized her work on *Harris v. McRae* as a CCR attorney during the 1970s, challenging Hyde Amendment restrictions on Medicaid funding for abortions. Rhonda and former CCR staff attorney Nancy Stearns were also among the women lawyers honored by **Veteran Feminists of America** for their contributions to challenging restrictive abortion laws.

CCR board president Michael Ratner was awarded the **2007 Puffin/Nation Prize for Creative Citizenship** for "repeatedly challenging the Bush administration on the constitutionality of indefinite detention and restrictions on domestic civil liberties."

CCR and the Guantánamo legal teams received the **2007 Frederick Douglass Human Rights Award** from the **Southern Center for Human Rights** for courageously safeguarding the fundamental human rights of the men detained at Guantánamo Bay.

CCR received the **War Resisters League 2007 Peace Award** in honor of an organization "whose work represents the League's radical nonviolent platform of action."

CCR attorney Jennie Green was named a **2008 Wasserstein Public Interest Fellow** by Harvard Law School. The fellowship recognizes exemplary lawyers who have distinguished themselves in public interest work and who can assist students considering similar career paths.

CCR was nominated by United Sikhs for the **Punjabi Cultural and Literary Society** award for "delivering justice through the judicial system." Staff attorney Shane Kadidal accepted the award of behalf of the Center.

The American-Arab Anti-Discrimination Association awarded CCR board member David Cole and cooperating attorneys Marc Van Der Hout and Michael Maggio (in memoriam) the **Lifetime Commitment to Justice Award** for their 21 years of work on the LA8 case.

News and Events

elow are a few of the hundreds of public appearances that CCR staff and board members made last year – online and over the airwaves – to share our analysis, inform the public and mobilize support for our issues, clients and ideals. From offering continuing legal education programs with a decidedly progressive slant, to public speaking engagements before faith communities and after school programs, CCR is out there "on the front lines" helping to shape public awareness and civic engagement.



37,000 people asked CCR to send a copy of the Constitution to George Bush in the hope that he might actually read it. Santa (bearing a strong resemblance to former CCR Legal Director, Bill Goodman) made the trip down in his sleigh to try to deliver the law.



CCR hosted an event entitled *Beyond Guantánamo: The Supreme Court Has Spoken - What Next?* From left:
CCR Executive Director Vincent Warren, CCR Director of Education and Outreach Annette Dickerson, Stephen Abraham, Baher Azmy, CCR staff attorney Pardiss Kebriaei.



In January 2008, CCR client Maher Arar was profiled on CNN's "Anderson Cooper 360." The program probes into the United States' direct role in Arar's rendition to torture in Syria.



In January 2008, CCR's Executive Director Vincent Warren appeared on CNN's "The Situation Room" to discuss the leaked military manual for guards at Guantánamo Bay.



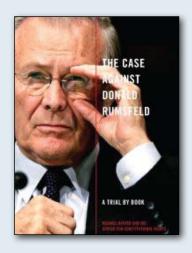
CCR President Michael Ratner on MSNBC's "Countdown with Keith Olbermann" discussing CCR's case against private military contractor Blackwater.

Publications

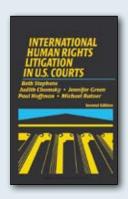
The Trial of Donald Rumsfeld: A Prosecution

by Book by Michael Ratner and the Center for Constitutional Rights. Presented in the format of a court case and based on the complaints that CCR has brought against Rumsfeld and other highranking U.S. officials in Germany and France, this book presents compelling evidence that the Bush administration is guilty

of war crimes. Using



primary source documents, it lays out the proof that highlevel officials of the Bush administration ordered, authorized, implemented and permitted torture and cruel, inhuman and degrading treatment in violation of U.S. and international law. International Human Rights Litigation in U.S. Courts, Second Edition by Beth Stephens, Judith Chomsky, Jennifer Green, Paul Hoffman and Michael Ratner. This treatise offers a comprehensive analysis of human rights litigation in U.S. courts under the Alien Tort Statute and related provisions, including jurisprudential complexities and litigation guidance.



Violence and Gender in the Globalized World: The Intimate and the Extimate,

edited by Sanja Bahun-Radunovic and V. G. Julie Rajan. CCR attorney Jennie Green authored a chapter in this anthology titled: Litigating International Human Rights Claims of Sexual Violence in the U.S. Courts: A Brief Overview of Cases under the Alien Tort Statute and the Torture Victim Protection Act.

