

Senate Joint Resolution

No. 6

Introduced by Senator Kehoe

(Principal coauthor: Senator Anderson)

(Coauthors: Senators ~~Vargas and Wyland~~ Alquist, Corbett, DeSaulnier, Hancock, Harman, Hernandez, Lieu, Liu, Runner, Vargas, Wright, Wyland, and Yee)

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April 28, 2011

Senate Joint Resolution No. 6—Relative to survivors of torture.

LEGISLATIVE COUNSEL'S DIGEST

SJR 6, as amended, Kehoe. Survivors of torture.

This measure would declare June 26, 2011, a Day in Support of Victims of Torture in California, and would urge the Office of Refugee Resettlement to direct torture treatment funding through the Torture Victims Relief Act of 1998.

Fiscal committee: no.

- 1 WHEREAS, Approximately 100,000 residents of the State of
- 2 California have found refuge here after enduring politically
- 3 motivated torture in their home countries; and
- 4 WHEREAS, These survivors of torture bring their remarkable
- 5 fortitude, resiliency, and powerful personal histories to their new
- 6 state; and

1 WHEREAS, Many of these survivors have contributed greatly
2 to California's communities, economy, cultural vibrancy, and
3 understanding of the importance of human rights through opening
4 businesses, performing professional services, founding charitable
5 organizations, speaking out about their experiences, and
6 volunteering on behalf of others; and

7 WHEREAS, These contributions come in spite of the lingering
8 physical, emotional, and social impacts of enduring torture; and

9 WHEREAS, Studies and clinical reports on the consequences
10 of torture have been found to include, but are not limited to,
11 scarring, disfiguration, chronic pain, nightmares, insomnia,
12 flashbacks, hypervigilance, difficulty forming relationships of
13 trust, depression, panic attacks, and startle responses; and

14 WHEREAS, Absent access to appropriate care, these ongoing
15 effects of torture can prevent or undermine the ability and desire
16 of torture survivors to restore their dignity and thrive as productive
17 members of their new California communities; and

18 WHEREAS, Treating the unique impact of torture on survivors
19 requires highly specialized, holistic treatment; and

20 WHEREAS, California played a key role in the development
21 of the torture treatment field in the late 1970s and early 1980s
22 under the leadership of Dr. Jose Quiroga and Ana Deutsch,
23 themselves refugees who fled from incidents of torture in Chile
24 and Argentina, respectively, came to Los Angeles, and there went
25 on to found the Program for Torture Victims (PTV) in order to
26 attend to the unique panoply of physical, emotional, and legal
27 challenges faced by their fellow survivors; and

28 WHEREAS, California today is home to the largest number of
29 torture treatment centers in the United States, including, but not
30 limited to, the affiliates of the California Consortium of Torture
31 Treatment Centers—the Center for Justice and Accountability in
32 San Francisco; the Center for Survivors of Torture—at, Asian
33 Americans for Community Involvement in San Jose; the Institute
34 for Redress and Recovery—in at Santa Clara University; the Institute
35 for the Study of Psychosocial Trauma in Palo Alto; Program for
36 Torture Victims in Los Angeles; the Torture Survivors Project at
37 the Legal Aid Foundation of Los Angeles; Survivors International
38 in San Francisco; and Survivors of Torture, International in San
39 Diego; and

1 WHEREAS, These centers collectively serve around 1,000
2 torture survivors annually; and

3 WHEREAS, These torture treatment programs rely heavily on
4 the volunteerism of local professionals—among them doctors,
5 psychologists, psychiatrists, dentists, physical therapists,
6 interpreters, lawyers, masseurs, plastic surgeons, and others—to
7 provide holistic treatment far beyond the capacities of the centers’
8 limited staffs and budgets; and

9 WHEREAS, Each year hundreds of California professionals
10 donate thousands of hours of their time to acquire the necessary
11 specialized training and assist torture survivors to heal; and

12 WHEREAS, Each year hundreds of Californians make charitable
13 financial contributions to help make the services of these nonprofit
14 centers possible at no charge to the survivors; and

15 WHEREAS, The Mental Health Services Oversight and
16 Accountability Commission (MHSOAC) could use state-level
17 public sector avenues to improve regional services for torture
18 survivors by working with counties to include torture treatment in
19 county mental health plans reviewed by the MHSOAC; and

20 WHEREAS, Data from the federal Office of Refugee
21 Resettlement (ORR) demonstrates that California has been the top
22 ~~destination for refugees who seek asylum in the United States; in~~
23 *the country for humanitarian immigrants (25 percent of all refugees*
24 *since 1975, and 28 percent of all asylees in the federal fiscal year*
25 *2009, according to ORR and the California Refugee Programs*
26 *Bureau), many of whom are torture survivors*, but funding to
27 provide adequate services for those refugees has been insufficient
28 because the federal Torture Victims Relief Act of 1998 has not
29 been fully funded by Congress and ORR has not distributed
30 domestic torture treatment under the Torture Victims Relief Act
31 of 1998 formulas to provide adequate funding areas that serve
32 disproportional populations of formerly tortured refugees; and

33 WHEREAS, On June 26, 1997, the United Nations General
34 Assembly marked the 10th anniversary of its adoption of the ~~UN~~
35 *United Nations* Convention Against Torture and Other Cruel,
36 Inhuman, or Degrading Treatment or Punishment by establishing
37 that date, annually, as International Day in Support of Victims of
38 Torture; and

WHEREAS, The Legislature hereby acknowledges the widespread presence of survivors of torture residing throughout the State of California; and

WHEREAS, The Legislature welcomes and commends the contributions survivors of torture make to California's communities, economy, and cultural vibrancy; and

WHEREAS, The Legislature expresses its pride in California's emerging legacy as a place of refuge and healing for those who have endured torture; and

WHEREAS, The Legislature undertakes to encourage the further development of torture treatment services throughout the state by honoring professionals and volunteers who have dedicated their time to the treatment of torture survivors; now, therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly, That the Legislature urges ORR to direct torture treatment funding through the Torture Victims Relief Act of 1998 so as to reflect California's role as the nation's largest resettlement destination for humanitarian immigrants (25 percent of all refugees since 1975, according to ORR and the California Refugee Programs Bureau, and 34 percent of affirmative asylees in the last year, according to the Department of Homeland Security's "Refugee Flow Report"), many of whom are torture survivors; and be it further

Resolved, That June 26, 2011, be declared a Day in Support of Victims of Torture in California; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, and to the author for appropriate distribution.