

APPENDICES

for

Report on Division 35 Involvement with PENS and its Aftermath

By

The Member-Initiated Task Force

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APPENDIX A: Brief Background of Terms and Timeline of Events Relating to PENS

Geneva Convention Relative to the Treatment of Prisoners of War (1949):

Common Article 3 prohibits “outrages upon personal dignity, in particular humiliating and degrading treatment.”

UN Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment (1984):

“Torture means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining...information or a confession...”

APA Ethical Principles of Psychologists and Code of Conduct - Principle A:

“Psychologists strive to benefit those with whom they work and take care to do no harm.”

Revised Ethical Standard 1.02 from APA Code of Ethics 2002 (no longer in effect):

This revision of the standard is discussed in the report. Here we merely state the 2002 standard: "If psychologists' ethical responsibilities conflict with law, regulations, or other governing legal authority, psychologists make known their commitment to the Ethics Code and take steps to resolve the conflict. If the conflict is unresolvable via such means, psychologists may adhere to the requirements of the law, regulations, or governing legal authority."

Key Text from the Report of the APA Presidential Task Force on Psychological Ethics and National Security (PENS):

“Psychologists may serve in various national security-related roles, such as a consultant to an interrogation, in a manner that is consistent with the Ethics Code.”

Key Text from PENS Listserv 2005: APA President-Elect Gerald Koocher’s uncontested statement: “The goal of such psychologists’ work will ultimately be the protection of others (i.e. innocents) by contributing to the incarceration, debilitation, or even death of the potential perpetrator....”

Interrogation Sites:

Bagram Air Base, Afghanistan; Guantánamo Bay Detention Camp, Guantánamo Bay [GTMO]; Black Sites (secret prisons outside of the US)

SERE (Survival, Evasion, Resistance, Escape):

Originally SERE programs were training programs devised for US military personnel to enhance their ability to resist torture from enemies. From Soldz, Reisner, & Olson, 2007: “SERE training incorporates physical and psychological pressures, which act as counterresistance techniques, to replicate harsh conditions that the Service member might encounter if they are held by forces that do not abide by the Geneva Conventions” (OIG Report, p. 23) They also note, “The OIG Report cites the description in the Army Field Manual 34-52, which makes clear that SERE-type interrogation techniques constitute “physical or mental torture and coercion under the Geneva conventions.” (Soldz, Reisner, & Olson, 2007).

Reverse Engineering:

Psychologists Bruce Jessen and James Mitchell proposed interrogations based on “reverse engineering of SERE”:

The official military authorization of reverse-engineered SERE techniques led to the creation of BSCTs (pronounced biscuits) comprised of psychologists, psychiatrists, and mental health technicians (The Committee Study of the Central Intelligence Agency's Detention and Interrogation Program' a report compiled by the bipartisan [United States Senate Select Committee on Intelligence](#) (SSCI), 11/20/08).

Psychologists Involvement in Reverse Engineered SERE Tactics:

A log from GTMO that was later leaked to the press shows psychologist Major John Leso (at the time a member of APA but who left APA around 2014 when the APA Ethics Committee concluded there was no cause for action against him) was present at some sessions of the interrogation of Mohammed Al Qahtani, during which Al Qahtani was subjected to the use of military dogs, sleep deprivation, and other cruel and inhumane treatment. Leso was the inaugural head of the BSCT (biscuit team) at GTMO (Hoffman, p. 60). A member of his BSCT attended all sessions of this interrogation.

According to a 2008 article in the *Daily Kos*, another psychologist, BSCT team member Lt. Col. Diane Zierhoffer at GTMO, observed a session of the interrogation of teenager Mohammed Jawad in 2003 (Blades, 2008). At the time this abuse occurred, she was a member of APA. In order to “break” Jawad, Zierhoffer recommended increased psychological pressure and prolonged isolation, after he had already endured beatings and other abuse at Bagram. He later attempted suicide at GTMO. Zierhoffer invoked privilege at a 2008 legal hearing in order to not self-incriminate (Blades, 2008).

According to Jawad’s defense attorney Maj. Frakt, in September 2003 “when an interrogator observed Mohammad talking to posters on the wall of the interrogation room and was concerned about his mental health,” instead of calling a mental health professional to care for him, they summoned the BSCT team, whose psychologist made a “cruel and heartless assessment and recommendations.” Maj. Frakt called the BSCT psychologist’s report, which was classified secret and therefore not discussed in detail in the open court session, “the most chilling document of all...” (And) when Jawad tried to hang himself only months later, on Christmas Day 2003, BSCT psychologists—not regular medical psychologists—were notified of Jawad’s suicide attempt (Turner, 2008, citing Frakt, 2009).

Frakt asked, “What has this country come to when a licensed psychologist, a senior officer in the US Armed Forces, someone trained in the art of healing broken hearts and mending broken minds, someone with a duty to do no harm, turns her years of training and education to the art of breaking people, to the intentional devastation of a lonely, homesick teenage boy?” (Turner, 2008).