REPORTS

Guantánamo's Refugees: Trapped by Inaction

Profiles of Guantánamo Refugees

Guantánamo Global Justice Initiative News Briefing

Guantánamo: Six Years Later

Here Come the Thought Police: The Violent Radicalization and Homegrown Terrorism Prevention Act of 2007

100 Days: Restore. Protect. Expand: The Right to Dissent

CCR's reports are free and available to download at: www.CCRjustice.org/reports

DETAINEE STUDY

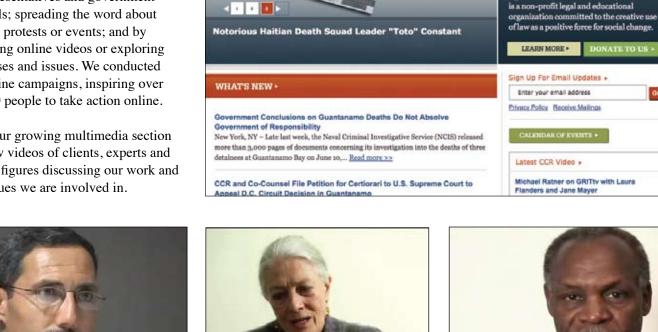
CCR partnered with the International Human Rights Law Clinic and the Human Rights Center at the University of California, Berkeley to conduct a two-year study of detainees released from U.S. custody at Guantánamo Bay. The study will: create a factual record of the long-term impact of U.S. detention practices on detainees during their confinement and after release; assess how the detentions have affected families and communities; and recommend appropriate legal mechanisms, detention practices, and polices to protect the human rights of detainees taken into U.S. custody. The study will be released by early 2009.

www.CCRjustice.org

CR launched a new website during the summer of 2007. www.CCRjustice.org has new features including: breaking news, updates and analysis on our cases, information on campaigns, issues and ways to get involved.

This year we asked people to take their activism online by sending letters to representatives and government officials; spreading the word about rallies, protests or events; and by watching online videos or exploring our cases and issues. We conducted 68 online campaigns, inspiring over 70,000 people to take action online.

Visit our growing multimedia section to view videos of clients, experts and public figures discussing our work and the issues we are involved in.





CCR client Ibrahim Turkmen discusses his experience as a post-9/11 immigration detainnee



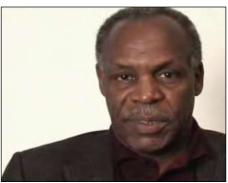
Ccenterforconstitutional rights

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GET INVOLVED

OUR CASES

Vanessa Redgrave reads a letter sent to her by former Guantánamo detainee Murat Kurnaz



Search This Site ...

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

ABOUT US

NEWSROOM

ABOUT CCR .

Actor and activist Danny Glover narrates a 30-second CCR commercial that was banned by FOX

Beyond Guantánamo: Restore the Constitution

ver the last eight years, the Bush administration set out to dismantle our most important constitutional protections and showed deep disregard for international and domestic law. CCR was there to stand in its way. In June 2008, the U.S. Supreme Court issued a resounding affirmation of the Constitution in Boumediene v. Bush. Even as we prepare to move forward on this victory for our clients, we have launched a new media and educational campaign titled Beyond Guantánamo: Restore the Constitution.

This is a sustained effort to neutralize the Bush legacy and restore the Constitution. As part of the project, CCR created the First 100 Days campaign, outlining ways the new president can restore, protect and expand our fundamental rights in his first 100 days in office.

What do you want in the first 100 days of the next administration?

End Torture, Rendition and Illegal Detention

From Guantánamo to Abu Ghraib, from secret CIA "black sites" to proxy detention in other countries that engage in torture, the U.S. has created a system of illegal detentions and justified the use of torture.

- Shut down Guantánamo
- Close CIA "black sites" and all other secret detention sites
- End torture and reject all legal memos, executive orders and signing statements that justify its use
- End the use of extraordinary rendition
- End the use of evidence obtained through torture

Limit State Secrets Privilege

Secrecy and evasion have been hallmarks of the Bush administration. They have classified more documents than any administration in history, restricted responses to Freedom of Information Act (FOIA) requests, and attempted to protect government officials and military contractors from being held liable for illegal actions like torture. They have repeatedly invoked the State Secrets Privilege to avoid court scrutiny and being held responsible for their actions.

- Investigate and prosecute crimes carried out by both officials and private contractors
- Reverse the expansion of the State Secrets Privilege and over-classification of documents
- End the use of the State Secrets Privilege to allow military contractors to evade accountability for abuses

Protect the Right to Dissent

Increasingly, political dissent is treated as terrorism. From surveillance of activists to federally coordinated attacks on political speech, the government has been targeting activists and attempting to stifle dissent.

- Repeal the Patriot Act and other repressive legislation
- Repeal all FBI guidelines that allow enhanced surveillance of activists and investigate their abuse

Restore the War Powers Act

The Bush administration illegally invaded Iraq, occupies Afghanistan and has threatened Iran, Syria, and Venezuela. They have abused the Authorization to Use Military Force (AUMF) and ignored the constitutional requirement of Congress to declare war before attacking another nation.

- End the occupation of Iraq and end abuse of the AUMF
- Pledge to abide by the War Powers Act

Roll Back Executive Power

The last eight years have seen an unprecedented expansion of executive power. Presidential signing statements on legislation passed by Congress attempted to nullify the separation of powers. The so-called Unitary Executive theory, the "War on Terror" paradigm, impunity and lawlessness have destroyed the balance of power in a coordinated assault on the Constitution.

