

Letter from Civil and Human Rights Organizations, Legal Associations and Policy Institutes in Support of Colin Mattis and Urooj Rahman

The undersigned civil and human rights organizations, legal associations, and policy institutes condemn the excessive and politically-motivated charges that the federal government is levelling against two members of our community, Colin Mattis and Urooj Rahman, and its aggressive effort to keep them imprisoned and separated from their families pending trial. In its attempt to use the courts and a case of alleged property damage to stifle a historic popular mobilization against systemic anti-Black racism, the United States Attorney's Office only further exposes the injustices that gave rise to and sustain the mass protests.

George Floyd's murder by a Minneapolis police officer on May 25th has led to a critical moment of national reckoning with the institutionalized legacy of racial violence and white supremacy in the United States. Structural violence pervades the criminal legal system: from law enforcement, to prosecution, to sentencing, to incarceration. This is the system that killed George Floyd and threatens Black lives, while protecting police officers from accountability.

The Trump Administration is wielding the punitive force of this system against Colin and Urooj, who are Black and South Asian, respectively, in order to chill popular protest against the unjust status quo. On May 30th, Colin and Urooj, both attorneys committed to social justice, joined tens of thousands of demonstrators in New York City in defense of Black lives. That night, they were arrested and charged by the federal government with allegedly attempting to burn an abandoned police car and charring the interior. For this alleged property damage – a routine state law crime – they are facing federal charges carrying a mandatory minimum of 45 years in prison. These are the types of charges that generally accompany incidents with mass casualties. If convicted, our colleagues, who are both in their early 30s, would be imprisoned for most, if not all, of the rest of their lives.

Coupled with the outrageous charges designed to stifle dissent, federal prosecutors are insisting that the young lawyers remain in permanent pre-trial detention in the Metropolitan Detention Complex (MDC) in Brooklyn. MDC is a federal jail infamous for its human rights abuses and inhumane conditions, where health risks are only exacerbated due to COVID-19. Two federal judges decided Colin and Urooj could safely be released on bail, which they were, until the government made the highly unusual move to appeal the decision. Now the Second Circuit Court of Appeals will decide their fate. Meanwhile, the police officer who is charged with murdering George Floyd is currently out on bail. The perverse system that treats two protesters of color demanding racial justice more punitively for an alleged property crime than it treats a white police officer charged with the murder of a Black man is precisely the injustice animating the calls of the Movement for Black Lives and protestors for fundamental change. In our current system, Black defendants are far more likely to face charges that carry mandatory minimums than white defendants, and Black and brown defendants are far more likely to be held in pre-trial detention than white defendants.¹

¹ See Wendy Sawyer, *How race impacts who is detained pretrial*, Prison Policy Initiative (October 9, 2019), https://www.prisonpolicy.org/blog/2019/10/09/pretrial_race/; Sonja B Starr & M. Marit Rehani, *Racial Disparity in*

As legal, advocacy and policy organizations with long histories of supporting movements for justice, we are well aware that, particularly at the tipping points of social transformation, the state will deploy maximum force to undermine momentum. The federal government's cruel and unnecessary effort to keep Colin and Urooj in prison pre-trial, and potentially for the rest of their natural lives, is an approach guided by a political agenda rather than by law. It reflects the Trump Administration's animosity towards the powerful and growing Movement for Black Lives. Such political prosecutions mirror historic attempts to undermine racial justice movements in this country and in authoritarian regimes throughout the world. We cannot allow the federal government to use this case to distract from or suppress the underlying demands for justice that has brought many thousands of people in every state in the nation to the streets. We call for the immediate release of Colin and Urooj on bail and for the federal government to drop these excessive charges. Our community will be made safer upon their return home to their families, and when the state ceases to prioritize property over human life and our collective well-being.

Center for Constitutional Rights

Center on Race, Inequality, and the Law - New York University School of Law

CLEAR - CUNY School of Law

Defending Rights & Dissent

Demand Progress

International Association of Democratic Lawyers

International Federation for Human Rights (FIDH)

Make the Road New York

Metropolitan Black Bar Association

Muslim Bar Association of New York

National Lawyers Guild

Prison Policy Initiative