

JUSTICE TAKES A FIGHT

NEWSLETTER


Letter from the Executive Director

On the eve of our 55th year, the Center for Constitutional Rights is excited to continue our unapologetic mission to uplift the vision for the world we want to see through strategic legal, advocacy, and communications interventions. Together, we are moving toward that world. Justice takes a fight and your generosity keeps our fierce staff on the frontlines.

Fannie Lou Hamer, Center for Constitutional Rights client in Hamer v. Campbell; civil rights case which she brought against Cecil Campbell, the circuit clerk of Mississippi, for denying her and other Black people the right to register and vote in 1965.

Let's be clear: popular democracy in the U.S. has been something we need to consistently strive for. It is no surprise that an electoral college system that was designed to supercharge slave-holding states and then to submerge the Black vote in those states still weighs heavily on the democratic experiment.

And it is also entirely consistent with this nation's history that Black-led social movements are offering the greatest opportunities for this nation to realize democratic ideals. Thanks to freedom fighters like you, the Center for Constitutional Rights has spent more than half a century providing legal support to Black-led movements that call on this nation to be the democracy it purports to be, and we are not stopping now.

"We are in the midst of the most promising social justice movement in a generation."

As we navigate the effects of a recent election contested by white supremacist forces, we remember that we are in the midst of the most promising social justice movement in a generation! Vibrant grassroots movements centering the lived experiences of Black, Brown, and Indigenous people, women, immigrants, LGBTQIA+ people, and others who have borne the brunt of injustice are demanding change.

The Center for Constitutional Rights was founded in 1966, in the heart of the civil rights movement. Black organizers and activists were putting their lives on the line for liberation. Their demand that Black people in the South participate in this nation's democracy was met with violent resistance by the state and by white-supremacist vigilante groups. Our founders Arthur Kinoy, Morty Stavis,

Bill Kunstler, and Ben Smith partnered with visionary organizers like Fannie Lou Hamer, Ella Baker, and the Mississippi Freedom Democratic Party in support of their demand for voting rights.

Working on the ground with impacted communities awakened the attorneys to the power of partnering with people's movements. Following the lead of the activists they served, the founding attorneys of the Center for Constitutional Rights devised creative legal strategies to bolster and protect the work of those taking bold risks for racial justice. **For over half a century, this organization has carried out their vision of serving as "the people's lawyers."**

In this moment – as has been the case throughout U.S. history – Black-led grassroots movements are leading the fight for democracy and justice. Thanks to you, the Center for Constitutional Rights is here and ready to serve as their movement lawyers. We are monitoring the post-election situation as it unfolds and to assess where help is needed. We are drawing on five decades of experience in ensuring that our movement partners are safe and their voices are heard.

We are excited and grateful that our Board Chair Katherine Franke has very generously offered to match up to \$333,000 of all NEW and INCREASED gifts to the *Michael Ratner Campaign for the Next Generation* (See page 5). **Please give today and double the impact of your gift!**

As we defend democracy and the people whose very lives depend on it, we thank you for your unfailing support.

With gratitude and solidarity,

Vince Warren
Executive Director

A LEGACY OF DEFENDING POPULAR DEMOCRACY AND DEMOCRATIC PRINCIPLES

We have been fighting for voting rights and fair elections for more than half a century.

In 1966, the Center for Constitutional Rights represented the legendary voting rights activist Fannie Lou Hamer in a lawsuit she brought against Mississippi circuit clerk Cecil Campbell for denying her and other Black people the right to register and vote. Hamer's moving testimony about the abuse she suffered for fighting for civil rights had been influential in the passage of the Voting Rights Act in 1965. A year later, in *Hamer v. Campbell* — one of the Center for Constitutional Rights' earliest cases — the Fifth Circuit Court of Appeals ruled that Hamer and others were discriminated against by being denied the right to register to vote, and overturned the racially discriminatory elections.

The Center for Constitutional Rights was involved in several landmark cases, including the 1969 Supreme Court case, filed on behalf of Rep. Adam Clayton Powell, which concluded that the Black elected official was unconstitutionally excluded from Congress. *Powell v. McCormack* underscored the fundamental right of the people to have those they elect represent them in government.

In the decades since, we were clear that, in this nation marred by structural racism, voting rights were among the last to be extended to Black people and among the first to be undermined. In fact, the Center for Constitutional Rights has consistently fought, alongside our social movement partners, to defend and expand these rights. In *Dotson v. City of Indianola, Mississippi* (1981), we represented Black residents in a class action suit to compel their city to comply with the Voting Rights Act. We have repeatedly challenged racially discriminatory elections and districting systems. In 2004, we joined an amicus brief urging a California court to investigate the integrity of electronic voting, and in 2005, we filed an amicus brief to support voting rights for New Yorkers convicted of felonies. These are just a few of dozens of cases in which we have fought for voting rights and fair elections over the past 54 years. Through it all, our role has been to support and protect the marginalized communities demanding fairness, justice, and full participation in a democracy.

