



## MEMORANDUM OF SUPPORT

A. 6665 (Gottfried)

S. 4495 (Duane)

*An Act to amend the public health law, the education law and the labor law, in relation to prohibiting participation in torture and improper treatment of prisoners by health care professionals.*

Physicians for Human Rights (PHR), an organization that mobilizes health care professionals to advance health, dignity, and justice, strongly supports A. 6665 and S. 4495. Investigating policies and practices that result in health care professionals' complicity in torture has been a central objective of PHR's work for over two decades. Many of PHR's health care professional constituents -- over 3000 of whom reside or work in New York - are leading national advocates for laws that reinforce US and international ethics bodies' prohibitions on torture.

A. 6665 and S. 4495 bar health care professionals from all participation in interrogations of individual prisoners, require health care providers to report torture or improper treatment of prisoners to responsible authorities, and provide whistleblower protections for health care professionals who refuse to undertake prohibited acts and those who participate in investigations of lawbreaking.

The bill's vital prohibition against health care professionals' participation in interrogations builds upon policies of major national and international health care professional associations, including the American Medical Association and American Psychiatric Association. By prohibiting participation in interrogations, the legislation establishes an important "bright line" that will protect health care professionals employed by custodial authorities from being assigned to participate in activities that could result in torture and improper treatment of prisoners.

This legislation is vitally important despite existing prohibitions on torture or cruel, inhuman, or degrading treatment in federal and international law. The State of New York, through its licensing power, has a unique ability to regulate effectively the universe of health care professionals' conduct in custodial facilities.

It is appropriate that New York regulate health care professional participation in interrogations wherever they occur, since torture and abusive treatment by a New York-licensed health care professional affects the interests of all potential future New York patients of the health care professional. New York also has an ethical interest in protecting the reputation of New York in the nation and the world by ensuring that New York-licensed health care professionals do not participate in activities that harm instead of heal.

A. 6665 and S. 4495 upholds the promise and challenge issued by President Franklin Roosevelt in his "Four Freedoms" address to Congress: *Freedom means the supremacy of human rights everywhere. Our support goes to those who struggle to gain those rights or keep them.*

***PHR urges that this bill be approved by the Legislature.***