In terms of Jawad’s specific case Lt. Colonel Vanderveld and former lead prosecutor assigned to Jawad’s case until he resigned in September of 2008 said, in relation to psychologists’ involvement, “I reviewed a redacted copy of a report prepared by a Behavioral Science Consultation Team psychologist, who prepared an assessment of Mr. Jawad’s mental condition. The psychological assessment was not done to assist in identifying and treating any psychological disturbances Mr. Jawad might have been suffering from. It was instead conducted to assist the interrogators in extracting information from Mr. Jawad, even exploiting his mental vulnerabilities to do so. This rank betrayal of a supposed healer’s professional obligations toward a detainee entitled to humane treatment struck me as particularly despicable. From my perspective, this

manner” (Lt. Col. Vandeveld, Prosecutor at the Office of Military Commissions – Prosecutions) (ACLU, 2009).

Torture Memos:

Jay Bybee, Asst. Attorney General to Alberto Gonzales, Counsel to the President, with input from John Yoo and David Addington, issued two memos to Gonzales that redefined torture. These memos, among others from 2002-2007, are often called the “torture memos” (Cole, 2009).

US Department of Justice Office of Legal Counsel (OLC) – 8/1/02

“Physical pain amounting to torture must be equivalent in intensity to the pain accompanying serious physical injury, such as organ failure, impairment of bodily function, or even death.”

“For purely mental pain or suffering to amount to torture...it must result in significant psychological harm of significant duration, e.g., lasting for months or even years.”

A second memo from Bybee to John Rizzo of the CIA in 2002 stated that Walling, Stress positions, Sleep deprivation, insects placed in a confinement box, and the Waterboard would not violate US statutes against torture (Leopold, 2009).

2004 International Committee of the Red Cross Report

In June of 2004, a group of humanitarian workers from the ICRC visited Guantanamo and saw a “flagrant violation of medical ethics.” The US government received and rejected the report. The report stated that detainees were totally dependent on interrogators including the BSCTs and experienced “humiliating acts, solitary confinement, temperature extremes, use of forced positions.” They stated this was an “intentional system of cruel, unusual and degrading treatment and a form of torture” (Lewis, 2004).

2005 Office of Legal Counsel Memo

“During the use of the waterboard, a physician and a psychologist are present at all times.”

2005 Office of the Army Surgeon General: Final Report Assessment of Detainee Medical Operations for Operation Enduring Freedom (OEF), Guantanamo (GTMO), and Operation Iraqi Freedom (OIF). (4/13/05)

States psychologists were responsible for “Checking the medical history of detainees with a focus on...’what are their buttons’” and “Knowing when to push or not push harder” (Kiley, 2005).

2007 (Feb.) A second Red Cross Report was written in 2007 and leaked to the public in 2009 –ICRC Report on the Treatment of Fourteen “High Value Detainees” in CIA Custody

This report was on High Value Detainees tortured by CIA, and transferred to GTMO in 2006. While the RC interviewed them at GTMO, the torture occurred earlier in CIA black site prisons.

2007 APA Mini-Convention on Ethics and Interrogations:

A section of this report describes the mini-convention during which Jean Maria Arrigo revealed members of the PENS TF with undisclosed ties to the DoD.

2006 & 2007 Passage of APA Resolutions

In 2006 and again in 2007, COR passed resolutions against torture with tighter and more explicit prohibitions but each resolution had problems and loopholes, preserving a direct role of psychologists in military and intelligence interrogations (Olson, Soldz, & Davis, 2008).

Moratorium Resolution (not passed)

Proposed by Neil Altman, this motion called on APA to call for a moratorium on psychologist involvement in interrogations taking place at US detention centers for foreign detainees. COR defeated this amendment and thus APA did not sway from its PENS Report statement that "psychologists may serve in various national security-related roles, such as a consultant to an interrogation..." (p. 6).

2008 Inquiry into the Treatment of Detainees in U.S. Custody, Report of the Senate Committee on Armed Services (11/20/08) (Senate Report)

The abuse of detainees in U.S. custody cannot simply be attributed to the actions of "a few bad apples" acting on their own. The fact is that senior officials in the United States government solicited information on how to use aggressive techniques, redefined the law to create the appearance of their legality, and authorized their use against detainees. Those efforts damaged our ability to collect accurate intelligence that could save lives, strengthened the hand of our enemies, and compromised our moral authority. This report is a product of the Committee's inquiry into how those unfortunate results came about (p. xii).

The abuse of detainees at Abu Ghraib in late 2003 was not simply the result of a few soldiers acting on their own. Interrogation techniques such as stripping detainees of their clothes, placing them in stress positions, and using military working dogs to intimidate them appeared in Iraq only after they had been approved for use in Afghanistan and at GTMO. Secretary of Defense Donald Rumsfeld's December 2, 2002 authorization of aggressive interrogation techniques and subsequent interrogation policies and plans approved by senior military and civilian officials conveyed the message that physical pressures and degradation were appropriate treatment for detainees in U.S. military custody. What followed was an erosion in standards dictating that detainees be treated humanely (p. xxix).

The Senate report listed the following tasks that psychologists performed: constructing personality profiles; providing recommendations for interrogation strategies; observing interrogations and providing feedback.

