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# THE CONSTITUTION PROJECT



*Safeguarding Liberty, Justice & the Rule of Law*

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## Statement of Members of The Constitution Project Task Force on Detainee Treatment

### Regarding the Release of the Senate Select Intelligence Committee Report on the Interrogation and Detention of Suspected Terrorists by the CIA

WASHINGTON, D.C. -- The public release of portions of the Senate Select Committee on Intelligence report on the CIA's former detention and interrogation program is a watershed. The American public has a right to know the full truth about what was done in its name and the United States has an obligation to acknowledge its mistakes and wrongdoing. Release of the report's executive summary -- along with the CIA's response and the Committee's minority views -- is a crucial step towards ensuring that the United States never travels this path again.

The Committee's exhaustive study of millions of classified documents confirms what The Constitution Project's bipartisan, blue-ribbon Task Force on Detainee Treatment found after two years examining the public record and conducting over 100 interviews, both in the United States and abroad: the United States tortured people. Even the most acrobatic lawyering cannot escape that conclusion. And as the Committee's report describes in painful detail, torture was not limited to a few isolated instances. Our government also engaged in cruel, inhuman and degrading treatment even more frequently.

We recognize the extraordinary anxiety that enveloped the nation after September 11, and that government officials were doing what they believed was necessary to prevent another attack. But under the Convention Against Torture, to which the United States is a party, the prohibition on torture is absolute. Indeed, no crisis justifies violating our laws, morals, and values. Some lines must never be crossed.

By engaging in torture and abuse the U.S. damaged its reputation at home and abroad and broke

the trust of important allies. Worse yet, these actions put our own armed forces personnel, intelligence professionals, diplomats and other Americans who might one day fall into hostile hands at heightened risk of being subjected to the same brutal practices.

We hope that the release of portions of the Committee's report is a sign of additional transparency to come-in particular, a declassified version of the full report should follow soon. What we know now demands immediate action. It is a collective responsibility to ensure that the United States never again sanctions torture under any justification.

We set out a number of [recommendations](#) for reform in our Task Force on Detainee Treatment Report. Two should take immediate priority:

First, Congress should tighten our laws against torture and cruel, inhuman and degrading treatment. This means closing loopholes that some creative lawyers exploited to excuse inexcusable decisions by our country's leaders, and legislating important protections against torture - including a uniform standard for interrogations across all agencies - that our government currently observes as a matter of policy, but not law. Senator John McCain began this important work years ago. President Obama furthered it immediately upon taking office. Now is the time to finish it. We stand ready to support efforts toward that end.

Second, our government should work towards further reducing secrecy around post-September 11 abuses. The President should lead by declassifying the detention and interrogation program itself. We are confident that the more the public knows, the less likely it will be to tolerate anything less than policies and practice that absolutely prohibit torture and cruel, inhuman and degrading treatment.

Signed:

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The Hon. William S. Sessions

*Signatories' biographies are available [here](#).*

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### [About The Constitution Project Task Force on Detainee Treatment](#)

*The Constitution Project Task Force on Detainee Treatment, an [11-member bipartisan blue-ribbon panel](#), spent two years examining the treatment of suspected terrorists under the Clinton, Bush and Obama administrations. The Task Force analysis was based on a thorough examination of available public records and interviews with more than one hundred people, including former detainees, military and intelligence officers, interrogators and policymakers. In addition, Task Force staff and members conducted on-the-ground fact-finding in Afghanistan, Iraq, Libya, Lithuania, Poland and the United Kingdom, and also at Guantanamo Bay. In April 2013, the Task Force released a 600-page report that included a series of [unanimous conclusions](#) and recommendations for reform.*

*Created out of the belief that we must cast aside the labels that divide us in order to keep our democracy strong, The Constitution Project brings together policy experts and legal practitioners from across the political spectrum to foster consensus-based solutions to the most difficult constitutional challenges of our time through scholarship, advocacy, policy reform and public education initiatives. Established in 1997, TCP is based in Washington, D.C.*

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