

JUSTICE TAKES A FIGHT

NEWSLETTER



Thank you for your unwavering partnership!

You are building the world we want to see, where power is redistributed to those on the margins. We are dismantling:

- Abusive state power
- Patriarchy
- Structural racism
- Oppressive economic structures

Haywood Burns was a legend in the social justice and civil rights fields. He was a brilliant lawyer who, at 15, successfully desegregated a swimming pool in his hometown of Peekskill, NY. He was also a trustee of the Center for Constitutional Rights. In 1990, I met with Haywood to ask for advice as I was considering law school. He told me something that I've never forgotten: "The most treacherous limitation on justice is one's own discomfort with demanding from power what needs to be demanded."

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In the moment we find ourselves in, I fully appreciate the power of these words and I am especially grateful for the generous financial support from donors like you who breathe life into them every single day.

As my colleagues Baher Azmy and Nadia Ben-Youssef so compellingly articulate in their letters, the current coronavirus pandemic is no doubt chilling, but it is also clarifying. We know this because of three key lessons we've learned during our more than five decades of tireless work: First, crises have always been golden opportunities for the consolidation of oppressive power; second, that this power is always consolidated on the backs of those with the least access to justice; and third, the consolidation happens under the noses of those who are only comfortable advocating for the status quo ante.

We saw this play out in 1991, when U.S. law barred entry to immigrants with communicable diseases. Using a public health framework, right under our noses, the government created the world's first detention camp for HIV+ refugees, housing 310 Haitian men, women, and children in, of all places, Guantanamo Bay Naval Base

overseen by, of all people, William Barr, who was then the Attorney General under George H. W. Bush. With your steady partnership, the Center for Constitutional Rights challenged and defeated this horrible policy despite the hysteria around disease and immigrants that made the exclusion and detention of HIV+ people seem like a perfectly reasonable measure. Everyone in detention was released.

Three decades later, we need you even more as we prepare for the upcoming consolidation of power. Now is the time for you to stand with us as we stand with those who are vulnerable and largely forgotten in our current situation. Today, we continue to work with movement and community groups who are leading the call for a reprioritization of government resources towards people who are in crisis, like prisoners and immigrant detainees,

those seeking safe, reliable reproductive care, and those who work at the margins of our economy. We ask you to please lift up our work with your financial support so that we may lift up the voices of the people who have lost the most during this pandemic. With your support, we will never advocate only for the status quo, but, will continue to work on the cutting edge with our eyes fixed on a more just future. We will accept no limits on justice as, together, we demand from power what needs to be demanded – regardless of the risk.

Now is the time for you to stand with us as we stand with those who are vulnerable and largely forgotten in our current situation.

In Gratitude and Solidarity,

Vince Warren
Executive Director



A MESSAGE FROM OUR LEGAL DIRECTOR

Baher Azmy

Looking at the Problem with Both Hindsight and Foresight

“We are left to wonder why we cannot see with foresight what we see so clearly with hindsight.”

“We are left to wonder why we cannot see with foresight what we see so clearly with hindsight.” So wrote a Philadelphia-based federal appeals court in *Hassan v. City of New York*, a case in which you, our supporters, helped us successfully challenge the New York City Police Department’s program of suspicionless surveillance of Muslims. The court reflected that the overbroad “national security” rationale for targeting Muslims, resembled destructive roads the country has traveled before, when targeting Jews during the Red Scare, African Americans during the Civil Rights Movements, and Japanese Americans during World War II.

At the Center for Constitutional Rights, hindsight drives us to action. This is why we knew to quickly and aggressively respond to the predictable human rights crisis created by the Bush Administration’s hyper-militaristic response to 9/11 and to the Trump Administration’s xenophobic drive to dismantle our long-standing human rights commitments to asylum seekers and other immigrant communities.

