Preface

The Constitution Project is a national watchdog group that advances bipartisan, consensus-based solutions to some of most difficult constitutional challenges of our time. For more than 15 years, we have developed a reputation for bringing together independent groups of policy experts and legal practitioners from across the political and ideological spectrums to issue reports and recommendations that safeguard our nation’s founding charter.

The Constitution Project’s blue-ribbon Task Force on Detainee Treatment follows this successful model. It is made up of former high-ranking officials with distinguished careers in the judiciary, Congress, the diplomatic service, law enforcement, the military, and other parts of the executive branch, as well as recognized experts in law, medicine and ethics. The group includes conservatives and liberals, Republicans and Democrats. (Brief biographies of the 11 members follow.) The Task Force was charged with providing the American people with a broad understanding of what is known — and what may still be unknown — about the past and current treatment of suspected terrorists detained by the U.S. government during the Clinton, Bush and Obama administrations.

This report is the product of more than two years of research, analysis and deliberation by the Task Force members and staff. It is based on a thorough examination of available public records and interviews with more than 100 people, including former detainees, military and intelligence officers, interrogators and policymakers. We believe it is the most comprehensive record of detainee treatment across multiple administrations and multiple geographic theatres — Iraq, Afghanistan, Guantánamo and the so-called “black sites” — yet published.

The Constitution Project is enormously grateful to the members of the Task Force for their diligence and dedication in completing this report. They all contributed their remarkable expertise, and staked their considerable personal and professional reputations, to produce this document. The American public owes them a debt of gratitude.

The Constitution Project also thanks the Task Force staff, which assembled, organized and analyzed the material you hold in your hands. Acting under the extremely capable leadership of its executive director, Neil A. Lewis, the Task Force staff consisted of: Kent A. Eiler, counsel; Jacob A. Gillig, administrator; Katherine Hawkins, investigator; and Alka Pradhan, counsel. The staff, and the report, benefited immensely from the assistance of: Adam Clymer, senior consultant; Nino Guruli, senior researcher; and research consultants David O’Brien and Rita Siemion. Annie Brinkmann, Jessica Kamish, Kathleen Liu, Brieann Peterson, Evan
St. John and Michael Wu all served as interns. At various times in the process of developing the report, Charles Martel served as staff director; Aram Roston as senior investigator; and Chrystie Swiney as counsel.

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Karol A. Keane, of Keane Design and Communications, did the design and layout for the book, Randy P. Auerbach provided line-editing and indexing, and Kreative Keystrokes developed the accompanying website, all to exacting standards under incredibly tight deadlines. TCP’s communications coordinator, Hannah White, directed their efforts.

Finally, The Constitution Project gratefully acknowledges all the organizations, interviewees and individuals, too numerous to name, who shared their experience, insights and frustrations – both formally and informally, on-the-record and off – with Task Force members and staff. Without their contributions, this report would not have been possible.

The accompanying website, www.detaineetaskforce.org, provides electronic versions of this report and additional supporting information.

The Task Force makes a number of specific findings and recommendations. Some seem like common sense; others will undoubtedly generate controversy. Some can be implemented by executive action alone; others will require legislation. Regardless, we urge policymakers to give this report and these recommendations their full and immediate consideration.

Virginia E. Sloan
President, The Constitution Project
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