2008 Letters from Physicians for Human Rights (PHR) President Leonard Rubenstein and CEO Frank Donaghue

"The emerging information is alarming because it shows not only the involvement of individual psychologists in abusive CIA and military interrogations, but an institutionalized program of psychological torture supervised by teams of CIA psychologists and the Pentagon's Behavioral Science Consultation Teams (BSCT), staffed predominantly by psychologists."

"To date, the APA has been muted about these revelations. It has twice passed resolutions reaffirming its opposition to torture and ill treatment but the Association has never explicitly condemned the operations and policies authorizing such abuses, nor concluded its ethics investigations of psychologists who have engaged in such conduct."

"It is past time for the APA to explicitly and categorically reject the use of psychologists and psychology to perpetrate a widespread, command-ordered program of torture and abuse. General statements opposing torture fail to fully address the reality of what psychologists have done."

This letter asked APA to acknowledge psychologists were "deeply and structurally involved" in torture; condemn it; demand that Congress set up an independent commission to investigate the role of military and intelligence psychologists in torture; appoint a blue-ribbon APA panel to review the role of psychologists in torture; initiate disciplinary measures against any APA member alleged to have participated in torture or cruel, inhuman and degrading treatment or punishment; reform APA's ethical rules (Blades, 2008).

2008 APA Referendum Vote

"The petition resolution stating that psychologists may not work in settings where "persons are held outside of, or in violation of, either International Law (e.g., the UN Convention Against Torture and the Geneva Conventions) or the US Constitution (where appropriate), unless they are working directly for the persons being detained or for an independent third party working to protect human rights" was approved by a vote of the APA membership. The final vote tally was 8,792 voting in favor of the resolution; 6,157 voting against the resolution. To become policy, a petition resolution needs to be approved by a majority of those members voting" (APA, 2008b).

APA leadership said it wasn't enforceable if not in the Ethics Code and refused to put it in the ethics code. Nevertheless, 59% of those voting supported it.

2010 Filing of Ethics Complaints

In summer of 2010, ethics complaints were filed with state licensing boards against three psychologists implicated in the US government torture program. The APA President wrote a letter to the Texas licensing board condemning the reported actions of a APA member James Mitchell, who resigned in 2006), but remained silent on similar complaints against two APA psychologists (John Leso, NY, who resigned around 2014, and Larry James, OH, LA). The APA Ethics Committee failed to act on multiple complaints filed with it against APA member Maj. John Leso. The APA Ethics Committee refused to open an investigation against Col. Larry James. Col. James has instead received several APA awards and was elected President of the APA Division of Military Psychology (paraphrased from http://www.ethicalpsychology.org/materials/APA_&_US_Torture-Basic_Facts.pdf)

2010 Change in Ethics Code Approved

Following are the two ethical standards and the changes adopted. Language that is underscored was newly adopted.

1.02, Conflicts Between Ethics and Law, Regulations, or Other Governing Legal Authority

If psychologists' ethical responsibilities conflict with law, regulations, or other governing legal authority, psychologists clarify the nature of the conflict, make known their commitment to the Ethics Code and take reasonable steps to resolve the conflict consistent with the General Principles and Ethical Standards of the Ethics Code. Under no circumstances may this standard be used to justify or defend violating human rights.

1.03, Conflicts Between Ethics and Organizational Demands

If the demands of an organization with which psychologists are affiliated or for whom they are working are in conflict with this Ethics Code, psychologists clarify the nature of the conflict, make known their commitment to the Ethics Code, and take reasonable steps to resolve the conflict consistent with the General Principles and Ethical Standards of the Ethics Code. Under no circumstances may this standard be used to justify or defend violating human rights.

Full version can be found at <http://ethicalpsychology.org/pens/>

2012 New APA “Member-Initiated” Task Force Proposed

From Kaye (2012): “This new “APA members-initiated” proposal is spear-headed by Linda Woolf, the task force chair, and Ellen Garrison, APA’s Senior Policy advisor and “staff liaison” for the task force. None of the supporters of the successful 2008 APA member referendum to end psychologist participation at national security sites that fail to meet international human rights standards have been asked to participate on the new “task force.” Other task force members include psychologists Laura Brown, Kathleen Dockett, Julie Meranze Levitt, and Bill Strickland. As Coalition for an Ethical Psychology note ... three of the five current task force members actually opposed that referendum, which was passed with nearly 60% of the vote. The referendum has *never* been operationally instituted by APA, which has failed to date to ever state its opposition, for instance, to the presence of psychologists at Guantanamo, a US national security setting long held to be out of compliance with international human rights standards.”

The report of this task force can be found at <https://www.apa.org/about/policy/psychologists-national-security.pdf> This report was widely understood among dissidents and the Coalition to be an attempt to undermine and undercut the annulment efforts. If PENS could be rescinded because it was “out of date,” APA would not need to take responsibility for the flawed process under which the PENS Report was written and later enforced.

