

PRESS RELEASE
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John Yoo, Architect of the “Torture Memos,” Sued by Jose Padilla

(New Haven, Connecticut, January 4, 2008) – John Yoo, the author of legal memos that gave the go-ahead for government agents to use torture against terrorism suspects, was sued this morning in federal court in San Francisco. The lawsuit was brought by Jose Padilla, an American citizen seized from a civilian setting and interrogated for years in a military prison, and his mother, Estela Lebron.

The lawsuit claims that Yoo, then a senior lawyer in the Justice Department, purported to provide legal justifications for torture. This is the first lawsuit against Yoo seeking to hold him accountable for the suffering unleashed by his “Torture Memos.” Yoo's memos justified and set in motion the use of harsh and illegal interrogation methods not only abroad – in places like Guantanamo Bay and the secret CIA “black sites,” – but also here in the United States.

Mr. Padilla was detained and interrogated at a naval brig in Charleston, South Carolina. The complaint notes that he survived “a systematic program of illegal detention and interrogation” unprecedented in U.S. history and clearly contrary to the U.S. Constitution and the law of war. He was subjected to extreme sleep and sensory deprivation; forced into “stress” positions; exposed to extreme temperatures; and threatened with further torture, deportation to Guantanamo, and even immediate death at the hands of his interrogators.

Yoo, who has admitted his role as architect of some of the Administration’s most extreme detention and interrogation policies, remains unrepentant. He has continued to defend the Torture Memos, which former senior Justice Department official Jack Goldsmith has described as “deeply flawed.”

“John Yoo was central to the justification and creation of the torture system. Without his legal green light, it never could have happened. The Torture Memos are a cynical how-to guide for government officials eager to break the law,” stated Jonathan Freiman, a Senior Schell Fellow at Yale Law School who is Padilla’s lawyer. “What Yoo seems to have forgotten is that lawyers are not above the law.”

From June 9, 2002 until January 5, 2006, without any judicial fact-finding to support his detention, Mr. Padilla was detained as an “enemy combatant” in Charleston, South Carolina, where he was held in complete isolation and denied access to the court system, legal counsel and his family. On January 5, 2006, with Mr. Padilla’s petition to the Supreme Court pending, the government relented and transferred him from the Charleston brig to a federal detention center in Miami, Florida, where he stood trial on criminal charges completely unrelated to the “dirty bomb” allegations that had been used to justify his military detention without charge.

FOR MORE INFORMATION:

A copy of the complaint is attached.

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