



*control*

***constitutional***

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***communications***

***2015 annual report***

Constitutional Communications started last summer during a conversation between two attorneys at a backyard BBQ. They were talking about the negative implications of mass surveillance and targeted hacking on the work of human rights and criminal defense attorneys, reflecting that there weren't sufficient resources to teach them how to protect their clients' privileged information. Out of that conversation, we initiated what we thought would be a one-time training on surveillance and secure communications for lawyers.

That first training generated so much demand for our workshops that we have grown into a full-fledged organization: Constitutional Communications (ConComms.org). We have built ConComms as a vehicle to ensure that people who are impacted by mass surveillance and hacking can take action to secure their own information and to make sure that the professionals who serve them maintain high ethical standards and provide the highest level of security and competency when using client information.

We are proud to share this year's successes with you. In 2015, we trained nearly 400 people in secure communication, legal ethics and mass surveillance, and we are excited that over 150 of those people have been attorneys and law students. We also provided training to 278 civil society leaders from 35 countries. Through our trainings, we have developed a deep understanding of the ways in which everyone who is connected to the Internet is impacted by mass surveillance. We have found that a wide range of audiences - from lawyers who are a part of the NY County Lawyers Association (NYCLA) Bar Association, to attorneys who serve with the Movement for Black Lives, journalists and human rights activists from around the world - are invested in developing secure communications capacities. We are excited to be moving into our second year, continuing to train professionals and organizers in secure communications.

Constitutional Communications provides training in digital security and privacy for professionals and civil society organizations. We deliver the technological knowledge required to protect data from mass surveillance and targeted cyber-attacks. We educate professionals about the legal standards necessary to uphold their clients' rights and provide the communications tools to protect those rights in practice. We challenge professionals and governments to uphold consumer rights to the higher ethical standards.

# CONSTITUTIONAL COMMUNICATIONS CORE WORK AREAS

## 1. EDUCATING ATTORNEYS ABOUT ETHICS & SECURITY

**Challenge:** Attorneys' data practices are not sufficient to ensure attorney-client privilege in the face of mass surveillance and rampant hacking. This represents a breach of legal ethics, specifically a breach of attorney-client confidentiality.

**2015 Advance:** We trained more than **one hundred fifty attorneys, legal workers and law students** to understand the implications of mass surveillance and targeted hacking and to use secure communications tools. ([See page 3 for more information.](#))

## 2. TRAINING ORGANIZERS TO SECURE THEIR ORGANIZATIONS

**Challenge:** Civil society and human rights organizers do not have the skills and understanding they need to secure their organizations and networks from hacking and mass surveillance.

**2015 Advance:** We trained **278 organizers** from **35 countries** about mass surveillance, hacking, and secure communications in the last year. ([See page 4 for details.](#))

## 3. WORKING WITH FOUNDATIONS ON SECURITY PLANNING

**Challenge:** Foundations need proper security to protect their assets and relationships

**2015 Advance:** We supported two international foundations in security planning in the last year. We conducted a **security audit** with **Bertha Foundation**, and we conducted a **staff training** with the **International Development Exchange (IDEX)** on digital security for civil society organizations.

## 4. TRAINING CIVIL SOCIETY ORGANIZATIONS & JOURNALISTS

**Challenge:** Many civil society organizations do not currently understand digital threats, and they do not have the capacity to implement secure data and communications networks.

**2015 Advance:** ConComms provided training to **news rooms and journalists from Brazil** (Brazil De Fato news magazine) and **Australia** (state broadcasting company) on digital security for journalism. We also trained the **Watershed Center** and **The Mayday Space** on organizational digital security and education for other civil society organizations.

## 5. REQUIRING PRIVATE BUSINESS ENCRYPT CONSUMER INFORMATION

**Challenge:** Private businesses do not have sufficient standards or security plans that ensure that customer information is kept secure and private.

**2015 Advance:** ConComms worked with legal advisors to the **NYC City Council** on analyzing and draft policies to require private businesses adopt digital security measures. We also worked with the staff of **Thoughtworks Software company** on a training about secure communications for digital technology developers.

## EDUCATING ATTORNEYS ABOUT ETHICS AND SECURITY

Constitutional Communications believes that, if attorneys are to uphold their ethical commitment to protecting attorney client communication in an era of mass surveillance and rampant hacking, the profession must mandate secure communications practices. This is particularly important for human rights attorneys and criminal defense attorneys who work with vulnerable populations. If attorneys do not secure their communications with their clients, opposing counsel and other powerful actors may be able to access their data. This can undermine their cases and even place clients' lives in danger. Multiple studies show that attorneys are not well informed about the impact of mass surveillance or targeted hacking on their work. Constitutional Communications took on the challenge of reversing this trend, and we have made huge strides in implementing training programs that help attorneys understand the implications of mass surveillance and hacking on their work and introducing attorneys to the secure communications tools they need to protect their clients data. We have focused on developing "Continuing Legal Education" (CLE) courses and training for law school legal clinics on secure communications.



