



NEW YORK STATE SENATOR THOMAS K. DUANE

NOTICE OF PUBLIC FORUM

MEDICAL PROFESSIONALS, TORTURE, AND THE LAW

Subject: Addressing the controversy surrounding accusations of Medical professionals' participation in torture or "enhanced interrogation" and other law enforcement interrogation techniques. What is the State of New York's role in the regulation of such practices?

November 15, 11:00 AM
Senate Hearing Room, 19th Floor
250 Broadway
New York, NY

Since the revelation of controversial interrogation methods authorized by the Bush Administration, which involved participation by licensed medical professionals, Americans have participated in a national discussion about the definition and practice of torture. Human rights advocates argue that certain interrogation tactics used by the United States military and intelligence services meet U.S. and international definitions of "torture," while defenders of these practices argue for the legality and necessity of "enhanced interrogation" methods for purposes of national security.

Medical professionals play a crucial role in this debate. Doctors, psychologists, and other State-licensed professionals have helped design and supervise interrogation programs. Those involved in these methods claim that medical professionals are able to draw lines between acceptable and unacceptable health risks and that their presence protects the well-being of detainees. However, anti-torture advocates and many medical professional societies strongly believe that designing and participating in such interrogations constitutes a severe violation of a licensed medical professional's legal, ethical and moral commitments to do no harm.

A number of court cases and petitions to state disciplinary boards have included evidence that state licensed medical professionals abdicated their professional responsibility by taking part in torture. Since these professionals are licensed at the state level, it is within the states' jurisdiction to determine whether violations have occurred as well as the appropriate sanctions.

In response to these cases, Senator Thomas K. Duane, Ranking Member of the Senate Committee on Health and Richard N. Gottfried, Chair of the Assembly Committee on Health, introduced legislation that would explicitly prohibit participation in torture by New York State licensed medical professionals.

The purpose of this forum is to explore the legal, regulatory and ethical obligations of medical professionals relating to torture and other enhanced interrogation techniques, as well as to analyze the potential impacts and implementation of proposed legislative responses.

Anyone wishing to testify at the forum must complete the reply form below and return it as indicated no later than October 21. ***Testimony is by invitation only.*** It is important that the form be fully completed and returned so that persons may be notified in the event of emergency postponement or cancellation.

It is the goal to accommodate as many witnesses as possible. It is ***strongly encouraged to submit written testimony.*** Any written testimony submitted will be considered and will be made part of its record. Written testimony, whether presented in person at the forum or not, must be e-mailed as a Word document five business days before the event to Senator Duane's Legislative aide, Mischa Sogut at Sogut@nysenate.gov

Witnesses are asked to keep oral testimony to no more than ten minutes in length. In preparing the order of witnesses, attempts will be made to accommodate individual requests to speak at particular times in view of special circumstances. However, this cannot be guaranteed. This request should be communicated to Senator Duane's office as soon as possible. If you are testifying, please submit one electronic copy of any written statement five business days prior to the event and ***ten*** hard copies at the registration table.

In accordance with State and Federal law, the Senate seeks to make its facilities and services available to all individuals with disabilities. Reasonable accommodations will be provided for individuals with disabilities, upon request, to afford such individuals access and admission to Senate facilities and activities.

Questions about this event may be directed to Senator Duane's Legislative Aide, Mischa Sogut, at 518-455-2433 or Sogut@nysenate.gov

Senator Thomas K. Duane