- Repudiate the "unitary" or imperial presidency
- Renounce the use of signing statements that attempt to alter legislation
- Recognize and respect international law

Stop Warrantless Wiretapping

In the past, the government was required to get a warrant if it wanted to spy on people in the U.S. In cases involving an international party, they used a special FISA court, which almost never refused a request and even granted requests retroactively. In 2002, President Bush issued a secret executive order illegally authorizing the NSA to wiretap Americans without a warrant. After the program was exposed, the administration secured immunity from Congress for the telecommunications companies that participated.

- Repeal amendments to FISA and immunity for telecommunications corporations who broke the law
- Repudiate Bush executive orders supporting warrantless wiretapping
- Pledge to end all secret surveillance programs not reviewed by either the courts or congressional committees

Abolish Preventive Detention

The government has been holding people indefinitely without charge, sometimes only for suspicion of potential future actions. It has used immigration detention to target groups based on racial or religious profiling, abused federal conspiracy charges and held activists on the vague charge of "material support."

- Appoint officials who will not abuse the material witness statute, immigration law, grand juries or conspiracy charges
- Pledge to veto any legislation creating preventive detention or national security courts
- Repeal the Anti-Terrorism and Effective Death Penalty Act

The new president can repair the harm done to our Constitution. It is up to all of us to keep up the pressure and see that he does.

To get involved, sign up for action alerts and check for information, updates and events at: www.CCRjustice.org/100days



Case Index

he Center for Constitutional Rights has many ongoing cases before state, federal and international courts each year. Below is a list of cases and *amicus* briefs that we litigated or filed during the past year. In addition, we have been developing numerous new cases and working closely with progressive attorneys and other organizations on a host of constitutional and human rights issues.

Corporate Human Rights Abuse

Al-Janabi v. Stefanowicz
Al-Shimari v. Dugan
Al-Ogaidi v. Johnson
Al-Taee v. L-3 Services
Al-Quraishi v. Nakhla
Lawsuits on behalf of Iraqi civilian
detainees alleging that individual
military contractors and the corporations that hired them (CACI and L-3),
participated in a torture conspiracy
at Abu Ghraib and other detention
facilities in Iraq.

Bowoto v. Chevron

Suing Chevron for its involvement in three machine-gun attacks on unarmed environmental protestors in Nigeria in 1998 and 1999.

Corrie v. Caterpillar
Suing Caterpillar, Inc. for selling
D9 bulldozers to the Israel Defense
Forces, knowing they would be used
to unlawfully destroy homes and
endanger civilians.

Abtan v. Blackwater Suing the private military contractor on behalf of Iraqi plaintiffs injured or killed when Blackwater shooters opened fire at Nisoor Square in Baghdad, September 2007. Albazzaz v. Blackwater Suing the private military contractor on behalf of two Iraqi civilians killed near Al Watahba Square in Baghdad in September 2007.

Kiobel v. Royal Dutch Petroleum (amicus 1)

Arguing that the executions of the Ogoni 9 in Nigeria constitute extrajudicial executions under international law and are justiciable in U.S. courts.

Kiobel v. Royal Dutch Petroleum (amicus 2)

A second *amicus* in this case regarding the legal definitions of crimes against humanity, arbitrary arrest and detention and cruel, inhuman or degrading treatment or punishment.

Saleh v. CACI

Appeals in case against Titan (now L-3) and CACI alleging that both contractors conspired with certain U.S. officials to humiliate, torture and abuse detainees in several Iraqi detention centers, including Abu Ghraib.

Wiwa v. Royal Dutch Petroleum
Wiwa v. Anderson
Wiwa v. Shell Petroleum
Development Company
Relatives of murdered leaders and
activists in Nigeria suing for human
rights abuses against the Ogoni people
in Nigeria.

Racial, Gender, and Economic Justice

Amador v. Superintendents of the Department of Correctional Services (amicus)
Supporting the Legal Aid Society of New York in challenging the systemic sexual abuse and harassment of women prisoners in New York State.

Byrd v. Goord

Fighting against exploitative telephone rates and monopoly contracts that adversely affect the ability of prisoners' families to remain in contact.

Dukes v. Wal-Mart Stores (amicus) In support of a class action lawsuit charging Wal-Mart with discriminating against female employees.

Gulino v. The Board of Education of the City of New York and the New York State Education Department Class action on behalf of public school teachers of color who are challenging the use of discriminatory tests and licensing rules.

Harrington v. New York Metropolitan Transit Authority
Defending the First Amendment rights of Sikh transit workers to wear turbans at work as a religious observance. Tummino v. von Eschenbach Feminist activists suing the FDA for refusing to approve the morning-after pill as an over-the-counter drug available to women of all ages based on political bias instead of science.

United States of America and Vulcan Society v. City of New York
Challenging discriminatory hiring practices of the NYC Fire Department on behalf of an association of Black firefighters and individual class representatives.

