

# US Government Officials Admit: We'll Torture Again, Unless You Prosecute Us

Prosecute ... Or They Will Do It Again

By [Washington's Blog](#)

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*CIA chief John Brennan told Congress the CIA [will torture again](#) ... the White House need only ask:*

We are not contemplating at all getting back into the interrogation program," Brennan said.

As for the future, he said, "I defer to future policymakers."

Cheney say he'd ["do it again in a minute"](#) (Cheney's out of office, but there are many hardliners with similar mindsets. Indeed, the mainstream media still treats Cheney like royalty ... and he's [left many followers in place ... and still controls policy](#) up to a point).

And Bush-era legal memos "authorizing" torture are apparently *still in effect*. As Gregg Levine [notes](#) this week:

The post-9/11 torture program is dated to a September 17, 2001, Memorandum of Notification (MON, aka [the "Gloves Come Off" finding](#)) — notably a day after Vice President Dick Cheney's TV appearance with Tim Russert, where [Cheney and Russert blithely concurred it was time for the US to embrace the "dark side"](#) — which was used as cover and as the foundation for subsequent findings by the Bush Administration's legal team.

But that 2001 finding doesn't have an expiration date, and there is no evidence of an Obama-era finding that directly controverts the Gloves Come Off memorandum. In fact, there is evidence that the Obama administration continues to operate under that finding (or did until at least 2012).

The finding that authorized the torture program also authorized drone strikes without notable process or oversight. Just three days into office, Obama [OK'd a strike inside Pakistan that reportedly killed 11 civilians](#), and over the course of 2009, the CIA — Obama's CIA — conducted 52 drone strikes, killing hundreds.

The drone strike that killed Anwar al-Awlaki, an American citizen, in 2011, was launched without due process and again, under the legal cover of the 2001 MON. And, as has been [noted by Marcy Wheeler, when the 2nd Circuit Court of Appeals ruled in 2012 that Obama could withhold the language in legal findings](#) that authorized the torture programs, it did so under the authority of that seminal memorandum.

In fact, in that 2nd Circuit ruling, the court made specific reference to an ongoing program: "We give substantial weight to the Government's declarations, which establish that disclosing the redacted portions of the OLC memoranda would reveal the existence and scope of a highly classified, ACTIVEintelligence activity."

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By not releasing the full language of the torture memoranda, by not publicly issuing a new memorandum that finds the Bush-era rulings to be invalid and, indeed, to keep operating some programs under the authority granted by the people who are now publicly deemed responsible for authorizing torture, there is no assurance that another leader wouldn't pick up where the Bush administration left off. Indeed, there is no assurance that, given some new terrorist attack or heinous provocation, the current president's CIA wouldn't return to the methods they practiced from at least 2002 to 2007 ....

Indeed, some types of torture are apparently [continuing](#) under [the Obama administration](#). See [this](#) and [this](#).

And the fact that the *only* CIA employee the Obama administration has prosecuted for torture is the *whistleblower* who revealed the torture program implies that torture *will happen again*. Vox [notes](#):

Attorney General Eric Holder ... decided not to prosecute anyone for the CIA's torture.

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But the Obama administration has had a different attitude when it comes to those who revealed the existence of the CIA torture program. In 2012, the Obama administration [charged former CIA official John Kiriakou](#) for leaking classified information related to the torture program to reporters. Threatened with decades in prison, Kiriakou was forced to plead guilty and [accepted a 30-month prison sentence](#). He's in prison right now.

Prosecuting people who revealed the program, instead of the people responsible, makes it more likely that abuses like this will happen again.

Unless those who created, authorized and tried to justify torture are prosecuted, [America will torture again](#):

[A leading American constitutional law expert, Erwin Chemerinsky, said] Perhaps most of all, criminal prosecutions are needed to make sure that this does not happen again. That would send a message to all government officials: Those who plan, authorize and engage in torture will be criminally punished.

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Human Rights Watch executive director Kenneth Roth said .... "Unless this important truth-telling process leads to prosecution of the officials responsible, torture will remain a 'policy option' for future presidents."

And [see this](#).

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