

## From the desk of Virginia Sloan

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Dear Friend,

### A Note from our Board Chair

#### Virginia Sloan Named "Champion" by *Legal Times*

To celebrate its 30th year of publication, the *Legal Times* - Washington, D.C.'s leading legal publication - chose to honor thirty "Champions" for their work supporting the public interest. In the words of the *Legal Times'* Editor in Chief, the Champions are "30 lawyers whose community and public service has set an example that other D.C. lawyers should follow."

I am proud to announce that Constitution Project founder and president, Virginia Sloan was selected as a Champion by the *Legal Times* editors. She shares a place on this list with, among others, two former Deputy Attorneys General, a member of Congress, the founders of the Children's Defense Fund and the National Women's Law Center, the senior director of the NAACP's Legal Defense and Education Fund, the litigators of *Hamdan v. Rumsfeld* and *Lawrence v. Texas*, the former executive director of the Leadership Conference on Civil Rights and president of People for the American Way, the executive director of the DC Appleseed Center for Law and Justice, and the chief executive of Equal Justice Works. Ginny's inclusion on such an exclusive list of remarkable individuals is a testament to the importance of her work with the Constitution Project over the past ten years - and of the Constitution Project's work itself.

From all of us at the Constitution Project, our warmest thanks and congratulations to Ginny for ten amazing years and many more to come! - *Stephen F. Hanlon, Chair of the Constitution Project Board of Directors*

## In the Halls of Congress

### **Jones Introduces Signing Statements Act**

On May 12, Congressman Walter Jones (R-NC) introduced H.R. 5993, the [Presidential Signing Statements Act of 2008](#). "To enable a more complete public understanding of our nation's laws, the U.S. Congress should also be able to call for the executive's explanation of the meaning and justification for a presidential signing statement," Jones said. The bill would also require the president to submit copies of the signing statements to Congress and require them to be published in the Federal Register. In February, 2007, the Constitution Project's Coalition to Defend Checks and Balances issued its "[Statement on Presidential Signing Statements](#)," which describes the numerous occasions on which President Bush has used these signing statements to challenge or deny effect to legislation that he considers unconstitutional. Our statement urged the "President to immediately abandon [the use] of the presidential signing statement," and "Congress to make unmistakably clear the link between a President's inappropriate use of signing statements and the costs of doing so."

### **Former Detainee, FBI Speak of Detainee Abuse**

On Tuesday, for the first time since the Guantanamo Bay detention facility opened its doors to terrorist suspects in 2002, a former detainee [testified](#) before Congress about his experience at the prison. Released detainee Murat Kurnaz told members of the Subcommittee on International Organizations, Human Rights, and Oversight of the House Foreign Affairs Committee via videoconference that he was "beaten repeatedly" while held in Afghanistan and that while at Guantanamo was "deprived of sleep and food for long intervals." The experiences he spoke of were echoed in a [report](#) by the Department of Justice's Inspector General that examined the claims of hundreds of FBI agents stationed at the prison that they had witnessed abuse of detainees at the hands of military interrogators.

## At City Hall

### DC Council Rejects Video Surveillance Network Funding

Last week the DC City Council [rejected](#) Mayor Adrian Fenty's request for more than \$800,000 to create a network called Video Interoperability for Public Safety (VIPS), to centralize monitoring of more than 5,000 public video surveillance cameras. The Council's action affirmed the request's rejection by the Council's Committee on Public Safety and the Judiciary. The Constitution Project had [called](#) on the Mayor to attach strong privacy safeguards to any new system and had, with the American Civil Liberties Union of the National Capital Area and the Electronic Privacy Information Center, [urged](#) the Council to strip Mayor Fenty's funding request from the budget until questions about the necessity and scope of the project have been answered. At the urging of Councilmember Phil Mendelson, the Council also included a provision requiring the Mayor to submit rules to govern the operation of VIPS for approval by the full Council, and mandating that until any new rules are approved by the Council, the VIPS program shall be operated under the rules currently governing the Metropolitan Police Department's (MPD) surveillance cameras. Those rules, which we regard as some of the best in the nation for protecting privacy rights and civil liberties, had been adopted after public hearings and approval by the DC City Council, and Charles Ramsey, DC's former police chief, had testified that in his view the policy governing MPD's video surveillance system "meets – or even exceeds – the guidelines presented by the Constitution Project." In the Constitution Project's letter of April 15<sup>th</sup> to Mayor Fenty we specifically urged that the District preserve the safeguards under the MPD's existing system. On June 2<sup>nd</sup>, the Committee on Public Safety and the Judiciary will hold a public hearing on the proposed VIPS program, and the Constitution Project will present testimony at the hearing.

## In the Courts

### Military Judge Delays *Hamdan* Hearing

On May 16, a military judge ordered a delay of the war crimes trial of Salim Hamdan, who was once a driver for Osama bin Laden. Captain Keith Allard of the United States Navy issued the order so that prosecutors and Mr. Hamdan's attorneys would have the benefit of the Supreme Court's upcoming decision in [Boumediene v. Bush/al Odah v. United States](#), a case challenging the government's ability to hold detainees without permitting them to challenge their detentions in federal courts - also known as the right to *habeas corpus*. Captain Allard found that such a delay "avoids the potential embarrassment, waste of resources, and prejudice to the accused that would accompany an adverse decision mid-trial, or need to retry the case." The judge earlier barred the Pentagon's second-in-command over military commission trials, General Thomas Hartmann, from taking any further part in the case after Colonel Morris Davis, the former chief prosecutor in the military commissions system, stated under oath that the military commissions system has been corrupted by undue political influence. Colonel Davis [told](#) Captain Allard that General Hartmann had urged him to focus on and expedite "sexy cases" and had pronounced that "we can't have acquittals."

## With a Little Help from Our Friends

### ACLU and EFF Land Major NSL Victory

The FBI withdrew, on May 7, a national security letter (NSL) issued to the [Internet Archive](#) after a [legal challenge](#) from the [American Civil Liberties Union](#) and the [Electronic Frontier Foundation](#). NSLs enable the FBI to obtain data without seeking a judicial warrant. As the result of a settlement agreement, the FBI withdrew the NSL and agreed to the unsealing of the case, finally allowing the Archive's founder to speak out for the first time about his battle against the record demand. The NSL was served on the Archive in November of 2007, and demanded personal information about one of the Archive's users; the letter also included a gag order prohibiting the Archive from talking about the NSL.

## We're Growing!

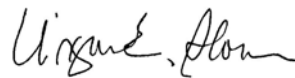
### Constitution Project Welcomes Lauren Cooper

I am very pleased to announce that Lauren Cooper has joined the Constitution Project's staff as a Program Assistant. Lauren is a 2008 graduate of Howard University with a degree in Afro American Studies and Human Development, and previously served as an intern in the District of Columbia's Office of the Secretary. Lauren will be assisting with office administration and program coordination. Welcome aboard, Lauren!

## Verbatim

"I'm here to tell you I lost everything. I am still hurting. I am still broken. We can do better in the justice system. The system failed all of us." - [James Giles](#), who spent 10 years in a Texas prison for a rape he did not commit, at a Texas summit on wrongful convictions.

Sincerely,



Virginia E. Sloan