Innocuous as they may seem, public health emergency narratives, like “national security” emergency narratives, are not politically neutral. Every crisis narrative gives the powerful the opportunity to consolidate power, divert attention and resources away from real, root causes of community harm, and to leverage xenophobia and racism to punish and exclude. We are seeing early efforts by the Trump Administration to use this crisis to give courts broad power to suspend habeas corpus, to close the border completely to asylum seekers, and to enrich private industries that only fuel deeper financial insecurity and climate catastrophe. The state will demand emergency powers, and institutions tend to acquiesce to the muscular demand for more executive power, often in the false hope that power will recede and rights will return once the

asserted crisis is over. But, history teaches us that power is not a rubber band, ready to snap back into its previous shape when the immediate need passes. Hindsight teaches us to be ready to resist.

But, as you know, hindsight also teaches us that crises present an opportunity to critique power and mobilize communities in a durable way. We know that crises can often clarify our collective failure to support vulnerable members of our community – domestically and globally – as well as the imperative to radically transform our society for everyone to thrive. With your crucial support, we have filed cases to free dozens of medically-vulnerable persons who are in ICE detention facilities in the deep South, to save lives of course, but also more broadly to showcase, alongside regional and national movement partners, the deeply destructive detention system in the U.S. and the perverse, self-destructive logic of this country’s pervasive, punitive reflex.

But, as you know, hindsight also teaches us that crises present an opportunity to critique power and mobilize communities in a durable way.

However, crises can also afford important opportunities for change and mobilization. Immigrant, Muslim, Arab, and South Asian communities were decimated by the Bush Administration’s immediate post-9/11 policies, but in the intervening years built many dozens of grassroots groups that were more prepared than ever to challenge – in coalition – government overreach, and develop an affirmative vision for a just society. Today’s crisis has incontrovertibly exposed the yawning structural failures in our economic and public health systems in a way that can provide a meaningful opportunity for us to demand government policies that adequately resource community needs, provide economic and legal security to vulnerable people, and ensure that all persons are treated with dignity and respect. That is the foresight we are able to have thanks to your unwavering partnership.

In Gratitude and Solidarity,

Baher Azmy
Legal Director



A MESSAGE FROM OUR ADVOCACY DIRECTOR

Nadia Ben-Youssef

Solidarity is the Solution

In her 1988 address to Spelman College, Dr. Angela Davis leaned into the definition of the word “radical,” the etymology of which is simply “to grasp something at its root.” It is to inquire past the symptoms of a problem and to fix one’s attention on the cause. To be radical is to ask why? And to ask why, again. Once the problem is clearly understood, so too is the solution. But because most social problems are designed to benefit those with power, much effort is made to craft master narratives that muddy the waters, bury the root cause under impenetrable layers of “complexity,” window-dress or otherwise justify the problem, and crucially misdirect the inquiry and blame. These master narratives (otherwise known as myths) are captured in public education curriculums, reflected in popular media and imagination, and deeply embedded in a society’s institutions, policies, and practices.

Radical, then, is a commitment, and searching for the root causes of social harm is a lifelong practice. But there are moments of collective unearthing. Perhaps you remember clearly where you were on key dates in 1968. Or the early fall of 1990 or 2001. The summer of 2014. March 2020.

Like the moments of crisis and clarity that came before it, the coronavirus pandemic has exposed both the problem and the solution. The root of this crisis is a society that is premised on the disposability of certain human life, and the protection of corporate interests. The pandemic is a symptom of a society that has consistently prioritized prisons and endless wars over community safety and public health. While a vaccine will ultimately help us address the COVID-19 symptoms, the pandemic is not in essence a biomedical problem. The problem is social and political, and

We breathe, live, and die together. Solidarity is the simple, radical, life-saving solution.

with your support, we have both an opportunity and an obligation to co-create the solution. Helpfully, and unlike many of the crises we have faced together, inherent to the very nature of

this public health catastrophe is the key to our collective survival. We breathe, live, and die together. Solidarity is the simple, radical, life-saving solution.

