

February 6, 2008

Dear Psychologists and other Health Professionals:

In January of 2008, State Senator Mark Ridley Thomas submitted an important Resolution on health professionals and military/intelligence interrogations to the California Senate. The resolution passed in Committee without opposition. However, the American Psychological Association (APA) has proposed an amendment that would defeat the intent of the resolution.

The original Resolution requests that the DoD and CIA:

remove all California-licensed health professionals...from participating in any way in prisoner and detainee interrogations.

This wording makes clear that these DoD and CIA interrogations are inappropriate for licensed health professionals. The proposed APA amendment, in contrast, requests that the DOD and CIA only remove professionals from certain types of interrogations, namely, those that involve torture. With the APA amendment, the section would read:

remove all California-licensed health professionals...from participating in any way in prisoner and detainee interrogations that involve torture.

The APA has implied that the amendment is consistent with the original resolution, and yet it undermines the very intent of the legislation, as explained below.

1. Routine participation of health professionals in abusive interrogations is indisputable. These instances have been documented in numerous press reports, by NGOs, and by the DoD itself, detailing the central role psychologists have played in the development, implementation, and standardization of the Bush administration's program of "enhanced interrogations" and abuse. Organizationally, there is no way to withdraw complicit psychologists on a case-by-case (i.e., interrogation-by-interrogation) basis.
2. The APA use of the term "torture" here does nothing but accommodate the obfuscating definitions used by the Bush administration and its legal defenders. Recently, the US Attorney General refused to consider waterboarding a form of torture. The APA amendment, in restricting the legislation and its implementation to these definitions, undermines the intent of the resolution, which is to remove licensed California health professionals from widely condemned interrogation practices, even if these practices are condoned by our government or our military and intelligence agencies.
3. Health professionals in the field, operating under orders in isolated settings, are in no position themselves to make complex judgments as to what is and is not torture (or cruel, inhuman, or degrading treatment), judgments about which lawyers and politicians can argue for years. Only a clear firewall – a bright line – can provide unambiguous guidance and fully protect foreign prisoners of war.
4. The APA amendment ignores the underlying principle of all health provider ethics—to "do no harm", as well as to increase the well-being of others. Coercive and deceptive interrogations, by their nature, stand in conflict with this principle. To weaken this value,

dating back to the Hippocratic Oath, would further deteriorate the public trust necessary for therapeutic and rehabilitative work practiced worldwide by health professionals. Numerous soldiers have shared with us that they would never consult a psychologist after seeing what psychologists have done to detainees.

5. The amendment would put licensed California providers at risk for violating international laws and treaties that oppose the misuse of professional knowledge and status in settings of war for non health-related purposes. A bright line would more fully protect licensed providers from the risk of prosecution.
6. The involvement of psychologists and other health professionals continues to provide a false sense of scientific, academic, and practitioner legitimacy to harsh interrogation techniques. The APA amendment would allow this practice to continue, and create an unrealistic perception of safety surrounding these interrogation practices.
7. The amendment is based upon the false belief that psychologists and other health professionals are morally superior to others, less subject to social influences, and therefore less likely to harm foreign prisoners of war. These influences include financial, professional, and legal pressures. Many practitioners involved in interrogations are financially obligated to the DoD for their training as health professionals, and there are reports that individual health professionals are selected for these roles due to their vulnerabilities to compliance.
8. Harmful, interrogation techniques of a psychological nature are difficult to trace. Symptoms of psychopathology as a result of this treatment may not be manifest until months or years after abuse. While not impossible, involvement is difficult to prosecute. Names are hidden from detainees, and state licensing boards have virtually no access to these sites or the classified activities that occur within them. Disciplinary actions are particularly challenging when even the DoD and CIA have failed to discipline their own members.

At the January 14, 2008, California Senate hearing on the Ridley Thomas Resolution, the American Psychological Association's representative gave testimony that ostensibly supported the Resolution and portrayed its amendments as minor. In fact, the APA amendment to only "remove...health professionals...from...interrogations that involve torture" defeats the core meaning of the Resolution. This amendment should therefore be rejected.

Sincerely,

The Coalition for an Ethical Psychology

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