- We worked with the **Center For Constitutional Rights (CCR)** to conduct training on **mass surveillance, security, ethics, and attorney client privilege** for nearly twenty attorneys.
- We also worked with the **Ella Baker Student lawyer program at CCR** to conduct training for two dozen law students on **mass surveillance, security and attorney client privilege**.
- We worked with the **Bertha Institute at CCR and the City University of New York's Community Legal Resource Network** to run an accredited **Continuing Legal Education(CLE) "Cybersecurity and Ethics" course** for more than a dozen lawyers on the threats poised by hacking and mass surveillance and the need for security.
- We also worked with the **CUNY Law Clinical Program** to conduct training on **hacking, mass surveillance and legal ethics** for more than fifty students from three legal clinics.
- We worked with **the New York County Lawyers Association (NYCLA)** to conduct a training entitled **"What is Encryption"** for more than a dozen attorney members.
- In the fall we again worked with **NYCLA** to conduct a formal accredited **CLE course** entitled **"Ethics and Technology: What Every Attorney Needs to Know"** for more than fifty Attorneys at the NYCLA Bar headquarters. (Watch the "Ethics and Tech" part of this program in the resources section of our website: [www.constitutionalcommunications.org/resources](http://www.constitutionalcommunications.org/resources).)

**We trained more than 150 attorneys, legal workers and law students in the last year.**

# TRAINING ORGANIZERS & THEIR ORGANIZATIONS

Civil society organizations are in dire need of more secure approaches to communications and data retention. A recent long-term study of ten global civil society organizations found nearly 3,000 different malicious digital attacks, one of which completely compromised a well-known global non-profit organization. In the United States, community organizations, and the foundations that support them, have found themselves victims of hacking attacks after challenging corporations, while organizers from the Movement for Black Lives have experienced intensive government surveillance. If organizations do not develop trust-worthy digital systems and effective security protocols, they will have a hard time mobilizing supporters or maintaining successful campaigns.

Recognizing these challenges, Constitutional Communications decide to leverage the expertise that we developed in our work to train attorneys in secure communications in order to help civil society organizations in the United States and around the world develop secure communications practices. This area of our work grew rapidly, and there were a number of exciting projects that we worked on in 2015.

We ran several courses on surveillance, digital security and secure communications at the Escola Nacional Florestan Fernandes (ENFF) near Sao Paulo Brazil. The ENFF has provided education for civil society movements around Latin America for the last decade, and they ran



# TO PROTECT THEMSELVES FROM MASS SURVEILLANCE

their first courses in the English language in early 2015, which reached civil society leaders from Africa, Asia, the Middle East, North America, Europe and the Caribbean. We attended this first course, and provided an intensive six-part training series on digital security and secure communications for 72 leaders from 13 countries. Constitutional Communications was invited back again in late 2015, to train another 65 civil society leaders from 14 countries during the second English language course. We also ran a training series in Spanish for 50 civil society leaders from the ENFF's Latin American Theory course, reaching people from 8 countries, as well as orienting the coordinators of the ENFF itself to state of the art secure communications practices.

Constitutional Communications also provided training to civil society organizations in the United States. Together with CryptoHarlem, Access Now, The ACLU, Calyx, and the Freedom of the Press Foundation, we were invited to run trainings on digital security at the Law for Black Lives Conference. More than fifty Black Lives Matter Attorneys and leaders participated in our two days of trainings and digital security clinics, learning about hacking, mass surveillance, digital security, legal ethics and ensuring attorney-client privilege.

**"Speaking as an organizer with undocumented communities, who are at high risk of mass surveillance from multiple governments, having access to training about how to secure our communications is not only empowering, it is critical for our ability to connect with our members without putting their futures at risk."**

Natalia Aristizabal,  
Make the Road New York  
& United We Dream

## WE TRAINED 278 CIVIL SOCIETY LEADERS FROM 35 COUNTRIES IN 2015

Argentina  
Australia  
Bangladesh  
Brazil  
Canada  
Chile  
Colombia  
Ecuador  
El Salvador  
Egypt  
Greece  
Guatemala  
Haiti  
Honduras  
India  
Mauritius  
Mexico  
Morocco  
Mozambique  
Palestine  
Paraguay  
Peru  
Puerto Rico  
South Africa  
Sri Lanka  
Sweden  
Taiwan  
Tanzania  
Thailand  
Trinidad & Tobago  
Turkey  
United States  
Uruguay  
Zambia  
Zimbabwe

# WHO IS CONSTITUTIONAL COMMUNICATIONS?

We are an organization of attorneys, technologists, entrepreneurs, consumers and clients, who fight for human and privacy rights and professional ethics in the information age. We are tired of professionals and government ignoring the security and privacy of our information. We take action to encrypt our data and push governments and professionals to use open source encryption for all communication.

## **Jonathan Stribling-Uss, Director**

Jonathan Stribling-Uss, Esq is the Director of Constitutional Communications. He graduated from CUNY School of Law and recently served on the National Lawyers Guild Executive Committee. Prior to law school, Jonathan spent a decade as a community organizer working on international issues of peace and security and a range of domestic issues including immigration, education reform and environmental protection. His work was recently featured in *New York* magazine and *Brazil de Fato* news magazine.

## **Constitutional Communications Advisory Board**

\* Organizations listed for identification purposes only

McNair Scott  
Leap Encryption Access Project

Brian Dominick  
Technology Consultant

Purvi Shah, Esq  
Bertha Institute at CCR

**We would like to recognize the Bertha Foundation, whose support and partnership facilitated much of our work in 2015.**

**We would also like to recognize The Watershed Center for our fiscal sponsorship and thank them for their continued support and engagement.**

## **CONSTITUTIONAL COMMUNICATIONS**

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