

Interrogation Abuses and Those Responsible Must Be Fully Exposed

Statement of Veteran Intelligence Professionals for Sanity on Torture

April 29, 2009

Inasmuch as we have gone on record as strongly opposed to torture, both on moral and practical grounds, from the first public awareness that the Bush administration had decided to violate international and domestic law, treaty provisions, and American tradition;

As former intelligence officials we understand that unless intelligence is "actionable"- accurate, specific, and timely enough to be acted upon with some confidence-it is ineffective. Equally important, we acknowledge our responsibility to expose fallacious reasoning regarding the utility of torture in acquiring actionable intelligence. This issue comes to the fore especially in the celebrated, but specious "ticking time-bomb hypothetical"-a regular feature of Jack Bauer TV fiction.

The fact that the exploits of Jack Bauer have injected a dangerous level of fiction and fear among impressionable viewers, and have misled not only interrogators at Guantanamo but also the chair of the House Intelligence Committee, Silvestre Reyes-not to mention Supreme Court Justice Antonin Scalia-leaves no doubt that such illusionary scenarios need to be addressed by professionals with real-life experience.

Inasmuch as the recently released legal memos that comprised part of the "golden shield" constructed by Bush Administration lawyers do shed some light but also provide inadequate information on "harsh interrogation tactics," and that the memos sow confusion regarding which officials were responsible for institutionalizing those methods- not to mention whether they were actually effective, as former vice president Cheney continues to insist;

Inasmuch as it has come to light that two detainees were waterboarded at least 266 times, throwing strong doubt on various rationalizations regarding the effectiveness of waterboarding in providing timely actionable intelligence (in a "ticking time-bomb" scenario, for example);

Whereas CIA Director Leon Panetta has insisted that the "harsh interrogation tactics that some officials have declared to be torture" (the circumlocution now in vogue in the corporate media) might again be used in a future "ticking time-bomb hypothetical;"

Whereas, when the torture technique of waterboarding, a practice with antecedents in the Spanish Inquisition was applied by Japanese troops in WWII to American and British prisoners- Japanese officers were later tried and executed;

Whereas there has been no better system devised- despite some shortcomings-to ascertain the truth of potential wrongdoing than the criminal investigative and judicial adversary process, which provides the right to attorney and right to jury and is governed by judicial rules which attempt to ensure fairness;

Whereas we recognize that the criminal justice process serves the important goal of stopping and deterring criminal actions and cannot be dismissed as merely "retribution;"

Whereas 92 videotapes showing application and results of the "harsh interrogation tactics that some officials have declared to be torture" have already been destroyed, and there is understandable concern that other evidence is being destroyed as the days go by;

Whereas other civilian and military intelligence professionals have also gone on record (see Annex below) with respect to how torture tactics are not only ineffective in terms of getting reliable, actionable intelligence but have fueled recruitment by Al Qaeda and other terrorist groups to the point that, arguably, more U.S. troops have been killed by terrorists bent on revenge for torture than the 3,000 civilians killed on 9/11;

Whereas the false confessions that were elicited by the torture of Ibn al-Shaykh al-Libi, for example, were used by the president, vice president, and the secretary of state (at the U.N.) to claim that proof existed of operational ties between Saddam Hussein and al-Qaeda, and whereas such false confessions also diverted limited investigative resources to pursue bogus leads;

- We of VIPS call for a full, truthful, and public fact-finding process to begin without delay. We ask that you give careful consideration to Senator Carl Levin's suggestion that the attorney general appoint retired judges with solid reputations for integrity to begin the process. Another viable possibility would be the appointment of an independent "blue-ribbon commission," perhaps modeled on the Church Committee of the mid-Seventies, to assess any illegal or improper activities and make recommendations for reform in government operations against terrorism.
- We commend the administration for releasing the Department of Justice memos attempting to legalize torture.
- We believe the remaining relevant information must be released promptly so that the citizenry can make informed judgments about what was done in our name and, if warranted, an independent prosecutor can be appointed without unnecessary delay. We believe strongly that any judgments regarding amnesty, forgiveness, or pardon can only be made on the basis of a fully developed, public record-and not used as some sort of political bargaining chip. Finally, we firmly oppose the notion that anyone can arrogate a right to ignore the Nuremberg Tribunal's rejection of "only-following-orders" as an acceptable defense.

(Signatories are listed alphabetically with former intelligence affiliations.)

Gene Betit, US Army, DIA, Arlington, VA

Ray Close, National Clandestine Service (CIA), Princeton, NJ

Phil Giraldi, National Clandestine Service (CIA), Purcellville, VA

Larry Johnson, CIA & Department of State, Bethesda, MD

Pat Lang, US Army (Special Forces), DIA, Alexandria, VA

David MacMichael, National Intelligence Council, Linden, VA

Tom Maertens, Department of State, Mankato, MN

Ray McGovern, US Army, CIA, Arlington, VA

Sam Provance, US Army (Abu Ghraib), Greenville, SC

Coleen Rowley, FBI, Apple Valley, MN

Greg Theilmann, Department of State & Senate Intelligence Committee staff , Arlington, VA

