

June 6, 2007

Sharon Brehm, Ph.D.
President
American Psychological Association

Dear President Brehm:

We write you as psychologists concerned about the participation of our profession in abusive interrogations of national security detainees at Guantánamo, in Iraq and Afghanistan, and at the so-called CIA "black sites."

Our profession is founded on the fundamental ethical principle, enshrined as Principle A in our *Ethical Principles of Psychologists and Code of Conduct*: "Psychologists strive to benefit those with whom they work and take care to do no harm." Irrefutable evidence now shows that psychologists participating in national security interrogations have systematically violated this principle. A recently declassified August 2006 report by the Department of Defense Office of the Inspector General (OIG) –[Review of DoD-Directed Investigations of Detainee Abuse](#)—describes in detail how psychologists from the military's Survival, Evasion Resistance, and Escape (SERE) program were instructed to apply their expertise in abusive interrogation techniques to interrogations being conducted by the DoD throughout all three theaters of the War on Terror (Guantánamo, Afghanistan, and Iraq).

SERE is the US military's program designed to train Special Forces and other troops at high risk of capture to resist "breaking" during harsh interrogations conducted by a ruthless enemy. During SERE training, trainees are subjected to extensive abusive treatment, including sensory deprivation, sleep deprivation, isolation, cultural and sexual humiliation, and, in some cases, simulated drowning ("waterboarding"). By SERE's own admission, these techniques are classified as torture or cruel, inhuman, or degrading treatment.

The OIG report details a number of trainings and consultations provided by SERE psychologists to psychologists and other personnel involved in interrogations, including those on the Behavioral Science Consultation Teams (BSCT), generally composed of and headed by psychologists. The OIG confirms repeated press accounts over the last two years that SERE techniques were "reverse engineered" by SERE psychologists in consultation with the BSCT psychologists and others, to develop and standardize a regime of psychological torture used by interrogators at Guantánamo, and in Iraq and Afghanistan. The OIG report states: "Counterresistance techniques [SERE] were introduced because personnel believed that interrogation methods used were no longer effective in obtaining useful information from some detainees."

The OIG report also clearly reveals the central role of psychologists in these processes:

"On September 16, 2002, the Army Special Operations Command and the Joint Personnel Recovery Agency [the military unit containing SERE] co-hosted a **SERE psychologist** conference at Fort Bragg for JTF-170 [the military component responsible for interrogations at Guantánamo] interrogation personnel. The Army's **Behavioral Science Consultation Team** from Guantánamo Bay also attended the conference. **Joint Personnel Recovery Agency briefed JTF-170 representatives on the exploitation techniques and methods used in resistance (to interrogation) training at SERE schools. The JTF-170 personnel understood that they were to become familiar with SERE training and be capable of**

determining which SERE information and techniques might be useful in interrogations at Guantánamo. Guantánamo **Behavioral Science Consultation Team** personnel understood that they were to review documentation and standard operating procedures for SERE training in developing the standard operating procedure for the JTF-170, if the command approved those practices. The Army Special Operations Command was examining the role of interrogation support as a **'SERE Psychologist competency area'**" (p. 25, emphasis added).

It is now indisputable that psychologists and psychology were directly and officially responsible for the development and migration of abusive interrogation techniques, techniques which the International Committee of the Red Cross has labeled "tantamount to torture." Reports of psychologists' (along with other health professionals') participation in abusive interrogations surfaced more than two years ago.

While other health professional associations expressed dismay when it was reported that their members had participated in these abuses and took principled stands against their members' direct participation in interrogations, the APA undertook a campaign to support such involvement. In 2005, APA President Ron Levant created the PENS Task Force to assess the ethics of such participation. Six of the nine voting psychologist members selected for the task force were uniformed and civilian personnel from military and intelligence agencies, most with direct connections to national security interrogations. Perhaps most problematic, it is clear from the OIG Report that three of the PENS members were directly in the chain of command translating SERE techniques into harsh interrogation tactics. Although we cannot know exactly what each of these individuals did, their presence in the chain of command is troubling.

One such task Force member is Colonel Morgan Banks who, according to his Task Force biography

"is the senior Army Survival, Evasion, Resistance, and Escape (SERE) Psychologist, responsible for the training and oversight of all Army SERE Psychologists, who include those involved in SERE training.... He provides technical support and consultation to all Army psychologists providing interrogation support.... His initial duty assignment as a psychologist was to assist in establishing the Army's first permanent SERE training program involving a simulated captivity experience.... In November 1991 [sic: 2001], he deployed to Afghanistan, where he spent four months over the winter of 2001/2002 at Bagram Airfield, supporting combat operations against Al Qaida and Taliban fighters."