2013 Policy Related to Psychologists' Work in National Security Settings and Reaffirmation of the APA Position Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment Adopted (Amended 2015)

Although this policy arose out of the Member Initiated Task Force led by Linda Woolf, the Coalition had major issues with the wording which they claimed “appears to eviscerate the sense and purpose of the 2008 member initiated referendum, which was adopted by 59% of voting members and certified by Council as APA policy.” Also Statement 4 weakens the 2007 and 2008 resolutions. The Coalition continued to call for the Annulment of the PENS Report. See <http://www.ethicalpsychology.org/materials/Coalition-Responds-to-New-APA-Policy-Proposal.pdf>

“As part of the policy reconciliation process, the council also voted to rescind the 2005 Report of the APA Presidential Task Force on Psychological Ethics and National Security (PENS) and two other APA policies dated 2007 and 2008. These policies had become outdated or rendered inaccurate with the passage of subsequent policies, most notably a 2010 revision of the APA Ethics Code and the 2013 policy.” <https://www.apa.org/pubs/info/reports/pens.pdf>

2013 PENS Report Rescinded

This was a part of the vote to accept the above policy.

2014 Attorney David Hoffman hired in November for Independent Review

2015 Hoffman Report

From the NY TIMES, July 10, 2015: “A 542-page report concludes that prominent psychologists worked closely with the C.I.A. to blunt dissent inside the agency over an interrogation program that is now known to have included torture. It also finds that officials at the American

policies did not hinder the ability of psychologists to be involved in the interrogation program.”
<http://www.nytimes.com/interactive/2015/07/09/us/document-report.html>

APPENDIX B: Additional Information on APA Response to Kimmel Report

When Kimmel finally presented the report to the BOD in 2005, they recommended that COR reject it. Kimmel and some of the other PEPT TF members brought it to COR anyway, at which point then-President Ron Levant rearranged the meeting agenda, delayed a vote, and left only minutes for the PEPT TF presentation (and no time for discussion) (See Hoffman, p. 191). Levant then took a voice vote to refer the report to the Board of Scientific Affairs, after which he declared the motion unanimously adopted in spite of at least one “no” vote, before adjourning the meeting (Kimmel, 2016).

According to Welch, it appeared that a small number of APA staff and upper echelon members of the board were working with military psychologists to maintain their participation in enhanced interrogation techniques. Welch stated that, “the APA organizational structure was cleverly debilitated through psychological and structural changes over a fifteen year period largely for in-house political reasons.” He also wrote that, “people who were critical of the APA positions were dismissed as mean-spirited, biased, and insincere. Thus, the substance of their arguments was ignored” (Welch, 2009a).

In an email to MITF (May 7, 2016), Kimmel wrote that if APA had approved the PEPT TF report, they would have had to consider its recommendations that included (a) regular clinical assessments and surveys of population samples of Americans related to changes in US anti-terrorist measures; (b) scientific evaluations of the effectiveness of APA programs for promoting resilience in the American public; (c) training programs for US security personnel (including the military) to help them recognize, prevent and defuse potentially dangerous contacts with the public; (d) publish guidelines for use by national, state, and local leaders to ensure that their public statements about terrorism do not inflame their constituencies; and (e) educational materials to help students identify and deal with efforts to instill blind patriotism in the classroom. PEPT TF members agreed to help the APA implement these recommendations.

As Welch (2009a) remarked: “The [PEPT] task force findings provide a tragic illustration of what the American Psychological Association's contribution to post 9-11 efforts could have been had its leadership at the time remained consistent to the historical values of the APA and psychologists everywhere.”

Some of the PEPT TF members later found an independent publisher for the report where it was published in 2006 as an edited volume by Paul Kimmel and Chris Stout, entitled *Collateral Damage: The Psychological Consequences of America's War on Terror*. Kimmel explained that when the book was in process, APA's legal counsel warned Kimmel not to suggest that APA had endorsed the book. Kimmel states that he should have objected to this censorship given the PEPT TF itself was unanimously approved and paid for by COR, and the work was endorsed by many APA staff, board, and committee members as well.

APPENDIX C: News Reports Available as well as Relevant Books

Below is an incomplete list of the new stories printed in mostly major news sources that were a source of information for many. Not included are over 35 statements, articles, and open letters by the Coalition for an Ethical Psychology and nearly 100 articles by Coalition members.

2002

The earliest report of torture (Priest & Gellman, 2002) was in the Washington Post on Dec. 26th.

This report states that at Bagram air base, there is a secret CIA interrogation center where detainees are “sometimes kept standing or kneeling for hours, in black hoods or spray-painted goggles” in “awkward, painful positions and deprived of sleep with a 24-hour bombardment of lights – subject to what are known as ‘stress and duress’ techniques.” They continue that “The picture that emerges is of a brass-knuckled quest for information, often in concert with allies of dubious human rights reputation, in which the traditional lines between right and wrong, legal and inhumane, are evolving and blurred.” And, “While the U.S. government publicly denounces the use of torture, each of the current national security officials interviewed for this article defended the use of violence against captives as just and necessary. They expressed confidence that the American public would back their view. The CIA, which has primary responsibility for interrogations, declined to comment.” And “If you don't violate someone's human rights some of the time, you probably aren't doing your job,” said one official who has supervised the capture and transfer of accused terrorists. “I don't think we want to be promoting a view of zero tolerance on this. That was the whole problem for a long time with the CIA.”

