# centerforconstitutionalrights

Join us on the frontlines for social justice

**WINTER 2015** 

### Landmark Agreement Ends Indefinite Solitary Confinement in California

Thanks to your support, our clients who have spent more than a decade in extreme and unrelenting isolation, will be released into the general prison population where they will finally be allowed to hug their loved ones, talk to their friends, and feel the sun on their faces.

On September 1, CCR reached a historic settlement with the state of California that ends indefinite solitary confinement in California state prisons. The *New York Times* editorialized: "meaningful reform got a big shove in the right direction. In a sweeping, unprecedented class-action settlement, California officials have agreed to a drastic overhaul of the state's

Les for the first state of the f

CCR's expert reports on the impact of longterm solitary confinement were featured in an article on the front page of the *New York Times* science section.

continued on page 3

#### Fighting for Life Beyond Guantánamo



CCR's Omar Farah outside the courthouse where he urged a court to release his client Tariq Ba Odah, who is "on the precipice of death."

On September 11, CCR filed a reply brief in further support of our request for the emergency release of our client, Tariq Ba Odah. Imprisoned at Guantánamo for 13 years despite being cleared for release, Tariq has been on hunger strike to protest this injustice for over eight years. He currently weighs 74 pounds and is gravely ill.

After filing our motion in June, the government requested multiple extensions before finally opposing. In doing so, Guantánamo's Senior Medical Officer conceded that Ba Odah's condition is "dangerous."

continued on page 3

#### Together we are a force for justice

Thanks to the generosity and political courage of donors like you, the Center accomplished a lot of incredible things this year (see below for highlights of what you made possible).

These battles were hard fought, against well-resourced opposition, and we were only able to prevail because of YOU.

When you stand with CCR, you stand for the human and civil rights of ALL people and against the powers that be and the status quo.

THANK YOU for making that choice!



Vince Warren, Executive Director

## What (Else) You Made Possible in 2015!

- A blow against high-level impunity for post-9/11 human rights abuses in *Turkmen v. Ashcroft* when the judge allowed the Center's claims against Ashcroft and other Bush officials to move forward;
- Victory for our clients! The removal of four Muslim American men who resisted coercion by the FBI to spy on their communities from the "No Fly List," enabling them to freely travel for the first time in 5+ years;
- Implementation of numerous reforms to the New York City Police Department's (NYPD) use of stop-and-frisk to comport with the U.S. constitution; and
- A huge win in court recognizing that New Jersey Muslims who have been subjected to the NYPD's program of blanket, suspicionless surveillance stated a valid claim of discrimination on the basis of their religion.

#### Sara Rios, in Memorium

Sara Rios passed away in September after a long battle with ALS. CCR was grateful to have had Sara as a part of our community for so many years—first as a staff attorney, and later as a champion at the



Sara Rios, CCR staff member from 1987-1994

Ford Foundation, where she directed the Human Rights and Justice docket from 2005-2011. It was Sara's championship within Ford that got CCR our first-ever Guantánamo grant, in 2005. This grant opened the floodgates for other foundations and donors to support this then-controversial work. Without Sara's support, the Center would not have been able to lead the GTMO fight for the past 13 years. We will miss Sara's commitment to justice and her love for CCR.

#### Solitary Confinement (continued)

solitary confinement system."

This tremendous victory would never have been possible without your steadfast support. We compiled an unprecedented body of expert research for this case and spent countless hours in depositions—expenses covered entirely by you, our loyal donors. The impact has been far ranging, with observers asking if this is the beginning of the end of solitary confinement in the U.S.

The struggle has been led all along by people

in prison and their families. It was incarcerated activists who first brought the case that became *Ashker v. Governor of California* and who organized the hunger strikes that made the barbaric reality of solitary a political and policy issue. Their organizing efforts—in the face of unimaginable obstacles—have been extraordinary.

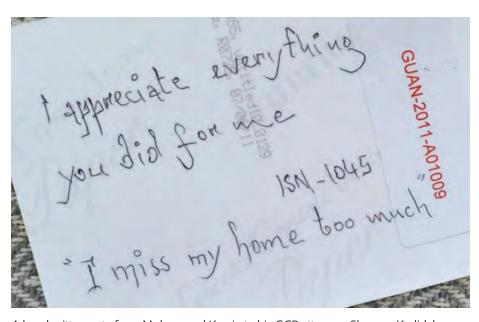
To watch a video that CCR produced featuring our clients, learn more about the settlement terms, or read any of the dozens of articles about the settlement, visit: CCRjustice.org/Pelican-Bay.

#### Life Beyond Guantánamo (continued)

Tariq's attorney, Omar Farah said:

"If the president cannot compel the agencies of his own administration to stand down in this case in order to pave the way for the urgent release of a dangerously weak 74-pound man who was cleared for release more than six years ago, then he will almost certainly fail to close the prison in what remains of his second term."

CCR has been doing everything within our power to force the Obama administration's hand. In July, *Rolling Stone* magazine featured a piece about Tariq written by Farah. The *New York Times* Editorial Board excoriated the Obama administration for its "senseless" opposition to Tariq's motion for release and recalcitrance regarding closing the prison.



A handwritten note from Mohammed Kamin to his CCR attorney, Shayana Kadidal.

Yet officials are unmoved.

As we press for Tariq's release, CCR continues to represent prisoners in hearings before the Periodic Review Board (PRB), the outcome of which determines their eligibility for release. In October, because of CCR's efforts, the PRB cleared our client, Mohammed

Kamin. Moving men from the indefinite detention to the cleared category is a necessary step for the prison's closure.