Thus, according to the OIG report, Colonel Banks had direct command responsibility for the SERE psychologists training, consulting, and participating in interrogations and provided "support and consultation" to other psychologists involved in abusive interrogations. In fact, reading the OIG report renders it difficult to imagine that Colonel Banks was not himself directly involved in developing and/or implementing these abusive activities. The OIG report appears to confirm what has been suspected at least since the publication in July 2005 of Jane Mayer's *New Yorker* article "The Experiment": that Colonel Banks was intimately involved in the teaching and development of the abusive interrogation tactics documented by the International Committee of the Red Cross, and now by the Department of Defense, as being used at Guantánamo.

Colonel Larry James, a second PENS member, "was the Chief Psychologist for the Joint Intelligence Group at GTMO, Cuba" (PENS Task Force member biographies) starting in January 2003. Col. Larry James has often been cited by Gerald Koocher, Stephen Behnke,

and others, as the one who 'cleaned up' Guantánamo and Abu Ghraib. The OIG report, however, makes it clear that Guantánamo BSCTs played an essential role in transforming SERE techniques into standard operating interrogation procedure; that the Commander of Guantánamo detainee operations requested official approval for the use of these torture techniques in October, 2002; and that permission was granted by Defense Secretary Rumsfeld in December 2002. Additionally, as stated in his PENS biography, in 2003 James "was the Chief Psychologist for the Joint Intelligence Group at GTMO, Cuba." In 2004, James was Director, Behavioral Science Unit, Joint Interrogation and Debriefing Center at Abu Ghraib. It should be noted that that in 2004, according to many sources, Gen. Geoffrey Miller, Guantánamo Commander, too, went from Guantánamo to Iraq, and brought the SERE techniques with him. James was the commander of the BSCTs at the time the FBI and other law enforcement agents were reporting that severe abuses were occurring at Guantánamo. The FBI and other Criminal Investigative Task Force agents reporting these abuses referred to them as "SERE" and "counter-resistance" tactics in documents obtained by the ACLU under the Freedom of Information Act.

Yet another task Force member, Captain Bryce Lefever, had previously been a SERE psychologist where he supervised "personnel undergoing intensive exposure to enemy interrogation, torture, and exploitation techniques." He "was deployed as the Joint Special Forces Task Force psychologist to Afghanistan in 2002," presumably replacing Col. Banks who had previously held that role. Capt. Lefever "lectured to interrogators and was consulted on various interrogation techniques" (PENS Task Force member biographies). That is, he had the requisite SERE background and it appears that he was involved in interrogations in Afghanistan at the time that, as the OIG report reveals, the abusive SERE-based techniques were being utilized through Special Forces units.

In addition to these three members who were directly in the military chain of command responsible for employing the SERE techniques as interrogation tactics, another member of the PENS Task Force, Scott Shumate, stated in a conference biographical statement that "From April 2001 until May of 2003 he was the chief operational psychologist for the CIA's Counter Terrorism Center (CTC).... He has been with several of the key apprehended terrorists." The CTC, according to press reports, is responsible for managing the CIA's Black Site facilities where the top 14 Al Qaeda operatives in US custody were initially held and interrogated. The "key apprehended terrorists" that Shumate refers to are very likely those Al Qaeda operatives subjected to the CIA's brutal "enhanced interrogation techniques." Thus, the available evidence strongly suggests that the PENS Task Force included a number of individuals who oversaw or directly participated in torture or other cruel, inhuman, or degrading treatment that is allegedly banned by the APA.

Not surprisingly, given its membership, the PENS Task Force report concluded that "[i]t is consistent with the APA Code of Ethics for psychologists to serve in consultative roles to interrogation and information-gathering processes for national security-related purposes...." The Task Force report further echoed the Department of Defense cover story for employing BSCT psychologists: "While engaging in such consultative and advisory roles entails a delicate balance of ethical considerations, doing so puts psychologists in a unique position to assist in ensuring that such processes are safe and ethical for all participants."

Since the release of the PENS report, numerous articles in the press have documented that psychologists at Guantánamo and elsewhere have utilized abusive SERE techniques on detainees. (Jane Meyer's *New Yorker* article appeared one week after the PENS report.) All the while, the APA leadership has ignored the mounting evidence to the contrary and reiterated this flawed PENS premise, as you yourself did in response to such an article in the *Washington Monthly*: "[t]he Association's position is rooted in our belief that having

psychologists consult with interrogation teams makes an important contribution toward keeping interrogations safe and ethical."

Every report of horrific abuses occurring at Guantánamo and elsewhere has not only cast doubt upon this basic premise of APA policy, these reports have repeatedly highlighted psychologists' abuse of psychological knowledge for purposes of cruel, inhuman and degrading treatment. Yet the APA has never made any public attempt to investigate such reports. Even if certain psychologists attempted to "keep interrogations safe and ethical," the OIG report demonstrates once and for all that BSCT and SERE psychologists, among others, were responsible for the development, migration, and perpetration of abuses.