http://www.washingtonpost.com/wp-dyn/content/article/2006/06/09/AR2006060901356_pf.html

2004

Red Cross Finds Detainee Abuse in Guantánamo

http://www.nytimes.com/2004/11/30/politics/red-cross-finds-detainee-abuse-in-guantanamo.html?_r=0

Taguba Report on CBS

<http://www.cbsnews.com/htdocs/pdf/tagubareport.pdf>

Torture at Abu Ghraib

<http://www.newyorker.com/magazine/2004/05/10/torture-at-abu-ghraib>

2005

More of FBI Memo Criticizing Guantanamo Methods Is Released

<http://www.nytimes.com/2005/03/22/politics/more-of-fbi-memo-criticizing-guantanamo-methods-is-released.html>

The Experiment by Jane Mayer

<http://www.newyorker.com/magazine/2005/07/11/the-experiment-3>

Break Them Down

<http://physiciansforhumanrights.org/library/reports/us-torture-break-them-down-2005.html>

2006

Introduction: The Abu Ghraib Files

http://www.salon.com/2006/03/14/introduction_2/

Former U.S. Detainee in Iraq Recalls Torment

http://www.nytimes.com/2006/12/18/world/middleeast/18justice.html?pagewanted=all&_r=0

Do No Harm (review of An Oath Betrayed)

http://www.washingtonpost.com/wp-dyn/content/article/2006/07/20/AR2006072001021_pf.html

Psychologists Preferred For Detainees

http://psychoanalystsopposewar.org/resources_files/PsychologistsPreferredForDetainees.html

The CIA's torture teachers

http://www.salon.com/2007/06/21/cia_sere/

2007

The CIA's Torture Teachers

http://www.salon.com/2007/06/21/cia_sere/

Rorschach and Awe

<http://www.vanityfair.com/news/2007/07/torture200707?currentPage=all&printable=true>

The Black Sites

<http://www.newyorker.com/magazine/2007/08/13/the-black-sites>

Expert has stake in cryptic local firm [Former APA President Joseph Matarazzo has stake in Mitchell Jessen & Associates]

https://web.archive.org/web/20070421022213/http://www.spokesmanreview.com/tools/story_pf.asp?ID=204358

The General's Report

<http://www.newyorker.com/magazine/2007/06/25/the-generals-report>

Amnesty International's Cruel and Inhuman: Condition of Isolation for Detainees at Guantanamo Bay

http://www.amnistia-internacional.pt/dmdocuments/guant_abril.pdf

The Case of Mohamed Jawad

<http://www.counterpunch.org/2007/10/17/the-case-of-mohamed-jawad/>

APA Interrogation Task Force Member Dr. Jean Maria Arrigo Exposes Group's Ties to Military

http://www.democracynow.org/2007/8/20/apa_interrogation_task_force_member_dr

Dissident Voices: Ex-Task Force Member Dr. Michael Wessells Speaks Out on Psychologists and Torture

Leave No Marks: Enhanced Interrogation Techniques and the Risk of Criminality
<http://physiciansforhumanrights.org/library/reports/leave-no-marks-report-2007.html>

2008

Report by the Senate Armed Services Committee on Detainee Treatment
<http://documents.nytimes.com/report-by-the-senate-armed-services-committee-on-detainee-treatment>

The Biscuit Breaker by Dan Ephron
<http://humanrights.ucdavis.edu/projects/the-guantanamo-testimonials-project/testimonies/testimonies-of-military-psychologists-index/the-biscuit-breaker>

I Am Still Tortured by What I Saw in Iraq
http://www.washingtonpost.com/wp-dyn/content/article/2008/11/28/AR2008112802242_pf.html

Tactic Used After it was Banned
<http://www.washingtonpost.com/wp-dyn/content/article/2008/08/07/AR2008080703004.html>

2009

Torture Committed at CIA Sites
<http://www.cbsnews.com/news/red-cross-torture-committed-at-cia-sites/>

How Long is Long Enough?
http://www.nytimes.com/2009/06/30/opinion/30herbert.html?_r=0

Afghans Detail Detention in ‘Black Jail’ at U.S. Base
http://www.nytimes.com/2009/11/29/world/asia/29bagram.html?_r=3&pagewanted=print

2 Afghans Allege Abuse at U.S. Site
http://www.washingtonpost.com/wp-dyn/content/article/2009/11/27/AR2009112703438_pf.html

Obama Releases Bush’s Torture Memos
<http://www.theguardian.com/world/2009/apr/16/torture-memos-bush-administration>

The Ethical Policies and Involvement in Enhanced Interrogations of US Psychologists After 9/11
<http://www.psychiatrictimes.com/print/article/10168/1482745?printable=true&GUID=4886F333-B29F-4BD6-9CCA-388B9>

Aiding Torture: Health Professionals' Ethics and Human Rights Violations Revealed in the May 2004 CIA Inspector General's Report
<http://physiciansforhumanrights.org/library/reports/aiding-torture-2009.html>