At the Center for Constitutional Rights, we know that solidarity ensures that those people who were made most vulnerable to this virus are centered and protected. Your important support will be crucial to our ability to join with movement partners to demand that our people’s material needs are equitably met in this moment, retain our ability to resist, and ensure that the full scope of our civil, political, social, and economic rights are guaranteed. And because this is an opening unlike we’ve ever seen, we are deepening our dedication to our freedom dreams. With you on our side, we are anticipating release from prisons, jails, and detention centers. We are anticipating housing as a human right. We are anticipating the just distribution of resources, power, and capital. We are anticipating an end to security theater and the dawn of a new era of community safety and mutual aid. We are anticipating a reordered society of solidarity and radical love. Thank you for building it with us.

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In Gratitude and Solidarity,

Nadia Ben-Youssef
Advocacy Director

Justice Sustainers

Our Incredible Monthly Donors

We are very thankful to our loyal *Justice Sustainers*, a special group of people who support the Center for Constitutional Rights on a monthly basis throughout the year.

Collectively, these monthly gifts create a pool of funds that we can count on to thoughtfully plan thereby providing more hope for vulnerable populations, more support for social movements, more justice and accountability, and more flexibility during these uncertain times – and for that, we are deeply grateful! Every amount counts and is greatly appreciated.

“As always, I am lost in admiration for the wonderful work you do in these heartbreaking times.”

– David Halperin, Michigan
Justice Sustainer

Other Ways to Support the Center for Constitutional Rights

WE ARE CALLING
ON YOU

For more information, please contact:
Theda Jackson-Mau
Director of Development
tjackson-mau@ccrjustice.org | 212-614-6448

The CARES Act: Two Incentives for you to Give Now!

Please take advantage of these two measures* in the Act that makes renewing your commitment to the fight for social justice more financially beneficial for you.

Donors can now deduct their gifts up to \$300

For the rest of 2020, you can deduct up to \$300, irrespective of whether or not you itemize your deductions.

Donors can now deduct a much higher percentage of their AGI (adjusted gross income)

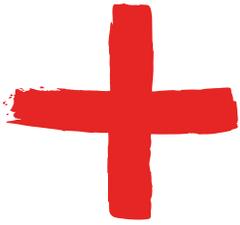
You can make a cash gift and deduct it up to 100% of your AGI for the year 2020. This allows you to make charitable gifts that eliminate your tax burden.

*Note: Both of the above measures apply to cash gifts only

Donate. Act. Share.

Join forces with activists, lawyers, and storytellers to fight oppression and build power. You have a role to play.

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NEW BOARD MEMBER PROFILES

Amna Akbar

Columbus, OH
Associate Professor of Law at Ohio State University



Amna's research and teaching focus on social movements, critical theory, and policing, race, and inequality. Her scholarship explores the intersections of national security and criminal law, and the potential of social movements to transform our thinking about law, law enforcement, and law reform. She writes broadly for academic and popular audiences in outlets like *NOMOS*, *Citizenship Studies*, *Journal of Legal Education*, *Law and Political Economy*, *The Nation*, *Boston Review*, and more. In her teaching and lawyering work, she is deeply engaged with law and organizing in Ohio and around the country.

Before coming to Ohio State, Amna taught at New York University (NYU) Law School and the City University of New York (CUNY) Law School. She received her B.A. from Barnard College, Columbia University, and her J.D. from the University of Michigan, where she served as editor-in-chief of the *Michigan Law Review*. After law school, she clerked for Judge Gerard E. Lynch in the U.S. District Court, Southern District of New York, and worked as a staff attorney at Queens Legal Services Corp. in a community-based battered women's project. She is a former Law and Public Affairs Fellow and Visiting Scholar at Princeton University.

Jumana Musa

Takoma Park, MD
Human rights attorney and racial justice activist, Director of the Fourth Amendment Center at the National Association of Criminal Defense Lawyers (NACDL)



As director, Jumana oversees NACDL's initiative to build a new, more durable Fourth Amendment legal doctrine for the digital age. The Fourth Amendment Center educates the defense bar on privacy challenges in the digital age, provides a dynamic toolkit of resources to help lawyers identify opportunities to challenge government surveillance, and establishes a tactical litigation support network to assist in key cases.

