



Because Freedom Can't Protect Itself.



JOIN THE ACLU!

Five and a half years after the American Civil Liberties Union first filed its Freedom of Information Act (FOIA) lawsuit to release government torture documents; it secured the release of four long-sought-after memoranda from the Bush Justice Department's Office of Legal Counsel (OLC). These memos, released in April 2008, explicitly authorized the Central Intelligence Agency to torture detainees, with techniques that originated in notoriously vicious dictatorships and that the U.S. has previously prosecuted as war crimes.

The ACLU triumph resulted in an above-the-fold story in *The New York Times*, many thousands of newspaper, broadcast, cable and online stories worldwide – and 600,000 downloads of the memos from the ACLU's [website](#) (400,000 within just the first four days). But this achievement was bittersweet, confirming what the group has so-long suspected: that torture, far from being the aberrant conduct of a few “bad apples” was official U.S. policy, orchestrated by top officials. The ACLU continues to investigate and seek accountability.

You can view all of the memos listed below. The next page is page five from the 01 August 2002 torture memo written by former Assistant Attorney General Jay Bybee, now a federal judge on the United States Court of Appeals for the Ninth Circuit.

Memo	Subject
Bybee Memo 01 August 2002	Interrogation Of Al-Qaeda Operative Page 5 Discussion of Waterboarding - 18 Pages
Bradbury Memo 10 May 2005	Discussion of 18 U.S.C. §§ 2340-2340a <i>Techniques</i> - 20 Pages
Bradbury Memo 10 May 2005	Further Discussion of Techniques 46 Pages
Bradbury Memo 30 May 2005	United States Obligations - Article 16 of the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment 40 Pages

~~TOP SECRET~~

confinement box. The other inquiry involved claims that the SERE training caused two individuals to engage in criminal behavior, namely, felony shoplifting and downloading child pornography onto a military computer. According to this official, these claims were found to be baseless. Moreover, he has indicated that during the three and a half years he spent as [REDACTED] of the SERE program, he trained 10,000 students. Of those students, only two dropped out of the training following the use of these techniques. Although on rare occasions some students temporarily postponed the remainder of their training and received psychological counseling, those students were able to finish the program without any indication of subsequent mental health effects.

You have informed us that you have consulted with [REDACTED] who has ten years of experience with SERE training [REDACTED]

[REDACTED] He stated that, during those ten years, insofar as he is aware, none of the individuals who completed the program suffered any adverse mental health effects. He informed you that there was one person who did not complete the training. That person experienced an adverse mental health reaction that lasted only two hours. After those two hours, the individual's symptoms spontaneously dissipated without requiring treatment or counseling and no other symptoms were ever reported by this individual. According to the information you have provided to us, this assessment of the use of these procedures includes the use of the waterboard.

Additionally, you received a memorandum from the [REDACTED] [REDACTED] which you supplied to us. [REDACTED] has experience with the use of all of these procedures in a course of conduct, with the exception of the insect in the confinement box and the waterboard. This memorandum confirms that the use of these procedures has not resulted in any reported instances of prolonged mental harm, and very few instances of immediate and temporary adverse psychological responses to the training. [REDACTED] reported that a small minority of students have had temporary adverse psychological reactions during training. Of the 26,829 students trained from 1992 through 2001 in the Air Force SERE training, 4.3 percent of those students had contact with psychology services. Of those 4.3 percent, only 3.2 percent were pulled from the program for psychological reasons. Thus, out of the students trained overall, only 0.14 percent were pulled from the program for psychological reasons. Furthermore, although [REDACTED] indicated that surveys of students having completed this training are not done, he expressed confidence that the training did not cause any long-term psychological impact. He based his conclusion on the debriefing of students that is done after the training. More importantly, he based this assessment on the fact that although training is required to be extremely stressful in order to be effective, very few complaints have been made regarding the training. During his tenure, in which 10,000 students were trained, no congressional complaints have been made. While there was one Inspector General complaint, it was not due to psychological concerns. Moreover, he was aware of only one letter inquiring about the long-term impact of these techniques from an individual trained

~~TOP SECRET~~