Walton v. New York State Department of Correctional Services (NYSDOCS) and MCI/Verizon

Challenging the NYSDOCS monopoly telephone contract with MCI/Verizon, which forced family members to pay exorbitant phone rates to speak with incarcerated family members.

Witt v. Department of Defense (amicus) Supporting a challenge to the "don't ask, don't tell" policy that discriminates against LGBT members of the military and violates their right to privacy under international law.

Material Support

Humanitarian Law Project v. Mukasey (HLP-3)

Humanitarian Law Project v.
Department of the Treasury (HLP-4)
First and Fifth Amendment challenges to the "material support" statute and related schemes that punish association with foreign organizations placed on terrorism lists.

Illegal Government Surveillance

CCR v. Bush

Challenging NSA warrantless domestic electronic surveillance, asserting that it violates FISA and the First and Fourth Amendments.

Wilner v. NSA and DOJ FOIA lawsuit to determine if the government has engaged in warrantless wiretapping of CCR attorneys and Guantánamo habeas counsel.

Mass Incarceration and Criminal Justice

Bandele v. The City of New York
Representing members of the Malcolm
X Grassroots Movement who were
arrested while filming NYPD officers as
part of a CopWatch program.

Casas-Castrillon v. Lockyer (amicus)
Arguing that prolonged immigration
detention degrades constitutional due
process protections by requiring people
to surrender their rights in exchange for
judicial review.

Daniels v. The City of New York
Class action that challenged
unlawful racial profiling through the
'stop-and-frisk' practices of the New
York City Police Department's
notorious Street Crimes Unit.

Floyd v. The City of New York Class action lawsuit against the New York City Police Department challenging widespread racial profiling and unconstitutional 'stop-and-frisk' practices. Khouzam v. Chertoff (amicus) In support of a U.S. resident's challenge to removal, arguing that diplomatic assurances from the Egyptian government do not provide a safeguard against torture if returned to Egypt.

Turkmen v. Ashcroft
Fighting unlawful post-9/11 arrest,
mass detention and abusive treatment
of South Asian, Arab and Muslim
non-citizens.

Wilkinson v. Austin
Working to enforce minimum due
process requirements for prisoners held
in extended solitary confinement at a
maximum security prison in Ohio.

Wright v. Corrections Corporation of America (FCC Rule Making Petition) Petitioning the FCC to regulate interstate prison telephone calls to ensure fair and reasonable rates for prisoners and their families.

Cuba Travel

U.S. v. Harrell

U.S. v. Heslop

U.S. v. Kennelly

U.S. v. Rawson

U.S. v. Sanders

Legal defense of people in penalty proceedings due to alleged violation of the Cuba travel embargo.

Vilaseca v. U.S. Department of Treasury (amicus)
Federal lawsuit in Vermont challenging severe restrictions imposed by the Bush administration on travel to visit close family members in Cuba.

Case Index (continued)

International Law and Accountability

Belhas v. Ya'alon
Class action against former Israeli
official responsible for the 1996
shelling of a UN compound in
Qana, Lebanon that killed over 100
civilians most of whom were women
and children.

Boumediene and others v. Bosnia and Herzegovina (amicus)

The first case on behalf of Guantánamo detainees before an international tribunal, this case at the European Court of Human Rights addresses the responsibility of countries that assisted the U.S. in transferring men to Guantánamo have for the violations that occur there.

Complaint to French Prosecutor re: Culpability of Former U.S. Secretary of Defense Donald Rumsfeld for Torture Requesting an investigation into the criminal responsibility of Rumsfeld for having directly and personally crafted and ordered the use of interrogation techniques constituting torture.

Complaint to German Federal Prosecutor re: Culpability of U.S. Officials in Abu Ghraib & Guantánamo Torture

Petition submitted to the German Prosecutor requesting an investigation into the responsibility of civilian and military U.S. officials for war crimes and torture under the principle of "universal jurisdiction." Mamani v. Sanchez de Lozada Mamani v. Sanchez Berzain Cases against former President and former Minister of Defense of Bolivia for attacks on villagers to suppress popular civilian protests during 2003.

Matar v. Dichter

Suing Israeli official for a "targeted assassination" in Gaza that killed eight children and seven adults and injured more than 150 civilians.

Rendition and Ghost Detentions

ACLU, CCR, et al. v. Department of Defense

Freedom of Information Act (FOIA) lawsuit charging that government agencies illegally withheld records sought by CCR concerning the abuse of detainees in American military custody.

Amnesty International, CCR, et al. v. CIA, Department of Defense, et al. Freedom of Information Act (FOIA) lawsuit seeking information about "disappeared" detainees, including those at CIA 'ghost' sites and unregistered prisoners.

Arar v. Ashcroft
Challenging the "extraordinary rendition" of Maher Arar and seeking accountability from Ashcroft, Mueller and other U.S. officials for sending Canadian citizen Arar to Syria to be tortured.

