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Safeguarding Liberty, Justice & the Rule of Law

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Americans Call Torture 'Immoral,' Want Congress to Tighten Laws Against It

WASHINGTON, D.C. -- An overwhelming bipartisan majority of Americans thinks that torturing people is immoral and should not be done if the government might have other ways to obtain information about terrorists. More than two-thirds of them want Congress to strengthen laws prohibiting torture to make it clearer to the CIA and the military what behavior is legal and what is not when interrogating people who may have information about terrorists, with support for tightening the law cutting across party lines.

Those are among the findings of a new poll released today by The Constitution Project, a bipartisan legal watchdog group based in Washington, D.C.

"When responding to facts -- not hypotheticals, euphemisms or partisan propaganda -- Americans of all stripes reject torture and want Congress to make certain it never happens again," said Virginia Sloan, president of The Constitution Project.

Last December, the Senate Select Committee on Intelligence released a declassified version of the executive summary of its 6,700 page report on the CIA's detention and interrogation program after 9/11. The summary described deplorable conditions of confinement and detailed the use of brutal interrogation techniques that most consider torture, such as waterboarding, sleep deprivation and confinement in a box the size of a small dog crate, among other abuses. The summary also presented evidence that the CIA intentionally misled the White House, the Department of Justice and the Congress about the safety, necessity and efficacy of so-called "enhanced interrogation".

The poll found strong bipartisan agreement that torture is immoral, with 78% of Democrats, 72% of independents and 56% of Republicans in accord with that position.

The survey displays even stronger bipartisan consensus that torture ought not be used when other interrogation methods might work to obtain information about terrorists. More than three-quarters of the respondents (76%) said they agreed with that sentiment, including 86% of Democrats, 78% of

independents and 69% of Republicans.

Seasoned professional interrogators [have stated](#) that non-coercive methods are the only effective means of obtaining reliable information from a detainee. The Senate report makes it clear that torture was not necessary to, and did not in fact, save lives. The report shows that information the CIA claimed was elicited through "enhanced interrogation" and otherwise unavailable was obtained prior to the use of such techniques, was already available to the intelligence community through other sources, or was not related to the claimed counterterrorism success.

Although President Obama formally ended the CIA detention and interrogation program in 2009, he did so by executive order. Sen. Dianne Feinstein, D-Calif., has said she will soon introduce legislation to codify safeguards in that executive order and otherwise strengthen the ban on torture and cruel treatment to prevent a future administration from returning to those abuses.

The new poll shows that such legislation would enjoy broad support of the American people from across the political spectrum: 67% said they would approve of such a proposal, with 75% of Democrats, 69% of independents and 56% of Republicans backing the idea.

Feinstein was chair of the committee during the preparation of the report and fought to make as much of its executive summary available to the public as possible.

In April 2013, TCP's own [blue-ribbon bipartisan](#) Task Force on Detainee Treatment [found](#) that the treatment of many suspected terrorists in U.S. custody after 9/11 constituted torture, and that torture and cruel treatment were authorized at the highest levels of government. The findings of the Senate report closely parallel those contained in TCP's Task Force report.

Following release of the Senate report's executive summary, TCP Task Force members [called](#) on Congress to "legislat[e] 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." The Task Force report offers a number of [recommendations for reform](#), including a call for the release of the full Senate report, not only the executive summary, and stronger laws to prevent the recurrence of torture.

The [full survey](#) is available online. It was conducted from January 8 to 11 by ORC International, and questioned 1,023 Americans over the age of 18. It has an overall margin-of-error of +/- 3%.

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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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