Central Intelligence Agency, Office of the Inspector General, Special Review: Counterterrorism Detention and Interrogation Activities (September 2001-October 2003 [2004/2009])
http://nsarchive.gwu.edu/torture_archive/docs/Document%2005.pdf

https://www.thetorturedatabase.org/search/apachesolr_search/torture%20memo%20olc and <http://talkingpointsmemo.com/muckraker/torture-memos-released>

2010

Afghans “abused at secret prison” at Bagram Airbase

<http://news.bbc.co.uk/1/hi/8621973.stm>

The Torture Memos 10 Years Later

<http://www.theatlantic.com/national/archive/2012/02/the-torture-memos-10-years-later/252439/>

Government Report on Drugging of Detainees is Suppressed

<http://humanrights.ucdavis.edu/projects/the-guantanamo-testimonials-project/testimonies/testimomies-of-lawyers/government-report-on-drugging-of-detainees-is-suppressed>

Experiments in Torture: Evidence of Human Subject Research and Experimentation in the "Enhanced" Interrogation Program

<http://physiciansforhumanrights.org/blog/experiments-in-torture.html>

[Listed by Discover magazine as one of the top science stories of the year.]

ICRC Report on the Treatment of Fourteen “High Value Detainees” in CIA Custody [2007/2010]

<http://www.nybooks.com/media/doc/2010/04/22/icrc-report.pdf>

2011

Pope, K. Are the American Psychological Associations Detainee Interrogation Policies Ethical and Effective? <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3200196/>

Human Rights Watch. Getting Away with Torture

<https://www.hrw.org/report/2011/07/12/getting-away-torture/bush-administration-and-mistreatment-detainees>

The Torture Apologists.

<http://www.nytimes.com/2011/05/05/opinion/05thu1.html>

2012

The Role of Health Professionals in Detainee Interrogation

<http://www.theatlantic.com/health/archive/2012/11/the-role-of-health-professionals-in-detainee-interrogation/263812/>

2014

Panel Faults CIA Over Brutality and Deceit in Terrorism Interrogations

<http://www.nytimes.com/2014/12/10/world/senate-intelligence-committee-cia-torture-report.html>

Contrary to Obama’s Promises, the U.S. Still Permits Torture

<http://www.theguardian.com/commentisfree/2014/jan/25/obama-administration-military-torture->

2015

American Psychological Association Bolstered C.I.A. Torture Program Report Says

<http://www.nytimes.com/2015/05/01/us/report-says-american-psychological-association-collaborated-on-torture-justification.html>

2016

Attacks on Hoffman Report from Military Psychologists Obfuscate Detainee Abuse

<http://www.counterpunch.org/2016/01/05/attacks-on-hoffman-report-from-military-psychologists-obfuscate-detainee-abuse/>

Torture is Illegal but There Is the Issue of Appendix M

<http://www.washingtontimes.com/news/2016/mar/12/torture-is-illegal-but-theres-the-issue-of-appendi/?page=all>

BOOKS

The Torture Papers: The Road to Abu Ghraib (2005)

Edited by Karen J. Greenberg and Joshua L. Dratel

The Torture Debate in America (2005)

Edited by Karen J. Greenberg

Torture and Truth: America, Abu Ghraib, and the War on Terror (2004)

By Mark Danner

The Abu Ghraib Investigations: The Official Report of the Independent Panel and Pentagon (2004)

Edited By Steven Strasser

Chain of Command: The Road from 9/11 to Abu Ghraib (2004)

By Seymour M. Hersh.

Guantanamo and the Abuse of Presidential Power (2006)

By Joseph Margulies

The Guantanamo Files: The Stories of the 774 Detainees in America's Illegal Prison (2007).

By Andy Worthington

The Guantanamo Effect: Exposing the Consequences of U.S. Detention and Interrogation Practices (2009)

By Laurel E. Fletcher and 7 others

First Do No Harm: The Paradoxical Encounters of Psychoanalysis, War-making, and Resistance (2010). Edited by and Adrienne Harris & Steven Botticelli

By James Risen

Guantánamo Diary (2015)

By Mohamedou Ould Slahi and Larry Siems

APPENDIX D: Arrigo's Speech at Mini-Convention

http://www.democracynow.org/2007/8/20/apa_interrogation_task_force_member_dr

APA Interrogation Task Force Member Dr. Jean Maria Arrigo Exposes Group's Ties to Military AUGUST 20, 2007

GUESTS: JEAN MARIA ARRIGO *former member of APA task force on interrogation.*

Dr. Jean Maria Arrigo was one of three civilian members of an APA task force that concluded psychologists were playing a "valuable and ethical role" in assisting the military. It was later revealed that that six of nine voting members were from the military and intelligence agencies with direct connections to interrogations at Guantanamo and elsewhere. At this weekend's annual convention, Dr. Arrigo exposed the inner workings of the group in an extraordinary speech. [includes rush transcript]

TRANSCRIPT *This is a rush transcript. Copy may not be in its final form.*

AMY GOODMAN: After a string of reports in the media exposed that psychologists helped develop abusive interrogation methods, American Psychological Association leaders in 2005 convened a presidential task force to examine the issue. After just two-and-a-half days of deliberations, the task force concluded psychologists were playing a "valuable and ethical role" in assisting the military. When the report was released, however, it did not include a list of its members. It wasn't until a year later that the membership was finally published by Mark Benjamin, Salon.com. It revealed that six of the nine voting members were from the military and intelligence agencies with direct connections to interrogations at Guantanamo and elsewhere.

