



June 26, 2010

Dear Attorney General Holder:

We are deeply concerned about grave abuses of the rule of law, as well as the Justice Department's continuing abdication of our nation's commitments under international law to investigate crimes against humanity and bring the perpetrators to justice.

Since the dawn of medical practice, no maxim has attained greater consensus than the commitment to "do no harm." Physicians for Human Rights recently revealed the participation of medical professionals in not only designing torture programs "[administered with meticulous cruelty](#),"<sup>1</sup> but also outright [human experimentation](#).<sup>2</sup> Both have long been repudiated across the medical profession, as well as by religious leaders from every faith, and our nation has gone so far as to wage a World War in part to stop them.

Describing the involvement of medical professionals as "revolting and...deeply disturbing," Dr. Scott Allen of Brown University said, "This fine-tuning of torture is unethical, incompetent, and a disgrace to medicine."<sup>3</sup> Using "detainees subjected to waterboarding...[as] guinea pigs" is an even worse offense, recalling the Third Reich's abuses of human rights.<sup>4</sup>

Human experimentation by US officials mocks our nation's veterans from World War II, who fought—and died—in part to establish the international prohibition of torture. For our nation to concede the principle of strict liability for torture and other human rights violations now, 60 years after their world-historic victory, would be a travesty of historic proportions.

The Justice Department (DOJ) has already chosen to disregard its duties under the [International Convention Against Torture](#) (CAT) whose mandate to investigate all allegations of torture is obligatory, and permits no exception. In contrast to looking "forward rather than backward," the CAT clearly states:

No exceptional circumstances whatsoever, whether a state of war or a threat or war, internal political instability or any other public emergency, may be invoked as a justification of torture.  
Article 2, Section 2.

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<sup>1</sup> Mark Benjamin, *Waterboarding for Dummies*, Salon (Mar 9, 2010) ("[D]etainees subjected to waterboarding were also guinea pigs.").

<sup>2</sup> Physicians for Human Rights, *Experiments in Torture* (June 2010).

<sup>3</sup> *Supra* note 1 [Benjamin].

<sup>4</sup> *Supra* note 1 [Benjamin].

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An order from a superior officer or a public authority may not be invoked as a justification of torture. Art 2., Sec 3.

Each State Party shall ensure that all acts of torture are offences under its criminal law. The same shall apply to an attempt to commit torture and to an act by any person which constitutes complicity or participation in torture. Art 4, Section 1.

Each State Party shall make these offences punishable by appropriate penalties which take into account their grave nature. Art 4, Section 2.

Each State Party shall ensure that its competent authorities proceed to a prompt and impartial investigation, wherever there is reasonable ground to believe that an act of torture has been committed in any territory under its jurisdiction. Art. 12.<sup>5</sup>

In spite of the requirement to investigate all credible allegations up the chain of command, DOJ has limited the scope of its criminal inquiry. Only junior level agents who violated torture techniques approved by senior government officials face investigation, while the senior officials responsible for the policies (many of whom continue to draw government paychecks) have enjoyed a free pass. Indeed, “the [government doctors and psychologists who participated in and authorized the torture](#) of detainees have escaped discipline, accountability, or even internal investigation.”<sup>6</sup> DOJ has fallen short of even admitting ethical violations, finding that potential violations of international law by department lawyers reflected only “[poor judgment.](#)”<sup>7</sup>

In a nation that imprisons 25 percent of the *world's* prisoners, categorical immunity for senior officials accused of international crimes is conspicuous and offensive to the millions of less politically connected Americans who remain subject to the law, and undermines the legitimacy of our criminal justice system. In addition, looking “forward rather than backward,” runs the predictable risks of eroding laws prohibiting torture and inviting more of it—around the world—in the future.

Given new evidence of human experimentation, we implore you to comply with our nation’s binding treaty commitments by investigating all decision-makers responsible for Bush-era torture policies. Please help restore the rule of law by ensuring its equal application to all.

Respectfully submitted,

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<sup>5</sup> Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Art. II (ratified by US Senate in 1994).

<sup>6</sup> Leneord S. Rubenstein & Stephen N. Xenakis, *Doctors Without Morals*, N.Y. Times (Feb 28, 2010).

<sup>7</sup> Department of Justice, “Office of Professional Responsibility Report: Investigation into the Office of Legal Counsel’s Memoranda Concerning Issues Relating to the Central Intelligence Agency’s Use of ‘Enhanced Interrogation Techniques’ on Suspected Terrorists” (Jul 29, 2009).

