



California State Board of Pharmacy
1625 N. Market Blvd, Suite N219, Sacramento, CA 95834
Phone (916) 574-7900
Fax (916) 574-8618
www.pharmacy.ca.gov

STATE AND CONSUMERS AFFAIRS AGENCY
DEPARTMENT OF CONSUMER AFFAIRS
ARNOLD SCHWARZENEGGER, GOVERNOR

January 2009

SENATE JOINT RESOLUTION 19

Dear Pharmacist:

There have been reports and first-person accounts indicating that California health professions licensees have participated in the torture (and its cover up) of detainees in U.S. military custody. Such actions have presented licensees with the ethical dilemma of upholding written military guidelines while pledged to uphold the oath of their medical professions.

As a result of these reports, Senate Joint Resolution 19 (SJR 19), approved by the California Legislature on August 14, 2008, requires all health-related boards to notify their licensees of the following:

- California-licensed health professionals are absolutely prohibited from knowingly planning, designing, participating, or assisting in the use of condemned techniques at any time and may not enlist others to employ these techniques to circumvent the prohibition. The Common Article III of the Geneva Conventions, the United Nations Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment (CAT), and the amended War Crimes Act prohibit such acts;
- California-licensed health professionals who participate in coercive or enhanced interrogation or torture, as defined by CAT, may one day be subject to prosecution;
- If any California-licensed health professionals have reason to believe that interrogations are in violation of CAT, they must report such actions to the appropriate authorities. If authorities are aware of the abusive treatment but fail to intervene, then the licensees are ethically obligated to report those practices to independent authorities who have the power to investigate and adjudicate the allegations;
- No law, regulation, order, or exceptional circumstance, state of war or the threat of war or internal political instability, or any other public emergency, can be invoked as justification for acts described in the CAT; and
- California-licensed health professionals should continue to provide appropriate health care if called upon to deal with a victim of the conduct and torture described in this resolution.

SJR 19 has requested the U.S. Department of Defense and the Central Intelligence Agency to remove California-licensed health professionals from participating in any form of prisoner and detainee interrogations.

The entire text of SJR 19 can be viewed at: http://www.leginfo.ca.gov/pub/07-08/bill/sen/sb_0001-0050/sjr_19_bill_20080818_chaptered.pdf.