We have fought intimidation and repression of activists and movements since the 1960s. In fact, we innovated how to give effective and strategic legal support to visionary grassroots movements.

TIMELINE



Since our founding in 1966, the Center for Constitutional Rights has fought for fair elections and the right to protest.

+ 1960s

The Center for Constitutional Rights is founded amid the civil rights movement. Civil rights, antiwar, and other grassroots movements build power and demand justice — and for this they are viciously attacked by those who want to maintain the status quo. Standing alongside movements, the Center for Constitutional Rights develops innovative legal strategies to advance and defend our rights.

+ 1970s

The U.S. federal government attempts to repress movements for peace and racial justice, with tactics including illegal spying. Activists, with the legal support of the Center for Constitutional Rights, take the fight over warrantless wiretaps all the way to the Supreme Court — and win. The Center for Constitutional Rights also supports the growing women's movement with novel legal strategies and represents leaders of the American Indian Movement.

In the case that inspired them to establish the Center for Constitutional Rights, our founding attorneys created a new tool to protect activists from state repression. *Dombrowski v. Pfister*, filed in 1965, established that state intimidation of civil rights activists was unconstitutional and had a “chilling effect” on their First Amendment rights. By proactively blocking attempted “anti-subversive” prosecutions of civil rights activists, Dombrowski interrupted the traditional — and time-consuming — arrest-defense-appeal pattern and created a valuable strategy for lawyers representing activists and organizers. “Dombrowski suits” were employed by the Center for Constitutional Rights and others in the following years, as movement lawyers represented civil rights, antiwar, and other progressive and radical activists who were being targeted by the state.



Protest after killing of George Floyd, Harlem. Taken by Vlad Archin.

THE FIGHT CONTINUES

This is a challenging time, but we have successfully faced many obstacles. In this election season, like those past, we know that our social movements will lead the fight for meaningful democracy and move this nation toward justice. And we will support them. From Fannie Lou Hamer to Al and Margaret McSurely to the Black-led multi-racial coalition organizing across the U.S. today to ensure that Black votes count, the Center for Constitutional Rights stands with the people on the frontlines.

We are here for our movement partners in this critical season. Here's what we're doing:

Rapid Response

During the remainder of the 2020 election season, we are committed to showing up for the people — especially Black-led movements that center the defense of Black lives and advance Black liberation.

We will build on our decades of experience innovating and implementing legal interventions against authoritarian tactics to defend and protect social movements so that they can defend and protect our democracy. We are here to offer legal and advocacy support to counter state repression and vigilante violence; to connect organizers to trusted pro-bono movement lawyers, and to advocate in support of movement partners.

Committed to disseminating useful legal information to support movements, we have developed a series of tools.

+ 1980s

While the U.S. quietly funds and arms anti-democratic militias and dictatorial regimes across the globe, the Center for Constitutional Rights fights back against torture and other abuses, winning a case that establishes the right of non-citizens to sue in U.S. courts for violations of their human rights. Domestically, we continue to support movements fighting for full implementation of the Voting Rights Act. Our work includes continued challenges to racially discriminatory elections.

+ 1990s

Alongside movement partners, the Center for Constitutional Rights brings more than a dozen cases in the South to ensure electoral redistricting complies with the 1965 Voting Rights Act. We continue the fight against racially discriminatory voting systems in the U.S. and challenge the abuses of dictators and anti-democratic regimes in different parts of the world.



Toolkit for the Movement

The Center for Constitutional Rights is countering the authoritarian playbook with a People's Playbook. We've put together an online Toolkit for the Movement — a collection of informational resources to support and protect our communities. All three toolkit elements have been newly updated in 2020.

✓ *If An Agent Knocks*

Since its original release in 1989, *If An Agent Knocks* has been widely circulated in progressive activist communities across the country. Newly updated and drawing on decades of experience representing activists and communities subject to federal repression, *If An Agent Knocks* offers information and concrete suggestions for potential interactions with the FBI or other federal agents, how to document them, and how to protect yourself and your communities.

Find all three toolkits at
ccrjustice.org/toolkit-for-the-movement

✓ *FOIA Basics for Activists*

FOIA Basics for Activists breaks down how activists, organizers, and movements can use the Freedom of Information Act (FOIA) to expose government and corporate actions. The October 2020 update contains numerous examples, downloadable resources and annotated FOIA requests, and a case study.

✓ *Defend Against Ice Raids and Community Arrests Toolkit*

Developed with Immigrant Defense Project (IDP), this is the first comprehensive guide and organizing resource to fight back against the Trump administration's efforts to criminalize communities and deport millions of people. IDP and the Center for Constitutional Rights collected key information about Immigration and Customs Enforcement (ICE) raids and arrests under the Bush and Obama administrations. Based on years of community defense experience, litigation, and legal research, including hundreds of firsthand accounts of ICE raids, our joint toolkit offers social justice advocates, lawyers, and community members critical information and analysis of our country's massive detention and deportation system, as well as straightforward guidance on how to prepare for ICE raids. With data continuously updated, this resource is a critical tool for communities.