Defending the Right to Dissent

Killmon v. City of Miami Fletcher v. City of Miami Bell v. Miami-Dade County Swanson v. Broward Sheriff's Office Challenging mass arrests and police misconduct during the 2003 Free Trade of the Americas meeting in Miami, FL.

In the Matters of Hamide and Shehadeh Ended 20-year-long deportation proceedings against, members of the LA 8, political activists who were lawfully engaged in protected First Amendment advocacy on behalf of Palestinians.

Kunstler v. City of New York ("A7") Suing the NYPD on behalf of protestors who were illegally arrested during an anti-war rally on April 7, 2003 and detained for excessively long periods of time.

United States v. Stop Huntingdon Animal Cruelty ("SHAC7") (amicus) In support of animal rights activists convicted of violating the Animal Enterprise Protection Act (AEPA) for website postings and organizing demonstrations.

Guantánamo Case Index

he Center for Constitutional Rights was the first human rights organization to fight for the rights of detainees at Guantánamo Bay Naval Station and remains deeply committed to ensuring that detainees are either charged and given fair trials or released to safe countries where they will not face torture.

This year, even as we celebrate a remarkable victory in *Boumediene v. Bush/Al Odah v. United States*, we are working to move these cases forward in the ongoing struggle to provide due process for the men held at Guantánamo and to hold the government accountable for torture and abuse of detainees. Below are the cases in which we have been most active.

Boumediene v. Bush /Al Odah v. United States
Group of consolidated habeas corpus petitions on behalf of Guantánamo detainees. On June 12, 2008, the Supreme Court released an historic decision, confirming that the detainees at Guantánamo Bay have a constitutional right to habeas corpus and to challenge their detention before a neutral judge in a real court.

Ameziane v. Bush / Ameziane v. United States
Habeas corpus petition and first ever
Inter-American Commission on Human
Rights (IACHR) petition filed on behalf
of Guantánamo detainee, Djamel
Ameziane, an Algerian who is one of
Guantánamo's refugees. He is seeking
third country resettlement in Canada or
any other country willing to offer him
safe haven.

Ayoub Haji Mamet v.
Bush and Razakah v. Bush
Habeas corpus petitions for five
ethnic Uighurs captured by bounty
hunters and sold to the U.S. military.
Three have been released to a refugee
center in Albania, while two remain in
Guantánamo five years later, despite
being told that their capture was a
mistake.

Barre v. Bush/ Barre v. Gates Habeas corpus and DTA petitions on behalf of Mohammed Barre, a UNHCR-certified refugee from Somalia.

Al-Qahtani v. Bush/ Al Qahtani v. Gates Habeas corpus and DTA petitions for Mohammed Al Qahtani, who suffered physical and psychological torture when he was subjected to the extraordinarily abusive "First Special Interrogation Plan" authorized by Donald Rumsfeld.

Khan v. Bush/ Khan v. Gates
Habeas corpus and DTA petitions for
Majid Khan, who was held in CIA
secret detention for several years prior
to his transfer to Guantánamo. Because
the government has classified all of
Khan's experiences in CIA detention at
the highest level possible—"top secret/
sensitive compartmented information"
– access to our client is subject to
extraordinary security and censorship
procedures.

Rasul v. Rumsfeld and Celikgogus v. Rumsfeld
Civil suits for damages against Donald
Rumsfeld and others responsible for
the detention, torture and mistreatment
of nine men illegally detained in
Guantánamo for years, including two
men detained for more than four years
and released years after being classified
as non-enemy combatants.

Taher v. Bush/ Taher v. Gates
Habeas corpus and DTA petitions
for Mohammed Taher, one of the
remaining ninety-five Yemenis in
Guantánamo. Yemenis comprise over
one third of the remaining Guantánamo
population due to breakdowns in
negotiations between the U.S. and
Yemen regarding their return.

Zalita v. Bush/ Zalita v. Gates
The first legal challenge brought by a
Guantánamo detainee to an intended
transfer to his native country, Libya,
where he would likely face torture or
execution.

Guantánamo Case index (continued)

fter our landmark Supreme Court victory in *Rasul v. Bush* in 2004, which established that Guantánamo detainees can challenge their detention in federal courts, CCR organized a network of pro bono lawyers to file *habeas corpus* petitions and founded the Guantánamo Global Justice Initiative to coordinate this work. CCR continues to play a leadership role in the coordination of this tremendous effort and is co-counsel on the majority of cases filed. Below is a list of *habeas* and DTA petitions on which CCR is co-counsel this year.