Dr. Jean Maria Arrigo was one of the three civilian members of the 2005 PENS Task Force. At this weekend's annual APA convention, she exposed the inner workings of the group and has turned over all of her notes to the Senate Armed Services Committee, which has promised to hold a hearing.

The APA made it very difficult for us to record this weekend's sessions. As our microphone was discreetly placed, you will hear a lot of page turnings and other rustlings. Please excuse those sounds and just listen carefully. This is Jean Maria Arrigo.

DR. JEAN MARIA ARRIGO: When appointed to the task force in April 2005, I looked forward to a fruitful collaboration with six members employed by the Department of Defense.

Although perplexed and disturbed by our PENS report in June 2005, I did not take any public action for months. Gerald Koocher's President's Column in the February 2006 issue of the *APA Monitor* first alerted me to my responsibility. Koocher represented the task force — the PENS report as the product of an independent 10-member task force. I knew it was not independent.

In early August 2006, I made a commitment to the historical truth by depositing task force materials, including the PENS listserv, at Hoover Institution Archives, Stanford University, with a restriction against public reading or use until 2010. As an oral historian, I am accustomed to collecting and archiving historical records. Then some human rights investigators approached me. Through them, I made some materials available to an independent content analyst and to investigative journalist Katherine Eban. In April 2006 I passed the entire collection to the Senate Armed Services Committee. At three stages of disclosure, I notified task force members.

And I want to say, I stand before you a very miserable person. I wish I weren't here, because many of the people on the task force I actually liked better than some of my close friends, OK, and people I agree with. But, you know, here's how it [inaudible].

Anyway, so, some irregularities, a small sample of irregularities in the task force. On consultation with some senior APA insiders in 2006, I discovered many irregularities in the task force process. In presenting a sample of these irregularities, I name individuals who were never publicly announced as contributors to the PENS report, but I refer to official participants only by their roles, as courtesy.

So the first irregularity was APA board liaisons who interfered in task force business. As I learned from these other insiders, APA task forces typically have only one liaison from the APA board. The liaison's role is to coordinate with the task force, but not to make decisions or to intervene in task force business. For us, a second board liaison was added: President-elect Gerald Koocher. He exerted strong control over task force decisions, as evidenced in the PENS listserv, printed matter, and he censured dissidents.

For example, the last item in the task force mandate from the APA board was the question, "Has APA responded strongly enough to media accounts of activities that have occurred at Abu Ghraib and Guantanamo?" Nothing in the mandate precluded our recommending an investigation. But Koocher emphatically denied this possibility and castigated the person who raised the issue. He also personally took a very strong stand against the APA adopting strict international law, rather than permissive U.S. law, in defining torture.

The second irregularity were observers who intervened or who had conflicts of interest. Task force meetings typically have no observers or only expert consultants invited in briefly. The following people sat in on our task force meeting: Russ Newman, director of the APA Practice Directorate; four members from Science Policy or Science Directorate, Susan Brandon, Steven Breckler, Heather Kelly, Geoff Mumford; the APA Office of Public Affairs publicist Rhea Farberman; Mel Gravitz, a former director of the Navy Internship Program; and an APA intern, whose name I didn't catch.

Russ Newman, who is the head of the Practice Directorate, took a lead role and prevailed with these principles: that the task force mission was to put out the fires of controversy right away, that we would keep the proceedings confidential so as not to feed the fire, that the PENS report must express unity, and that only a couple of people would speak for the task force.

The commitment to haste, which was [inaudible], had several consequences. The PENS

said, because any new ethical principles would require a yearlong delay for APA review. The director of the APA Ethics Office inscribed the entire PENS report, through five drafts, so as to produce a final version a mere 48 hours after our three-day meeting closed. So, much of our time was just spent correcting the language. There was no time to add practical examples to the PENS report, Newman argued, so we agreed on a delayed casebook, which was later assigned to the Ethics Committee and never produced. The casebook was supposed to have begun by the Ethics Committee in February 2006.

The other observers spoke very little. Numerous announcements at the APA's online *Science Insider Policy News*, or *SPIN*, show the four observers associated with APA Science Policy to be very high-level lobbyists for DOD funding, people who would meet with very high-level DOD people and congressional leaders and so on. For example, in October 2004, Geoff Mumford and Heather Kelly met with the DOD Counterintelligence Field Activity Agency — that's CIFA — which allocates resources. At that time, one of the DOD task force members headed CIFA's Behavioral Sciences Directorate, where he supervised "20 psychologists and a multi-million dollar budget." There were many such reports on *SPIN*. Now, this is not to criticize at all the APA for lobbying DOD funders, OK? The criticism I'm making is that these observers had a very highly vested interest in a PENS report which was compatible with DOD policy, because they're seeking DOD funding. And also I'm criticizing their financial entanglements with DOD task force members, none of which was made clear [inaudible].