+ 2000s

While continuing our work as part of broad, multi-issue struggles for justice, the Center for Constitutional Rights files an amicus brief in support of voting rights for people convicted of felonies and joins an amicus brief urging a California court to investigate questions of the integrity of electronic voting. The Center for Constitutional Rights filed a lawsuit challenging mass arrests during protests of the Iraq and Afghanistan wars.

+ 2010s

The Center for Constitutional Rights defends environmental and Indigenous activists against federal racketeering lawsuits filed by President Trump's lawyers as part of a broader campaign to silence protests at Standing Rock. We continue to fight back against the criminalization of dissent, knowing that protest is essential to democracy.



BOARD CHAIR KATHERINE FRANKE

Board Chair Katherine Franke Announces Matching Gift!

Katherine Franke has pledged a matching gift of \$333,000 for NEW and INCREASED gifts to the Center for Constitutional Rights' *Michael Ratner Campaign for the Next Generation*. The *Ratner Campaign* honors the visionary attorney who devoted 45 years to fighting for justice and human rights with the Center for Constitutional Rights. Michael was "the brain, the heart, the vision, and the passion of CCR for a generation," Franke wrote upon his passing in 2016.

The *Michael Ratner Campaign for the Next Generation* strengthens the ranks of movement lawyers and activists who believe, as Michael did, that in full partnership with people directly impacted by injustice and oppression the Center for Constitutional Rights will sustain the expertise, courage, and credibility to remain at the forefront of the fight for social justice. This five-year initiative to honor Michael Ratner's spirit and vision was launched in 2016. To date, the campaign has raised over \$9 million toward building the next generation of movement lawyers, serving as the "911" for social justice movements, and working shoulder-to-shoulder with our movement partners.

Meet Katherine

"It is often said that who you walk with says all you need to know about who you are."

Board Chair Katherine Franke recently said these words, reflecting on the Center for Constitutional Rights' donors, movement partners, clients, staff, and board. We could not be more proud to walk with Katherine, who has served on our board since since 2011, becoming vice chair in 2015 and chair in 2016.

Katherine Franke is the James L. Dohr Professor of Law at Columbia University, where she also directs the Center for Gender and Sexuality Law and is the faculty director of the Law, Rights, and Religion Project. She also serves on the Executive Committee of Columbia's Center for Palestine Studies and Institute for Research on Women, Gender & Sexuality. She is among the nation's leading scholars writing on law, sexuality, race, and religion drawing from feminist, queer, and critical race theory. She is the author of *Repair: Redeeming the Promise of Abolition* (2019) and *Wedlocked: The Perils of Marriage Equality* (2015).

> Thanks to Katherine Franke's generous match, you can double the impact of your gift as you honor our past, and support our present and future.

Double the impact of your commitment by making a new or increased gift to the *Michael Ratner Campaign for the Next Generation* at ccrjustice.org/MRC. For more information about the *Ratner Campaign*, please contact our Director of Development Theda Jackson-Mau at tjackson-mau@ccrjustice.org or 212-614-6448.

THELMA NEWMAN PLANNED GIVING SOCIETY

Supporting Justice for Generations to Come

Thelma Newman was not a wealthy woman, yet she made a six-figure bequest to the Center for Constitutional Rights to support our work into the future. And she hoped to inspire others to do the same.

Newman was the legal assistant to our co-founder Morty Stavis at the United Electrical Workers. She knew the fight for justice is long, and she wanted to support it even beyond her own lifetime.

The members of our *Thelma Newman Planned Giving Society* have included us in their estate plans. Join them and make the struggle for justice an enduring part of your legacy at ccrjustice.org/TNS.

JUSTICE SUSTAINERS

Monthly Donors Make Our Work Possible

Thank you, Justice Sustainers!

The fight for justice never stops — and it makes a huge difference to have funding we can count on to sustain our work. Recurring monthly gifts allow the Center for Constitutional Rights to plan ahead, and to leverage resources to respond to challenges and opportunities as they arise. That means more hope for our clients, more support for grassroots movements, and more justice for all.

Every amount impacts our capacity to serve vulnerable communities and fight for a better world. Don't forget to give by establishing an automatic monthly gift at ccrjustice.org/donate.

> 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.

THANK YOU!

Make a gift at:

ccrjustice.org/donate

Online gifts are a quicker and greener way to give!

By mail to:

Theda Jackson-Mau

Center for Constitutional Rights
666 Broadway, 7th Floor
New York, NY 10012

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Center for Constitutional Rights



@ccrjustice

Research and Writing:

Jessica Hoffmann

jess@jessicahoffmann.com