Abdah v. Bush Abdessalam v. Bush Abdulavev v. Gates Abdullah v. Bush Abdurahman, A. v. Gates Aboassy, v. Bush Ahmed "Doe" v. Bush Ahmed v. Bush Ahmed, Fayad Yahya v. Gates Akhouzada v. Bush Akhouzada, Abdul G. v. Gates Akhtiar v. Bush Al Bahooth v. Bush Al Daini v. Bush Al Daini, Omer v. Gates Al Darbi, Ahmad v. Gates Al Darby v. Bush Al Halmandy v. Bush Al Harbi, Mohammed v. Gates Al Hawary v. Bush Al Hawary, Abbar v. Gates Al Khateeb, Mohammed v. Gates Al Nakheelan v. Bush. Al Odah v. Bush Al Oadir, Mohammed v. Gates Al Rashaidan v. Bush Al Salami v. Bush Al Sharbi v. Bush Al Subaie v. Bush Al Wirghi v. Bush Al Yafie v. Bush Al Yazidi, Ridah v. Gates Al-Asadi v. Bush Al-Baidany v. Bush Albkri v. Bush

Alghatani v. Bush Al-Ghizzawi v. Bush Alhag v. Bush Alhag v. Gates Alhami v. Bush Al-Harbi v. Bush Al-Harbi v. Bush Al-Hela v. Bush Ali Ahmed v. Bush Ali Al Javfi v. Bush Alkhemisi v. Bush Al-Maliki v. Bush Al-Marri v. Bush Almerfedi v. Bush Al-Mithali v. Bush Al-Mithali v. Gates Almird v. Bush Al-Mudafari v. Bush Al-Mudafari v. Gates Almurbati v. Bush Al-Rubaish v. Bush Al-Shabany v. Rumsfeld Al-Sharekh v. Bush Al-Shimrani v. Bush Al-Sopai v. Bush Al-Zarnougi v. Bush Amin v. Bush Anam v. Bush Attash v. Bush Awad v. Bush Aweda v. Bush Aziz v. Bush Aziz, Abdullah M. v. Gates Bacha v. Bush Barhoumi, Sufyian v. Gates Barkati v. Gates Batarfi v. Bush Begg v. Bush

Boumediene v. Bush Deghayes v. Bush Dhiab v. Bush Dossari, Jumah v. Gates El-Banna v. Bush Elisher v. Bush Ezatullah v. Bush Gerab Alsaaei v. Bush Ghanem v. Bush Ghazv v. Bush Gherebi v. Bush Gul v. Bush Habib v. Bush Hadjarab, Nabil v. Gates Hakmat v. Bush Hakmat, Abdullah v. Gates Hamlily, Mustafa v. Gates Hamoodah v. Bush Hamoud v. Bush Hassan Said v. Gates Hatim v. Bush Hentif v. Bush Kabir v. Bush Kahn v. Gates Kerimbakiev v. Gates Khalid v. Bush Khalifh v. Bush Khalifh v. Gates Khan v. Bush Kivemba v. Bush Kurnaz v. Bush Lai v. Bush Magram v. Bush Mammar v. Bush Matin v. Bush Mattan, Mohammed v. Gates Mohammed v. Bush Mohammed Othman v. Bush

Mohammon v. Bush Mokit v. Bush Moosa v. Bush Nabil v. Bush Naseem v. Bush Naseer v. Bush Nasser, Abdulrahman v. Gates Noori v. Gates Obaydullah v. Gates Odah v. Bush Oasim v. Bush Oassim v. Bush Qayed v. Bush Rabbani v. Bush Rahmattullah v. Bush Rammi v. Bush Rasul v. Bush Razak v. Bush Razakah v. Bush Razakah v. Gates Rimi v. Bush Saib v. Bush Said v. Bush Salahi al. v. Bush Saleh v. Bush Sameur v. Bush Shafiq v. Bush Suliman v. Bush Thabid v. Bush Torjan v. Gates Toukh v. Bush Tourson v. Gates Tumani v. Bush Uthman v. Gates Wasim v. Bush Yaakoobi v. Bush Zaid v. Bush Zemiri v. Bush

Al-Delebany v. Bush

Al Gatele v. Bush

Guantánamo Habeas Counsel

his year, CCR's Guantánamo Global Justice Initiative was honored to have worked with over 600 lawyers and legal workers at over 100 law firms, law school clinics and other legal organizations who have filed *habeas corpus* petitions on behalf of Guantánamo detainees. We thank each and every one of these brave individuals and organizations for their unflagging commitment in representing their clients at Guantánamo Bay.

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Guantánamo Habeas Counsel (continued)



CCR team and habeas counsel in front of the Supreme Court on Boumediene argument day. From left: Mark Fleming (WilmerHale), Rob Kirsch (WilmerHale), Gary Isaac (Mayer Brown), Michael Ratner (CCR), Baher Azmy (Seton Hall), Wells Dixon (CCR), Gitanjali Gutierrez (CCR), Shayana Kadidal (CCR), Anant Raut (Weil Gotshal), Steve Oleskey (WilmerHale), Vincent Warren (CCR), Jessica Baen (CCR), Susan Hu (CCR), Pardiss Kebriaei (CCR), Emi MacLean (CCR), Liz Bradley (CCR)

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Friends and Allies

ver the past year, the Center for Constitutional Rights has worked with hundreds of attorneys, legal organizations, private law firms, clients and activists on our cases, campaigns and fundraising efforts. CCR extends its deepest appreciation for all they have done as volunteer attorneys, cooperating attorneys, co-counsel and colleagues in the struggle for justice.