It is time for the APA to acknowledge that the central premise of its years-long policy of condoning and encouraging psychologist participation in interrogations is wrong. It has now been revealed by the DoD itself that, rather than assuring safety, psychologists were central to the abuse. This remains true even if some psychologists made efforts to reduce such harm during their involvement in these interrogation contexts at some point in time. It is critical that APA take immediate steps to remedy the damage done to the reputation of the organization, to our ethical standards, to the field of psychology, and to human rights in this age where they are under concerted attack. The following steps will begin the process of correcting this egregious error by the organization and its leadership. *We urgently recommend that:*

1. *The President of the APA acknowledge errors and abuses and chart a new direction re-emphasizing human rights.* In light of the recent revelations, you, as President of the APA, should issue a clear public statement that acknowledges the errors made by APA, in both policy and public statements, and abuses perpetrated by psychologists; you should call on the association to go in a new direction, giving primary emphasis to human rights concerns in forging policy around ethics and national security.
2. *The APA Board of Directors and Ethics Committee endorse the APA Moratorium on psychologist participation in interrogations of foreign detainees.* It is critical to immediately disengage psychologists from any direct or supervisory participation in interrogations of individual detainees. Such a step would do much to bring the APA in line with the positions adopted some time ago by the American Psychiatric Association, the American Medical Association, and the American Nurses Association. Thus, the APA leadership should support and the Council of Representatives must, at the August Convention, pass the **Moratorium on Psychologist Involvement in Interrogations at US Detention Centers for Foreign Detainees** proposed by Dr. Neil Altman and scheduled for a vote at Council.
3. *The APA Board of Directors encourage, support, and cooperate with the Senate investigations of detainee treatment.* It is essential that the APA support and cooperate fully with the announced investigation of the Senate Armed Services Committee (SASC) into the role of SERE in the creation of abusive interrogation strategies, as well as the Senate Intelligence Committee's announced investigation into the CIA's handling of detainees in their custody. In fact, the APA Board of Directors should do what it can to expedite this and other external, non-partisan investigations of all localities that utilize BSCT psychologists.
4. *The APA Board of Directors commence a neutral third-party investigation of its own involvement, and that of APA staff, in APA-military conflicts of interest.* It is essential that the APA membership and the concerned public develop an in-depth

understanding of how and why the APA accepted a rationale for psychologist involvement in interrogations that has been revealed to have been advanced by involved psychologists, and which permitted their continued participation and supervision of abusive interrogation processes. The concept of "legal, ethical, safe, and effective" has been exposed as a euphemism for psychologist oversight of abuse; these activities can only be considered "ethical" because the APA Ethics Code (Standard 1.02) was rewritten in 2002 to define complying with any law or military regulation as "ethical."

The membership has a right to know why, in the face of continually emerging sets of tangible evidence suggesting that the its policy was flawed and that psychologists were systematically employing expert psychological knowledge for purposes of abuse, the APA leadership refused to investigate, and continued to give cover for these abuses. (According to APA Ethics Director, Dr. Stephen Behnke, the BSCTs attach a copy of the PENS report to their training manuals.) Therefore, it is critical that an independent investigation be launched – conducted by individuals well-known for their commitment to human rights – into the development of APA policy in this area, and into the broader issues that likely contributed to a series of suspicious procedural activities. Among the issues this investigation must examine are:

- a) the numerous procedural irregularities alleged to have occurred during the PENS process;
- b) the role of the military and intelligence agencies in the formation and functioning of the PENS Task Force;
- c) the reasons the APA and its leadership have systematically ignored the accumulating evidence that psychologists participating in interrogations are contributing to torture or cruel, inhuman, or degrading treatment, rather than helping to prevent it;
- d) the overall nexus of close ties between the APA staff/leadership and the military and intelligence agencies, ties that may have contributed to a climate that permits undo influence of military and intelligence agencies in the creation of these policies and that encourages turning a blind eye to abuse;
- e) the transformation of the APA Ethics Code, from one that protects psychologists' ethical conduct when such conduct conflicts with law and military regulations to one that protects psychologists who follow unethical law and military regulations.

Only such an investigative process can restore the faith of the membership and the broader public in the APA and in the profession of psychology. To fail to act now would be to continue an organizational policy that maintains and protects psychologists' roles as the architects of what can only be interpreted as a torture paradigm; one that has intentionally violated the Geneva Conventions, our nation's values, and our professional ethics.

We look forward to your affirmation, acceptance, and action in regard to this call for immediate steps to remedy this saddening situation for our organization and our discipline.

Sincerely*,

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