

**CITY OF BALTIMORE
COUNCIL BILL 08-0085R
(Resolution)**

Introduced by: Councilmembers Clarke, D’Adamo, Henry, Young, Branch, Holton, Conaway,
Spector, Middleton
At the request of: Elizabeth Randolph
Introduced and adopted: October 27, 2008

A COUNCIL RESOLUTION CONCERNING

**In Support of the Declaration of Principles for a
Presidential Executive Order on Prisoner Treatment, Torture and Cruelty**

FOR the purpose of requesting the President of the United States to sign an Executive Order that dictates the humane treatment of detainees, forbids “disappearances”, and prohibits cruel and inhuman interrogation practices.

Recitals

WHEREAS, we come from a variety of backgrounds and walks of life, we agree that the use of torture and cruel, inhuman, or degrading treatment against prisoners is immoral, unwise, and un-American; and

WHEREAS, in our effort to secure ourselves, we have resorted to tactics which do not work, which endanger U.S. personnel abroad, which discourage political, military, and intelligence cooperation from our allies, and which ultimately do not enhance our security; and

WHEREAS, our President must lead the nation by our core principles. We must be better than our enemies, and our treatment of prisoners captured in the battle against terrorism must reflect our character and values as Americans;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE, that we believe the President of the United States should issue an Executive Order that provides as follows:

1. The “Golden Rule”: We will not authorize or use any methods of interrogation that we would not find acceptable if used against Americans, be they civilians or soldiers.
2. One National Standard: We will have one national standard for all U.S. personnel and agencies for the interrogation and treatment of prisoners. Currently, the best expression of that standard is the U.S. Army Field Manual, which will be used until any other interrogation technique has been approved based on the Golden Rule principle.
3. The Rule of Law: We will acknowledge all prisoners to our courts or the International Red Cross. We will in no circumstance hold persons in secret or engage in disappearances. In all cases, prisoners will have the opportunity to prove their innocence in ways that fully conform to American principles of fairness.

EXPLANATION: Underlining indicates matter added by amendment.
~~Strike out~~ indicates matter deleted by amendment.

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- 1 4. Duty to Protect: We acknowledge our historical commitment to end the use of torture
2 and cruelty in the world. The U.S. will not transfer any person to countries that use
3 torture or cruel, inhuman, or degrading treatment.
- 4 5. Checks and Balances: Congress and the courts play an invaluable role in protecting
5 the values and institutions of our nation and must have and will have access to the
6 information they need to be fully informed about our detention and interrogation
7 policies.
- 8 6. Clarity and Accountability: All U.S. personnel, whether soldiers or intelligence staff,
9 deserve the certainty that they are implementing policy that complies fully with the
10 law. Henceforth all U.S. officials who authorize, implement, or fail in their duty to
11 prevent the use of torture and ill-treatment of prisoners will be held accountable,
12 regardless of rank or position.

13 **AND BE IT FURTHER RESOLVED**, That this Body endorses the goal to universally ban torture
14 and cruelty and joins in the request to the President of the United States to sign an Executive
15 Order that dictates the humane treatment of detainees, forbids “disappearances”, and prohibits
16 cruel and inhuman interrogation practices.

17 **AND BE IT FURTHER RESOLVED**, That a copy of this Resolution be sent to the President of
18 the United States, the Honorable Members of the Maryland Delegation to the 110th Congress, the
19 Mayor, and the Mayor’s Legislative Liaison to the City Council.