100 Blacks in Law Enforcement Who Care Stephen Abraham ACLU Human Rights Project **ACLU National Prison Project** ACLU National Technology and Liberty Project ACLU Racial Justice Program Craig Acorn Debo Adegbile Advancement Project Afghanistan Human Rights Organization (AHRO) Amna Akbar Shereef Hadi Akeel Akeel & Valentine P.C. Akin, Gump, Strauss, Hauer & Feld Susan Akram Ivad Alami Laila Al-Arian Ashlee Albies Cathy Albisa Alliance for Justice Bob Alsdorf

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Susan Cameron
Campaign to Promote
Equitable Telephone
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Juan Cartagena
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Causes in Common
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Center for Community

Alternatives
Center for Justice &
Accountability (CJA)
Center for Justice and
International Law (CEJIL)

Center for Reproductive Rights

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Coalition for

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Coalition to Raise Minimum

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Safe Streets / Strong Communities is a New Orleans-based organization that is working towards a new criminal justice system and building collective power and leadership within targeted local communities. Safe Streets serves communities impacted by violence and police harassment and emphasizes building the leadership of police brutality victims, formerly incarcerated people and their loved ones. Members are primarily adult women family members of formerly and currently incarcerated people.

In October of 2007, CCR partnered with Safe Streets/Strong Communities to host a national hearing in New Orleans examining the role of law enforcement in the reconstruction of the city. The hearing resulted in powerful and emotional testimony from community members, advocates and public policy experts describing how aggressive policing practices are blocking the right of return and seriously impeding the resettling process for the poor, youth and communities of color.

CCR Spotlight



The post-Katrina reality for folks in low-income communities – communities of color – is one where we encounter law enforcement at the doors of our children's' schools, in our public housing, on day labor corners where people are trying to find work and in trying to access mental health care for our loved ones.

- Rosana Cruz, Co-Director of Safe Streets, speaking at New Orleans hearings

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The National Organization for Defending Rights and Freedoms

(HOOD) has been working for years on behalf of the Yemeni men detained at Guantánamo. Their work has been a vital counterpart to CCR's litigation and advocacy efforts.

Based in Yemen, HOOD is lobbying their government to negotiate with the United States for the men's release and provides information to the press about the plight of Guantánamo prisoners to raise public awareness and generate additional pressure on the government. The organization serves as a lifeline for the families of prisoners, both in terms of helping them find legal representation in the United States and providing them with information and emotional support through the years.

In January 2008, CCR attorneys traveled to Yemen to participate in an international conference focused on Yemeni prisoners at Guantánamo that was organized by HOOD and Reprieve.

CCR Spotlight



Executive Director of HOOD, Khaled al-Anesi, with his son and CCR staff attorneys (from left) Pardiss Kebriaei and Emi MacLean in Yemen

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Gene Bernardi grew up with a keen awareness of the inequality and discrimination around her and fought against it by joining the fair housing movement and the free speech movement of the 1960s. One of Gene's greatest accomplishments was initiating a class action sex discrimination lawsuit against the U.S. Forest Service which, after a 10-year fight, forced the Forest Service to hire women in administrative positions and as forest rangers. Gene first found CCR through reading about Abu Ghraib and Guantánamo. When she learned that CCR was representing these people who had been whisked away from their families, imprisoned and tortured, she became inspired to support this fight financially.

"I love that CCR takes on cases even if they might not win, because they feel so passionately that the issues must be addressed. Habeas corpus and the Constitution are the most important things to fight for!"

- Gene C. Bernardi, CCR donor and Thelma Newman Planned Giving Society member

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Dick Mazess grew up feeling that the government can and should do more for those in need rather than embracing military and economic imperialism. His support for protecting rights was forever changed by police violence against peacefully protesting students during the Vietnam War. He is concerned about the violation of privacy rights by massive internet data gathering and wiretapping, and also helped found an organization that encourages withholding votes for pro-war politicians.

Dick long admired the success of the Center for Constitutional Rights in bringing human rights violators to justice using the Alien Tort Statute, and enthusiastically and generously supports our lawsuits against mercenaries like CACI, Titan and Blackwater.

"This administration has privatized public services in order to provide political friends with huge profits at the expense of

human lives. I made my gift to support the Blackwater cases because I feel we need to hold Blackwater accountable for the murder of innocent Iraqis."

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Captain Paul Washington is former president of the Vulcan Society, an organization of Black firefighters in New York City. He has worked for years to increase minority hiring within the New York City Fire Department, maintaining that the department's entrance exam and other hiring practices unfairly exclude many Black candidates.

On behalf of the Vulcan Society and three individual Black firefighter candidates, CCR filed two Equal Opportunity Commission (EEOC) charges that found the test was discriminatory, sparking the U.S. Department of Justice to file suit against the City. In September 2007, CCR joined in the DOJ suit. The case, now called *United States of America and Vulcan Society v. City of New York*, charges that the FDNY's test discriminates against Black applicants and has no relationship to firefighter job skills.