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Bruce Stotts, Fort Collins, CO  
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MI Johnston, New Fairfield, CT  
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Susan Kulis, Hamen, CT  
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Harold Meyer Jr., Washington Depot, CT  
Alison Moski, East Haven, CT  
Doris Munger, New Canaan, CT  
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Michael Gibson, Washington, DC  
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Felix Cruz, San Antonio, TX  
Gary Culpepper, Austin, TX  
Pat Davis, Richardson, TX  
Patrick de la Garza Und Senkel,  
Duncanville, TX  
Derrick Dixon, Beaumont, TX  
Frank Dorian, Georgetown, TX  
Tim Duda, San Antonio, TX  
Kathy Duke, Austin, TX  
Phil Eagleton, Austin, TX  
Martha Eberle, Dripping Springs, TX  
Jim Ellis, Killeen, TX  
Stephanie Ellison, Houston, TX  
Carol Fox, Taylor, TX  
Gloria Gannaway, Austin, TX  
Dona General, Corpus Christi, TX  
Sharon Gillespie, Austin, TX  
David Grant, San Antonio, TX  
Kathleen Gresham, Houston, TX  
Jerry R. R. Gutshall, Weslaco, TX  
James Hadden, Austin, TX  
Jenny Haines, Wylie, TX  
Bob Hall, Austin, TX  
Resa Harrison, Aubrey, TX  
Christopher Hathaway, Katy, TX  
Erin Howell, Lewisville, TX  
Ernest Jones, Dallas, TX  
Michael Kavanaugh, Conroe, TX  
Lauren Kirschner, Richardson, TX  
James Klein, Corpus Christi, TX  
Juli Kring, Houston, TX

Russell La Claire, Georgetown, TX  
David Lawhon, Dallas, TX  
Thomas Manauh, Dallas, TX  
Marilyn Mathis, Dallas, TX  
Kathryn Melton, Deer Park, TX  
Anita Mills, Dallas, TX  
Kelly Moore, Garland, TX  
Robert Moore, Baytown, TX  
Gloria Morrison, Pecos, TX  
Kathleen Osman, Houston, TX  
Delfina Pei, Houston, TX  
Cheryl Pena, San Antonio, TX  
Julia Penn, Austin, TX  
Chip W. Pitts, Coppell, TX  
Gail J. Reams, Austin, TX  
Walter Reece, Wimberley, TX  
Corinne Sabo, San Antonio, TX  
Jana Simons, Lancaster, TX  
Cecil Small, Austin, TX  
Larry Smith, Round Rock, TX  
Sonya Smith, Arlington, TX  
Emma Squires, Irving, TX  
Joel Steed, Houston, TX  
Carol Stromatt, The Woodlands, TX  
William Swanback, Austin, TX  
Candace Talmadge, Lancaster, TX  
Alexandra Torres, Dallas, TX  
Jerel Twiford, Little Elm, TX  
Carlos Vázquez, Austin, TX  
Michael Wasson, Cibolo, TX  
Dave Waugh, San Marcos, TX  
Stanley Webb, Austin, TX  
Terrie C. Williams, Vidor, TX  
Vanessa Williams, San Antonio, TX  
Thomas Windberg, Spicewood, TX  
Barry Zavah, Alpine, TX

#### **Utah**

Benjamin Bawden, Kearns, UT  
Carey Belcher, Kanab, UT  
Christie Childs, Salt Lake City, UT  
Charlys Huerta, Clearfield, UT  
Nathan Lofgren, Salt Lake City, UT  
Ann McMullen, Sandy, UT  
Greg Moser, Orem, UT  
Claudette Rush, Lehi, UT  
Phyllis Safman, Salt Lake City, UT  
Lionel Trepanier, Salt Lake City, UT  
Richard Waldo, Riverdale, UT  
Walter Washco, Moab, UT  
L. Zeveloff, Ogden, UT

#### **Vermont**

Meredith Anderson, Orwell, VT  
Theodore Blodgett, East Randolph, VT  
Debra L. Diegoli, Springfield, VT  
Thomas Finnell, Brattleboro, VT

Jessica Hardy, Burlington, VT  
Freddie Hart, Brattleboro, VT  
John Lamperti, Hanover, VT  
Edward Lemon, Brattleboro, VT  
Joan Stander, Montpelier, VT  
Vivian Valtri Burgess, Granville, VT  
Walter Zeichner, Northfield, VT

