

# THE CONSTITUTION PROJECT



*Safeguarding Liberty, Justice & the Rule of Law*

## **The Constitution Project's Task Force on Detainee Treatment**

The Constitution Project's independent, bipartisan, blue-ribbon Task Force is examining the federal government's policies and actions related to the capture, detention and prosecution of suspected terrorists in U.S. custody during the Clinton, Bush and Obama administrations. Created late in 2010, the goal of the Task Force is to provide 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. The Task Force seeks to identify and promote detention policies and practices that comply with the nation's legal obligations, foreign policy objectives and values.

The Task Force expects its work will include: a thorough review of the laws that govern detainee treatment; a comprehensive description of the details regarding U.S. treatment of detainees at multiple facilities over the last twenty years; identification of critical issues for which information has not yet been made available; an assessment and discussion of the underlying policy decisions that may have resulted in any mistreatment of detainees, and an analysis of the consequences of those policies; and, any findings and recommendations.

As Asa Hutchinson, a Task Force Co-Chair, former Congressman (R-AR) and an Undersecretary of the Department of Homeland Security during the George W. Bush administration, remarked when the Task Force was created: "This is a national security issue. We are still facing a real threat from terrorists and others who don't trust or like us. It is in all of our interests to discover the truth, so that we can deal with the accusations, make whatever reforms may be needed, and strengthen America's credibility on the world stage."

The Task Force includes:

- [Asa Hutchinson](#) - Task Force Co-Chair; Senior Partner, Asa Hutchinson Law Group; Undersecretary, Department of Homeland Security during the George W. Bush administration, 2003-2005; Administrator, Drug Enforcement Administration, 2001-2003; Member of Congress, (R-AR), 1997-2001; U.S. Attorney, Western District of Arkansas, 1982-1985
- [Ambassador James R. Jones](#) - Task Force Co-Chair; Partner, Manatt, Phelps & Phillips, LLP; Member of Congress (D-OK), 1973-1987; Ambassador to Mexico, 1993-1997
- [Talbot "Sandy" D'Alemberte](#) - Past President of the American Bar Association and Co-Founder of the ABA's Central European and Eurasian Law Institute; President Emeritus of The Florida State University
- [Richard A. Epstein](#) - Laurence A. Tisch Professor of Law, New York University Law School; Peter and Kristen Bedford Senior Fellow, The Hoover Institution; Senior Lecturer, University of Chicago Law School
- [David P. Gushee](#) - University Professor of Christian Ethics and Director, Center for Theology and Public Life, Mercer University

- Azizah al-Hibri – Professor Emerita, The T.C. Williams School of Law, University of Richmond; Chair, KARAMAH: Muslim Women Lawyers for Human Rights
- Brigadier General David Irvine, USA (Ret.) - In the private practice of law in Salt Lake City, Utah; Retired Army Reserve strategic intelligence officer; taught prisoner interrogation and military law for 18 years with the Sixth Army Intelligence School; served 4 terms as a Republican legislator in the Utah House of Representatives
- Lt. General Claudia Kennedy, USA (Ret.) - First woman to achieve the rank of three star general in the U.S. Army; three decades of military service included service as Army Assistant Deputy Chief of Staff for Intelligence
- Ambassador Thomas R. Pickering - Vice Chair, Hills & Company; five-decade career as U.S. diplomat included service as Undersecretary of State for Political Affairs; served as ambassador to the United Nations, the Soviet Union, and Israel
- Judge William S. Sessions - Partner, Holland & Knight; Director of the FBI, 1987-1993; Chief Judge, 1980-1987, and Judge, 1974-1987, U.S. District Court for the Western District of Texas; U.S. Attorney, Western District of Texas, 1971-1974
- Gerald E. Thomson, MD - Lambert and Sonneborn Professor of Medicine Emeritus at Columbia University; Chair, Board of the Institute on Medicine as a Profession; Board Member, Physicians for Human Rights, 2005-10; President, American College of Physicians, 1995-96
- Judge Patricia M. Wald - Member, President's Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction, 2004-2005; Judge, 1979-1999, and Chief Judge, 1986-1991, U.S. Court of Appeals for D.C. Circuit; Judge, International Criminal Tribunal for the Former Yugoslavia, 1999-2001

The following endorsers have also agreed to lend support to the TF members, staff, and the project:

- Wayne Budd - Senior Counsel at Goodwin Procter LLP; Associate Attorney General of the United States, 1992; U. S. Attorney, District of Massachusetts, 1989-1992
- Lee H. Hamilton - Director & Founder, The Center on Congress at Indiana University; Member, Homeland Security Advisory Council; President and Director of the Woodrow Wilson International Center for Scholars, 1999-2010; Vice-Chair, 9/11 Commission, 2002-2004; Member of Congress, (D-IN), 1965-1999
- Alberto Mora - General Counsel of the Navy, 2001-2006
- William H. Taft IV - Legal Adviser to the U.S. Department of State, 2001-2005
- Brigadier General Stephen Xenakis, USA (Ret.) - 28 years in the United States Army as a medical corps officer

The Task Force plans to release its report in early 2013.

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*Created out the belief that we must cast aside the labels that divide us in order to keep our democracy strong, The Constitution Project (TCP) 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. TCP seeks to reform the nation's broken criminal justice system and to strengthen the rule of law through scholarship, advocacy, policy reform and public education initiatives. Established in 1997, TCP is based in Washington, D.C.*