CCR Spotlight



"We are 2.9% of the department in a city that is 27% Black," says Washington. "If those numbers don't wake the City up to the problem, maybe the prospect of millions of dollars in damages will."

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Financial Report July 1 2007 – June 30 2008*

Net Assets as of June 30, 2007	\$4,954,425
Change in Net Assets	
Net Assets as of June 30, 2008	\$4,472,207
Revenue, Gains and Other Support	
Planned Gifts	\$253,645
Foundations	\$2,555,555
Individuals	\$1,475,930
Court awards and attorney fees	\$349,882
nterest	\$157,209
Other	\$(67,193)
Total Revenue, Gains and Other Support	\$4,725,028
Expenses	
Litigation	\$2,550,837
Education & Outreach	\$1,385,033
Administration & General	\$562,743
undraising	\$708,633
Total Expenses	\$5,207,246

For an independent evaluation of our financial health visit Charity Navigator at www.charitynavigator.org, which gave us a perfect four star rating

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CCR board member $Radhika\ Balakrishnan$ is a Professor of Economics and International Studies at Marymount Manhattan College, where she coordinates the International Studies Program. This year, she organized a college-wide awareness and fund-raising campaign called "Beyond Guantánamo: Rescuing the Constitution."

Faculty from across the college assigned lessons including having students read material relating to Guantánamo, ranging from poetry to papers on constitutional issues. The program included a screening of the award-winning documentary "Taxi to the Dark Side" followed by a talk by CCR's Executive Director, Vincent Warren. His talk drew an overflow crowd of students, faculty and staff. Professors who brought their classes to the day's events created follow-up assignments and had class discussions of the issues presented. The International Studies Club held a fundraiser that continued throughout the semester, raising almost \$400 for the Center for Constitutional Rights.

CCR Spotlight



"CCR's work is unique because it takes on cases that are too challenging and risky for others. Supporting this work and raising public awareness of these issues is critical."

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C. Lynne Kates, E&O Associate

Lauren Melodia, E&O Associate

Joshua Rahtz, Research Assistant (through 8/07)

An-Tuan Williams, E&O Assistant

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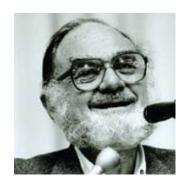
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Glover Park Group, Communications and Media
Sarah Hogarth, Project Management/Writer/Editor
Eliot Katz, Writer
Riptide Communications, Communications and Media

* Temporary Staff

In memoriam

Victor Rabinowitz

Victor died in November at the age of 96, after devoting an astonishing 70 years as a lawyer to the defense of progressive causes. He was a stalwart in the fight against McCarthyism, and, far from exhausted, dedicated himself in the subsequent years to the civil rights, anti-war and anti-imperalist movements in the U.S. and abroad. For three decades, he lead his firm's continuing representation of Cuba since the



Revolution, and joined with his partner, Leonard Boudin, in litigating numerous First Amendment cases on behalf of the National Emergency Civil Liberties Committee, which later merged with CCR. Victor was president of the National Lawyers Guild at one of its most critical junctures, and was mentor and friend to a countless number of younger lawyers, including many who have worked at CCR.

Alfred Knobler

Our longtime friend and supporter Alfred Knobler passed away this year, at the age of 92. For over 20 years, Alf hosted parties for us at his home on Fire Island and introduced our work to many of his friends. His lifelong passion for social and racial justice was evident in his every act, and we are grateful that he chose to leave a legacy gift for CCR in his will.

Michael Maggio

Michael Maggio, who brought to CCR the legendary case which opened U.S. courts to victims of overseas human rights abuses, died in February 2008 at the age of 60. Yale Law School's Dean Harold Koh has called the case, *Filártiga v. Peña-Irala*, the "*Brown v. Board of Education*" of international human rights. Maggio was part of the *Filártiga* team with CCR's Peter Weiss and Rhonda Copelon, and worked with the Center on restoring U.S. citizenship for Margaret Randall. He was one of a handful of young lawyers who built the legal field of immigrants' rights into one of the most dynamic legal fields today.

The following CCR supporters passed away this year and many thoughtfully honored CCR with a bequest. It is always sad to lose a family member, but fortunately their ideals will live on in the work they supported at CCR.

Denis Berger Lucille H. Burkholder Tona Cornette Garland M. Embrey Del S. Greenfield Geoff S. Hartman Mary E. Harvey J.T. Hefley Morton A. Hyman Sarah Kornacker Linda Krupa Lawrence Lader Henry H. Lawin John D. Lewis Russ Linton L.L. Lorance Hilda Mason Stewart R. Mott Frances Peterson Dawn E. Reke Yerda M. Robertson Mildred Roth Richard Schoenfeld Henriette Shader George Shenkar Bella Tanenbaum Jane VanDeBogart Sam Zaslavsky

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