#### **Virginia**

Anonymous, Eggleston, VA  
Helen Arnold, Colonial Heights, VA  
Frances Barber, Bland, VA  
Andy Barton, Richmond, VA  
James Bowling, Martinsville, VA  
Mary Cadette, Springfield, VA  
Bethany Cardone, Alexandria, VA  
Della Cleve, Richmond, VA  
Carol Cox, Fredericksburg, VA  
Becky Daiss, Arlington, VA  
Dan Deans, Ashburn, VA  
Norma Dosky, Reston, VA  
Seventeen Dowdell, Portsmouth, VA  
John Downing, Richmond, VA  
Charles Ewell, Harrisonburg, VA  
Karen Feit, Annandale, VA  
Richard W. Firth, Mechanicsville, VA  
Ronald Ford, Midlothian, VA  
Flora Goldman, Norfolk, VA  
Martha Hansen, Woodbridge, VA  
Xyra Harper-Cann, Arlington, VA  
Brent Hepner, Norfolk, VA  
Bernie Hyde Jr., Arlington, VA  
Michael Johnson, Ruther Glen, VA  
Sharon Keys, Alexandria, VA  
William D. Kirby, Fairfax, VA  
Nickolaus Leggett, Reston, VA  
Barry Lerner, Arlington, VA  
Ashby McNeil, Richmond, VA  
John McPeek, Fairfax, VA  
Charity Moschopoulos, Annandale, VA  
Edward Mulligan, Springfield, VA  
Christopher Nettles, Arlington, VA  
Valerie Nixon, Richmond, VA  
Teresa Renberg, Mechanicsville, VA  
Rosemarie Sawdon, Blacksburg, VA  
Eric Schwing, Richmond, VA  
Meredith Smith, Norfolk, VA  
Kimberly Stevens, Chesapeake, VA  
Meredith Tupper, Springfield, VA  
James Wilcox, Falls Church, VA

#### **Washington**

Anonymous, Clarkston, WA  
Anonymous, Seattle, WA  
Anonymous, Seattle, WA  
Anonymous, Addy, WA  
Glen Anderson, Lacey, WA

Judy Anderson, Portland, WA  
Kree Arvantias, Seattle, WA  
Karen Hedwig Backman, Federal Way, WA  
Doug Balcom, Seattle, WA  
Eldon Ball, Seattle, WA  
Rod Barbee, Port Ludlow, WA  
Robby Barnes, Seattle, WA  
Sumit Basu, Seattle, WA  
Brian Benson, Seattle, WA  
Patricia Berczki, Vancouver, WA  
Robert Blumenthal, Seattle, WA  
Zenda Boss-Hall, Clyde Hill, WA  
Karen Boyette, Seattle, WA  
Marc Brenman, Olympia, WA  
Nancy Carlile, Renton, WA  
Nicholas Carr, University Place, WA  
Norm Conrad, Seattle, WA  
Christy Cornelsen, Cheney, WA  
Kristina Cox, Olympia, WA  
Michael Dague, Spokane, WA  
Anita Das, Seattle, WA  
Mercedita del Valle, Pt. Townsend, WA  
Barbara Delgiudice, Burien, WA  
Paul Didzerekis, Richland, WA  
Davina Duerr, Bothell, WA  
Larry Ebersole, Seattle, WA  
Linda Everist, Mossyrock, WA  
John Fix, Quincy, WA  
Marge Forest, Everson, WA  
Angel Fraley, Seattle, WA  
Bill Freshour, Elma, WA  
Yury Gagarin, Vancouver, WA  
Rhett Gambol, Seattle, WA  
Roland Haertl, Camas, WA  
Thomas Hall, Bellingham, WA  
Christine Hansen, Olympia, WA  
Elizabeth Hansen, Lake Forest Pk., WA  
Todd Hauser, Ocean Park, WA  
Jamie Holder, Newman Lake, WA  
Meladie Holder, Newman Lake, WA  
Katherine Holland, Spokane, WA  
Merle Hooley, Bellevue, WA  
William Howald, Marysville, WA  
Lura Irish, Lakebay, WA  
Sylvie Kashdan, Seattle, WA  
Joann Keenan, Seattle, WA  
Hilary Klein, Bainbridge Island, WA  
Suzy Knutson, Seattle, WA  
Kerry Kovarik, Seattle, WA  
Rolland Lee, La Conner, WA  
John Lischalk, Port Ludlow, WA  
Todd Lockwood, Bonney Lake, WA  
Kerry Logan, Wenatchee, WA  
O'Neill Louchard, Port Townsend, WA  
Steve Lovelace, Wilkeson, WA