Prior to joining NACDL, Jumana served as Deputy Director for the Rights Working Group, a national coalition of civil rights, civil liberties, human rights, and immigrant rights advocates, where she coordinated the "Face the Truth" campaign against racial profiling. She was also the Advocacy Director for Domestic Human Rights and International Justice at Amnesty International USA, where she addressed the domestic and international impact of U.S. counterterrorism efforts on human rights. Jumana holds a B.A. in International Relations from Brown University and a J.D. from Georgetown University Law Center.

Vincent M. Southerland

Brooklyn, NY
Executive Director, Center on Race, Inequality, and the Law at NYU Law



Vincent has dedicated his career to advancing racial justice and civil rights. He came to NYU after serving as an Assistant Federal Public Defender with the Federal Defenders for the Southern District of New York since 2015. Prior to his time at the Federal Defenders, Vincent spent seven years at the NAACP Legal Defense and Educational Fund, Inc. (LDF), where he was a Senior Counsel. While at LDF, he engaged in litigation and advocacy at the intersection of race and criminal justice, including the successful representation of people sentenced to death across the South and children sentenced to life imprisonment without parole. He also led LDF's advocacy efforts around race and policing, and was lead counsel in school desegregation and employment discrimination matters.

Vincent previously served as a staff attorney at the Bronx Defenders, and an E. Barrett Prettyman Fellow at Georgetown University Law Center. He began his career as a law clerk to the Honorable Theodore McKee, Judge of the United States Court of Appeals for the Third Circuit, and the Honorable Louis H. Pollak, of the United States District Court for the Eastern District of Pennsylvania. Vincent holds an L.L.M. from Georgetown University Law Center, and received his J.D. from Temple University School of Law and his B.A. from the University of Connecticut. He serves on the boards of The Bail Project and the Federal Defenders of New York.

Thelma Newman Planned Giving Society

A special group of donors who have committed to supporting justice for years to come

Justice must be built forward. We are extraordinarily grateful to the members of the *Thelma Newman Planned Giving Society*, who have included us in their estate plans, making a vital investment in freedom now and in the future.

Our *Thelma Newman Planned Giving Society* is named for Center for Constitutional Rights co-founder Morty Stavis's legal assistant at the United Electrical Workers. Thelma Newman was not a wealthy woman, but she left an estate of \$150,000 to further the work of the Center for Constitutional Rights in hopes that her generosity would inspire others to join her in continuing the fight for future generations.

Please consider making a planned gift to the Center for Constitutional Rights. In doing so, you will ensure that we can continue the fearless fight for justice for generations to come.

Michael Ratner Campaign for the Next Generation

Our heartfelt thanks go to those who made gifts to the *Michael Ratner Campaign for the Next Generation*. The Ratner initiative is a five-year campaign launched in 2016 to institutionalize Michael's spirit and vision. It seeks to accomplish three objectives: build the next generation of movement lawyers by training law students and young attorneys, serve as the "911" for social justice movements with rapid response to emergent issues, and work shoulder to shoulder with our movement partners – closer to the ground on which they fight.

For those who have given, we ask you to renew your support. If you haven't renewed your support, please consider designating your gift to the campaign today!



If you would like to learn more about:

Becoming a *Justice Sustainer*, joining the *Thelma Newman Society* or supporting the *Michael Ratner Campaign for the Next Generation*, please contact our Director of Development Theda Jackson-Mau at tjackson-mau@ccrjustice.org or 212-614-6448.

“In a sea of worthy organizations asking for support, I continue to feel that CCR remains on the cutting edge of challenges to everything that is going wrong. And that is why my support has been consistent.”

– Barbra Apfelbaum, New Jersey
Thelma Newman Society Member and Justice Sustainer

THANK YOU!

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Theda Jackson-Mau
Center for Constitutional Rights
666 Broadway, 7th Floor
New York, NY 10012

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