



February 5, 2009

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From the President's Desk

Robinson Joins the Justice Department

[Laurie Robinson](#) stepped down from the Constitution Project's Board of Directors effective January 31, 2009. Laurie, who served as Assistant Attorney General for the U.S. Justice Department's Office of Justice Programs during the Clinton administration, accepted President Obama's appointment to help with the transition of that Office by serving as its Acting Assistant Attorney General. We will miss her wise counsel, and wish her much success in the new position. ~ Ginny

Upcoming Events

Annual Constitutional Champions Awards Dinner on April 2

Our annual awards dinner will take place at the Renaissance Mayflower Hotel in Washington, D.C. on Thursday, April 2, 2009. Please join us in honoring **Alberto Mora**, former General Counsel, Department of the Navy, and **Craig Watkins**, District Attorney for Dallas County, Texas. Mr. Mora led a multi-year effort within the Department of Defense to [oppose coercive interrogation techniques](#) at Guantanamo Bay. Mr. Watkins created a “conviction integrity unit” within the District Attorney’s office that uses DNA evidence to [investigate claims of wrongful conviction](#), resulting in six exonerations in the last two years. The Capitol Steps will provide entertainment. [RSVP HERE](#).

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News

The Constitution Project is Moving

On February 7, the Constitution Project will move a few blocks south of Dupont Circle to [1200 18th Street, NW, Suite 1000](#), Washington D.C. 20036. Our phone numbers and email addresses will not change. We will not be able to respond to emails this Friday afternoon but will be up and running again on Monday.

Constitution Project Urges High Court to End Indefinite Detention

The Constitution Project, the Cato Institute, and the Rutherford Institute filed an [amicus brief](#) on January 28 that urged the U.S. Supreme Court to end the indefinite military detention without trial of legal U.S. resident Ali Saleh Kahlah al-Marri. The brief argues that the executive branch's actions violate the Constitution's separation of powers. A number of other individuals and organizations also filed [amicus](#) briefs in *al-Marri v. Spagone*. In an earlier brief, the Constitution Project and the Rutherford Institute [requested](#) that the Supreme Court take the case.

Attorney General Eric Holder Confirmed

On Tuesday, the Senate [confirmed the nomination of Eric Holder](#) as Attorney General by a vote of 75-21. Upon being sworn in by Vice President Biden, Attorney General Holder [said](#), "There shall be no place for political favoritism, [and] no reason to be timid in enforcing the laws that protect our rights, our environment and our principles. This may be a break from the immediate past, but it is consistent with the long history of the Department of Justice." The Constitution Project, in conjunction with a number of other organizations, issued transition reports in November in the areas of [criminal justice](#) and [liberty and security](#), with extensive recommendations to help the Department of Justice and other agencies fulfill this commitment to restore the rule of law.

Lowling the Costs of Virginia's Prison System

Virginia Governor Tim Kaine has proposed several ways to [lower the costs of Virginia's prison system](#) in an effort to narrow that state's budget gap. Over the past 8 years, Virginia's prison costs have increased despite a reduction in violent crime. There is no indication that the drop in crime was the result of the ever-increasing prison budget. Indeed, in other states, like Maryland and Texas, the violent crime rate has dropped in concert with declining incarceration rates. Several of Governor Kaine's recommendations are in line with those made by the Constitution Project in its 2006 report [Principles for the Design and Reform of Sentencing Systems](#).

Georgia Public Defender Standards Council Under Attack

Georgia's public defense system, recently acclaimed as a model system for indigent defense, is facing virtual extinction. The Georgia legislature is considering legislation to [restructure the Public Defender Standards Council, stripping it of its authority](#) to set policy or establish funding guidelines. Some of the impetus for this legislation comes from the widely publicized and very expensive capital murder trial of Brian Nichols as well as statewide budgetary shortfalls. Meanwhile, in Georgia as elsewhere around the country, inmates sit in jails without lawyers and attorneys hired to represent defendants go unpaid for months or longer. The Constitution Project's collaborative transition report *Smart on Crime* includes [recommendations for urgently needed public defense reforms](#).

National Call-In to Release Uighurs

Witness Against Torture, an activist group seeking to close the Guantanamo Bay detention facility, has organized the [100 days campaign](#) in support of its goal. From February 2-6, the group is asking citizens to call the White House to urge the Obama administration to release the Uighur detainees, 17 Chinese Muslims that the Bush administration admitted are not enemy combatants but refused to release. The Constitution Project filed an [amicus brief](#) in the U.S. Court of Appeals for D.C. Circuit that urged the court to uphold a lower court

News in Brief

- Last week, CP Senior Counsel **Sharon Bradford Franklin** participated on a panel sponsored by American University's "[Collaboration on Government Secrecy](#)," a non-partisan educational project led by AU law professor Daniel Metcalfe. The panel discussion ([video available here](#)) discussed [information policy recommendations](#) for the new administration.
- On January 26, the *Washington Independent* quoted **Sharon** on the controversial [use of the states secrets doctrine in an extraordinary rendition](#) case before the U.S. Court of Appeals for the Ninth Circuit Court. In May 2007, the [Constitution Project issued a report](#) calling for reform of the use of the privilege.
- "[Convicting the Innocent](#)," a recent article by University of Michigan Law School Professor **Samuel Gross**, documents the high error rate of death penalty convictions. The [Annual Review of Law and Social Science](#) published the article.
- Rutherford Institute President and CP Death Penalty Committee member **John Whitehead** argued in a recent article that [expanding the death penalty is fiscally irresponsible](#).
- An American Society of International Law task force released a series of recommendations regarding U.S. [policy towards the international criminal court](#). The Task Force on U.S. Policy Toward the International Criminal Court is co-chaired by Judge **Patricia Wald**, who serves on two CP committees, and includes Representative **Mickey Edwards**, who serves on CP's Board of Directors as well as several committees.
- CP Founder and President **Ginny Sloan** participated in a panel discussion entitled "A Conversation about Justice" at the John Jay College of Criminal Justice. The panel focused on the future of the Department of Justice, and included Acting Assistant AG **Laurie Robinson**.

The Constitution Project's unique mission is to promote and defend constitutional safeguards. We create coalitions of respected leaders from across the political spectrum, advancing their consensus recommendations for policy reforms. Since the Constitution Project's founding in 1997, our advocacy and public education efforts, influential *amicus curiae* briefs, and respected scholarship have helped to create public support for those reforms.