Ann Wright, US Army, Department of State, Honolulu, HI

ANNEX

We list below additional experienced intelligence personnel and a few others, who have spoken out/written publicly about the inefficacy and counter productiveness of torture:

FBI: Ali Soufan, Dan Coleman, Jack Cloonan

CIA: John Helgerson (former Inspector General), Bob Baer, Haviland Smith, Mel Goodman

Military: Navy General Counsel Alberto J. Mora; Air Force Col Steven M. Kleinman; Rear Admiral (ret) and former Judge Advocate General for the Navy John Hutson; former Naval Intelligence officer and Assistant Secretary of Defense during the Reagan Administration Lawrence Korb; former U.S. military interrogator (pseudonym) Matthew Alexander; former military intelligence officer Malcolm Nance; and Major General Antonio Taguba (who probed Abu Ghraib and concluded that Bush officials committed war crimes:
<http://www.mcclatchydc.com/251/story/41514.html>)

Journalists: Scott Horton, Patrick Cockburn

REFERENCE LINKS

FBI

Ali Soufan: F.B.I. supervisory special agent from 1997 to 2005; op-ed contributor; My Tortured Decision; Reclaiming America's Soul-New York Times.com, Apr 23, 2009
www.nytimes.com/2009/04/23/opinion/23soufan.html

Dan Coleman; The Torture Memos Are Not Just Sick, They're Full of Lies: FBI veteran Coleman says, "I can give you two reasons why Cheney wants more torture memos."

<http://tinyurl.com/conl8v>

Jack Cloonan: How to Break a Terrorist: Foreign Policy: FPTV Cloonan is a veteran FBI interrogator who spent 25 years as an FBI special agent and interrogated members of al Qaeda <http://www.foreignpolicy.com/extras/torture>

CIA

John Helgerson: CIA official: no proof harsh techniques stopped terror attacks
The CIA inspector general (Helgerson) in 2004 found that there was no conclusive proof that waterboarding or other harsh interrogation techniques helped prevent terrorist attacks.
<http://www.mcclatchydc.com/227/story/66895.html>

Ray Close (VIPS) and Haviland Smith
Two former top CIA officials on the efficacy of torture, by Stephen Soldz
Close and Smith are former CIA Station Chiefs who served in various senior positions in the Operations Directorate (now the National Clandestine Service). Their service included assignments in Europe, the Middle East and as Chief of the Counterterrorism Staff (Smith).
<http://tinyurl.com/dfy8p9>

Melvin Goodman: CIA and the Washington Post: Joined at the Hip
The Public Record, 27 April 2009
<http://www.pubrecord.org/commentary/867-cia-and-the-washington-post-joined-at-the-hip.html>

Melvin Goodman: Obama's Search For A Moral Compass, The Public Record, April 13, 2009
http://ciponline.org/nationalsecurity/publications/Mel_oped_The_Public_RecordApr1309.htm

Military

Former Navy General Counsel Alberto J. Mora: Abu Ghraib and Guantanamo are the "first and second identifiable causes of U.S. combat deaths in Iraq." <http://tinyurl.com/5svs3d>

Air Force Col Steven Kleinman, a senior intelligence officer

Senate Testimony

<http://tinyurl.com/c5bymk>

Malcolm Nance: "Why the Bush torture architects must be prosecuted"
Nance is a former military intelligence officer, founding director of the International Counterterrorism Center for Excellence at Hudson N.Y. and author of "The Terrorist Recognition Handbook-A Practitioner's Manual for Predicting and Identifying Terrorist Activity." <http://tinyurl.com/dl8757> and <http://tinyurl.com/dx7wjx>

Former U.S. Interrogator Matthew Alexander (pseudonym), author of How to Break a Terrorist: The U.S. Interrogators Who Used Brains, Not Brutality, to Take Down the Deadliest

Man in Iraq writes, "I'm Still Tortured by What I Saw in Iraq," Washington Post, November 30, 2008 <http://tinyurl.com/5mrzww>

Matthew Alexander, US Interrogator in Iraq Says Torture Policy Has Led to Deaths of Thousands of American Soldiers, December 3, 2008
http://www.democracynow.org/2008/12/3/us_interrogator_in_iraq_says_torture

Journalists

Scott Horton: The American Public has a Right to Know That They Do Not Have to Choose Between Torture and Terror: Six questions for Matthew Alexander, Harper's Magazine
<http://www.harpers.org/archive/2008/12/hbc-90004036>

Scott Horton: Justice After Bush: Prosecuting an Outlaw Administration, December 3, 2008
http://www.democracynow.org/2008/12/3/attorney_scott_horton_on_justice_after

Patrick Cockburn: Torture? It probably killed more Americans than 9/11
" 'The reason why foreign fighters joined al-Qa'ida in Iraq was overwhelmingly because of abuses at Guantanamo and Abu Ghraib and not Islamic ideology,' says Major Matthew Alexander, who personally conducted 300 interrogations of prisoners in Iraq. It was the team led by Major Alexander [a named assumed for security reasons] that obtained the information that led to the US military being able to locate Abu Musab al-Zarqawi, the head of al-Qa'ida in Iraq." The Independent, April 26, 2009 <http://tinyurl.com/cnyebe>