

MEMORANDUM IN SUPPORT

A.6665 – Gottfried / S.4495 - Duane

A bill to prohibit the participation of licensed health care professionals in the torture of prisoners

The National Association of Social Workers – New York State Chapter strongly supports A.6665/S.4495 banning licensed health care professional involvement in prisoner torture or maltreatment. This bill will serve to prohibit any health care professionals licensed under Title VIII of the education law from participating in or aiding in any way the torture or intentional harm of detained or incarcerated individuals, regardless of their location, nationality, or political status.

Given recent reports of the psychological and physical torture of American adversaries by duly licensed health care professionals in the course of antiterrorist intelligence efforts, New York State should be compelled to do its part in curbing such egregious human rights violations. The privilege of licensure in this state should not be extended to individuals who use their professional position to engage or abet in the harm of others. By supporting this bill, which makes assistance of torture grounds for professional misconduct charges, we will also ensure that New York maintains the highest standards in professional licensing.

NASW-NYS, representing nearly 12,000 social workers in greater New York State fully subscribes to the human rights standards set forth in the United Nations' *Universal Declaration of Human Rights* (1948), which unequivocally states that "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment" (see Article 5). Moreover, NASW's triennial publication of policy statements, *Social Work Speaks* explicitly addresses the obligations of social workers in penal and detention settings, whereby it states that "the social work profession must advocate for the safe, humane, and equitable treatment of all individuals in prisons and jails" (2006, p.70). Indeed, one pillar of NASW's Code of Ethics commands that "social workers respect the inherent dignity and worth of the person."

The National Association of Social Workers – New York State Chapter is fundamentally opposed to the intentional harm of other individuals under the purview of the social work profession, and that of any other. In this spirit, we welcome and encourage passage of this bill to eliminate the involvement of health care professionals in the commission of torture