Thanks to your generous support, CCR has taken on new clients and visited Guantánamo twice in recent months to prepare for these pivotal PRB hearings.

#### Law for Black Lives

Thanks to the generous support of the Bertha Foundation, and additional funding from the Wallace Action Fund, the Open Society Foundations and the David Rockefeller Fund, CCR's Bertha Justice Institute (BJI) is training the next generation of movement lawyers on a larger scale than ever before.

This summer over 1,000 participants came together to envision radical change and continue building the legal arm of the burgeoning #BlackLivesMatter movement.

The #Law4BlackLives conference, organized by CCR's BJI together with several co-sponsors, took place in Harlem, NYC, on July 31 and August 1. The convening was an historic gathering of lawyers, law students, legal workers, activist, artists and jailhouse lawyers prioritizing the voices and leadership of people of color.

Connecting past and present, law and action, vision and nuts and bolts, the conference featured plenaries, caucuses, workshops, panels, art, organizing spaces and more.

#Law4BlackLives explored how legal advocates can work collaboratively with activists and organizers on a range of issues—from defending the civil rights of protesters to drafting transformative local and federal policy to advancing innovative international human rights advocacy strategies.

The convening also surfaced current legal needs from the ground, identified legal strategies, and brought together a community of like-minded individuals to build a deeper collective understanding of how legal advocates can develop the power of movements.

CCR has played a crucial role in helping build legal infrastructure in Ferguson and Baltimore in the wake of the local uprisings after the police killings of Michael Brown and Freddie Gray.







#Law4BlackLives participants build a deeper collective understanding of how legal advocates can build the power of movements; CCR's Vince Warren gives an inspiring RadTalk on "What Is Possible When The Legal Community Stands With Black Lives"; Grassroots organizers reflect on the current state of the #Black-LivesMatter movement at Harlem's historic Riverside Church.

#Law4BlackLives is about continuing and broadening that work by bringing together the people who can—and are—making it happen!

Unable to attend? Watch online at: www.law4blacklives.org

# Upholding Academic Freedom and the First Amendment

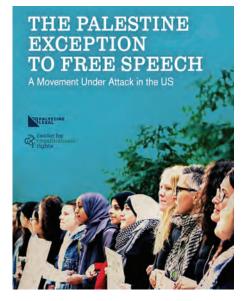
With your support CCR is representing Professor Steven Salaita, who, as you may recall, was terminated from a tenured position at the University of Illinois at Urbana-Champaign (UIUC). The University's reasoning? Personal tweets on Salaita's Twitter account criticizing the Israeli government's assault on Gaza in 2014

Emails released pursuant to the Illinois Freedom of Information Act (FOIA) reveal pressure from wealthy University donors who threatened to withdraw financial support if UIUC did not fire Salaita. Such pressure is consistent with broader efforts by outside groups to silence Palestinian human rights activists on campuses across the country, as documented by CCR's recent report with Palestine Legal, *The Palestine Exception* 

to Free Speech: A Movement Under Attack in the U.S.

In November 2014, CCR's co-counsel filed a successful Illinois FOIA case. In January 2015, CCR and co-counsel filed a complaint in federal court on behalf of Professor Salaita against UIUC and its officials for violating his constitutional rights to free speech and due process and for breach of his employment contract. UIUC, not surprisingly, moved to dismiss the case.

On August 6, 2015, the motion was denied in major part, noting that, "[i]f the Court accepted the University's argument, the entire American academic hiring process as it now operates would cease to exist." A few hours later, the Chancellor of UIUC resigned, and a few weeks later, the



Download CCR and Palestine Legal's new report online at: CCRjustice.org/the-palestine-exception

Provost did as well.

With this case, CCR aims to not only represent Professor Salaita and seek his reinstatement and compensation for the harm done to him, but to let universities and others know that they cannot get away with punishing speech critical of Israel.

#### Where Are They Now? An Update from the Next Generation

Amanda Alexander is the founding director of the Prison & Family Justice Project at University of Michigan Law School. Amanda shares how CCR is critical to developing the next generation of lawyers supporting the fight for justice:

"As an Ella Baker fellow in 2011, CCR taught me how lawyers can use the law as a tool to support social justice movements. I was thrilled to have been a part of the discussion at CCR's #Law4BlackLives convening, on how the law can bolster the #BlackLivesMatter movement, and to work with CCR at the conference to train other legal practitioners so that they too can support this important movement."

666 Broadway, 7th Floor, New York, NY 10012

www.CCRjustice.org

#### In This Issue:



Landmark Agreement Ends Indefinite Solitary Confinement in California



Fighting for Life Beyond Guantánamo



Historic #Law4BlackLives Convening In NYC



New Report Documenting Efforts to Silence U.S.
Activists

Join us on the frontlines for social justice!

CCRjustice.org/donate

### Why I support CCR ...

For 30 years, both as an activist and as a funder, I have turned to CCR for work that is commensurate with the human rights and constitutional challenges of our time.

No organization has proven more acutely responsive.

They do not always win, at least not right away; but they always raise the most essential issues to the level of public and legal attention. And they always raise the bar toward the justice that we seek and that oppressed individuals and classes of plaintiffs deserve.

My gratitude for the staff of CCR is boundless. 99

- Harriet Barlow, CCR Donor and Foundation Supporter (the HKH Foundation)

CCR does not accept corporate or government funding. We rely on your dedication and generosity to fuel the fight for justice. Please give today!