Thom Lufkin, Olympia, WA  
Susan Marett, Port Townsend, WA  
Cherrie McLean, Auburn, WA  
Ronnie Mitchell, Bellingham, WA  
Susan Moorehead, Gig Harbor, WA  
Robert Mueller, Kenmore, WA  
Ellen Murphy, Bellingham, WA  
Vanessa Nixon Klein, Mossyrock, WA  
Sharon Parshall, Fall City, WA  
Rachel/Rae Pearson, Seattle, WA  
Bill Quinn, Tacoma, WA  
David Reading, Mount Vernon, WA  
James Roberts, Palouse, WA  
Nataly Roberts, Seattle, WA  
William Rogers, RN (Ret.), Selah, WA  
Carol Rolf, Colville, WA  
Mari Vi Salinas, Kent, WA  
Steve Schennum, Spokane, WA  
Frank Schmeisser, Deming, WA  
John Scholten, Edmonds, WA  
Patricia Scott, Shelton, WA  
Spencer Selander, Castle Rock, WA  
Gregory Severson, Lynnwood, WA  
Diane Shaughnessy, Auburn, WA  
Carolyn Shlafer, Edmonds, WA  
Gloria Skouge, Shoreline, WA  
Baker Smith, Seattle, WA  
Lori Stefano, Yelm, WA  
Claude Strebe, Indianola, WA  
Yvonne Sulzman, Othello, WA  
Bret Victor, Seattle, WA  
Robert Von Tobel, Bellevue, WA  
Mare Wahosi, Bremerton, WA  
Dana Walker, Olympia, WA  
Cris Walla, Ridgefield, WA  
Dixie Walter, Eatonville, WA  
Kay Warren, Centralia, WA  
Ardeth L. Weed, Edmonds, WA  
Mary S. Whitmore, Woodinville, WA  
Monica Wilson, Seattle, WA  
Marguerite Winkel, Spokane, WA  
Maciej Wojtulewicz, Issaquah, WA  
Esther B. Wolf, Seattle, WA  
Kathleen Wolfe, Des Moines, WA  
Ken Wright, Spokane, WA  
Scott Yoos, Olympia, WA

#### **West Virginia**

Anonymous, Charleston, WV  
Anonymous, Morgantown, WV  
Valerie Clay, Wellsburg, WV  
John Doyle, Charleston, WV

#### **Wisconsin**

Anonymous, Mineral Point, WI  
Anonymous, Verona, WI  
Katherine Berkvam, Beaver Dam, WI

Kent Bryngelson, Niagara, WI  
Maureen Burley, Hager City, WI  
Chris Casper, Madison, WI  
Dawn Christensen, Brandon, WI  
Jennifer Clayton, Mineral Point, WI  
Laura Dulski, Belleville, WI  
Michael Filipiak, Milwaukee, WI  
Joyce Frohn, Oshkosh, WI  
Jay Gold, Madison, WI  
Shirley Haidinger, Madison, WI  
Ray James, Madison, WI  
Bev Johansen, Platteville, WI  
Odin Johnson, Eau Claire, WI  
Joseph Koeller, Madison, WI  
Dan Murray, Eau Claire, WI  
Ahren Niedfeldt, La Crosse, WI  
Annette R. Nolan, Waupaca, WI  
Corey E. Olsen, Delafield, WI  
Susan Peterson, Ridgeway, WI  
Thomas Porten, Horicon, WI  
Sister Letitia Prentice, Mukwonago, WI  
Margaret Aisha Robertson, Madison, WI  
Andrew Rogahn, Milwaukee, WI  
Sue Rogan, Middleton, WI  
Joseph Rogozinski, Oxford, WI  
John Rybaski, Reedsburg, WI  
Carrie Santulli Schudda, Oregon, WI  
Randolph Schoedler, Milwaukee, WI  
Michael Schulfer, Milwaukee, WI  
David Sorkin, Madison, WI  
Ann Stevning-Roe, Marshfield, WI  
Dr. John M. Stewart, Washburn, WI  
John Stoltenberg, Elkhart Lake, WI  
Martha Stoltenberg, Elkhart Lake, WI  
Theodore Voth III, Madison, WI  
Ted Voth Jr., Madison, WI  
Kristen Zehner, Marshall, WI

#### **Wyoming**

Kyle Kulseth, Sheridan, WY  
Martin McManus, Story, WY

#### **Armed Forces**

Randal Hicks, APO, AE  
Thomas F. Scaletta Jr., APO, AA