

Obama's Detainee Policies Views from Inside and Out

A discussion of the issues surrounding the detention and trial of terrorist suspects. The interagency task force created by Executive Order to develop policies for the detention and trial of individuals seized in connection with armed conflicts and counterterrorism operations is scheduled to release its report soon. This complementary CLE panel will explore issues related to closing Guantanamo and an appropriate detention policy in the war against violent extremism.

Welcome by Al Harvey

Chair, Standing Committee on Law and National Security

Moderator: Harvey Rishikof

Professor, National Security Studies National War College

Discussants:

David Graham

Executive Director Army JAG Legal Center and School

Robert Chesney

Professor, National Security Law University of Texas at Austin

Friday, July 31, 2009 ~ 3:45pm - 5:15pm

Hyatt Regency Chicago

Columbus Hall CD, Gold Level, East Tower 151 East Wacker Drive, Chicago, Illinois

Cosponsors:

Administrative Law and Regulatory Practice Section, Law Student Division, and Government and Public Sector Lawyers Division Robert Chesney is a national security law specialist, with a particular interest in problems associated with terrorism. Professor Chesney currently is serving in the Justice Department in connection with the Detainee Policy Task Force created by Executive Order 13493. He is a member of the Advisory Committee of the American Bar Association's Standing Committee on Law and National Security, a senior editor for the Journal of National Security Law & Policy, an associate member of the Intelligence Science Board, a term member of the Council on Foreign Relations, and a member of the American Law Institute. Professor Chesney has published extensively on topics ranging from detention and prosecution in the counterterrorism context to the states secrets privilege (testifying in Congress last year regarding the latter topic). He has served previously as chair of the Section on National Security Law of the Association of American Law Schools and as editor of the National Security Law Report (published by the American Bar Association's Standing Committee on Law and National Security). His upcoming projects include a book (under contract with Oxford University Press) concerning the evolving judicial role in national security affairs.

David E. Graham is the Executive Director of the Army's Judge Advocate General's Legal Center and School, Charlottesville, Virginia. A retired Army Judge Advocate Colonel, he has extensive experience in International Law and played a seminal role in developing the field of Operational Law. He served as Chief of the International/Operational Law Division, Office of the Judge Advocate General of the Army, Headquarters, Department of the Army, for eight years, and as Director of the Center for Law and Military Operations, now an integral part of The Judge Advocate General's Legal Center and School. Mr. Graham has published articles in multiple law journals and other publications and has lectured extensively, worldwide, on International and Operational Law matters. He holds a B.A. from Texas A&M University, an M.A. from The George Washington University, a J.D. from the University of Texas School of Law, and a Certificate from the Hague Academy of International Law.

Harvey Rishikof, Chair Department of National Security Strategy, Professor of Law and National Security Studies at the National War College in Washington, DC, specializes in the areas of national security, civil and military courts, terrorism, international law, civil liberties, and the U.S. Constitution. As Legal Counsel to the Deputy Director of the FBI (1997-99), Mr. Rishikof focused on FBI policies concerning national security and terrorism, and served as liaison to the Office of the Attorney General at the Department of Justice. He was a participant in the creation of the long-range plan for the FBI under Director Louis Freeh with particular emphasis on internal restructuring. He worked on developing a variety of programs, e.g. NIBIN, and was involved in the drafting of Presidential Decision Directives in the national security area. As Administrative Assistant to the Chief Justice of the Supreme Court (1994-96), Mr. Rishikof served as chief of staff for the Chief Justice and was involved in general policy issues concerning the federal court system and acted as liaison to the Executive Branch, Congress, the Federal Judicial Center, and the Administrative Office of the United States Court, and International Judicial Committee of the Judicial Conference. Mr. Rishikof holds a J.D. from New York University School of Law, an M.A. from Brandeis University, and a B.A. from McGill University. He clerked for the Honorable Judge Leonard I. Garth, U.S. Circuit Judge for the Third Circuit. Professor Rishikof will become the Chair of the ABA Standing Committee on Law and National Security at the conclusion of the 2009 ABA Annual Meeting.