Psychologists acquainted with group dynamics, social influence, bystander effects, and conformity can estimate the impact of the board liaisons and so-called observers on the PENS report.

A third matter is an unbalanced task force. Six of the 10 members were highly placed in the Department of Defense, as contractors and military officers. For example, one was the commander of all military psychologists. Their positions on two key items of controversy in the PENS report were predetermined by their DOD employment, in spite of the apparent ambivalence of some. These key items were: (a) the permissive definition of torture in U.S. law versus the strict definition in international law, and, second, participation of military psychologists in interrogation settings versus nonparticipation. Those are the two principal issues. And because of their employment, they have to decide the way they do.

Two other task force members — so that was six — two others were long-term APA administrative insiders, which is to say it would have been known ahead of time what they would do. One had served on the 2002 APA Finance Committee under the chairmanship of Gerald Koocher. The other was vice chair of the APA Ethics Committee. And as evidenced by the PENS listserv, these two APA administrative insiders furthered what I call the "Koocher-Newman agenda." And that agenda would be haste, secrecy, U.S. legal definition of torture, and participation of military psychologists in interrogation settings.

There were also two APA outsiders, you know, finishing out the 10. One resigned in protest in February 2006, and I am here regrettably as a dissident member.

The last irregularity, among many, that I will mention is one-sided secrecy. The spirit of secrecy took many forms. The APA did not publish the names of the task force members

— the task force imposed confidentiality on the proceedings. There was also an informal ban on note taking at the meeting. On the first afternoon, a military psychologist sharply told me not to take notes, and no one gainsaid him. After that I took only brief notes, and nobody else appeared to take any notes, except for the director of the Ethics Office who prepared our report. Because of the severe conflicts of interest of the observers and the liaison with DOD members, I call this one-sided secrecy.

No task force member was permitted to speak about the PENS report. Two non-members of the task force were authorized to field all public inquiries: that is, the director of the APA Ethics Office and the APA publicist.

There were many other irregularities, but I'll stop here.

Third, I want to go onto a counterintelligence perspective on APA PENS process. In trying to understand this a couple years afterwards, I finally consulted with two retired intelligence operatives. David DeBatto served in the Sunni Triangle of Iraq as a team leader of the Elite Tactical Human Intelligence team. He tracked Saddam Hussein and the "55 Playing Card" Iraq leaders, and so on. In the course of his investigation of national security crimes both by American soldiers and by Iraqi insurgents, he interviewed hundreds of military psychologists, physicians and other health professionals.

DeBatto interpreted the PENS task force process as a typical legitimization process for a decision made at a higher level in the Department of Defense. Because of the hierarchical structure of the DOD, he said, it was absolutely impossible that the six DOD members of the task force participated as individuals bringing their expertise and judgment to the policy issues at hand for [inaudible]. He said that they were certainly there as representatives of the decision maker. And because the decision maker's decision had to be sustained, had to prevail, a quorum of DOD members was necessary, rather than just one or two to express DOD concerns.

The presence of the APA Science Policy observers, DeBatto said, was a standard intimidation tactic to insure the DOD task force members stayed in line. As funding lobbyists and recipients, they were strictly beholden to DOD interests. In effect, they outranked the DOD task force members because of their high-level connections.

The reason for the several task force observers, instead of just one intern in the corner with a notepad, DeBatto said, would be to represent the perspectives of various agencies to the decision maker, so as to broadly legitimize the prior decision — again, a very standard scenario that counterintelligence operatives know about.

DeBatto's interpretation so startled me, I checked it out with a former counterintelligence officer whom I know well: Lawrence Rockwood. And he gave the same interpretation as a snap, as though it were entirely obvious. My interviews with these two people, hour-long telephone interviews, are in that binder, which I will put in the Division 48 PsySR Hospitality Suite in the Marriott, I believe.

And I'm going to conclude with excerpts from a two-minute address from David DeBatto to this audience. Some of you have a transcript. It's the marked lines. And if you don't,

DAVID DeBATTO: [recording] My name is David DeBatto, and I am a retired U.S. Army counterintelligence special agent. During my time in Iraq, I conducted and/or supervised literally hundreds, if not more than a thousand, interrogations with Iraqi detainees and prisoners of various sorts. During that time, I had the ability or the experience of interacting with various members of the Army medical community, including MDs, as well as psychologists and psychiatrists and ancillary healthcare professionals in lower enlisted ranks.

My interpretations of the PENS Task Force and DOD members being in on the meetings and representing positions of high-level government decision makers is very clear. They were there, in my opinion, basically to observe, to spy, if you will, and to report back to the DOD. This goes way, way up in the Department of Defense, in my professional opinion, probably as high as a deputy secretary, and beyond that it definitely has the ear of the secretary of defense. So anyone that would be sitting in on one of your meetings, whether or not they say that they are there in really any capacity representing the Department of Defense, are there really to listen in, to take notes, to observe and to report back to high-level staff at the Department of Defense. Make no mistake about it. That's what's going on.

DR. JEAN MARIA ARRIGO: OK. Thank you for your attention, and I want to say that probably many people have been pressured in all of this, and I'm sorry for all of that.

AMY GOODMAN: That was Dr. Jean Maria Arrigo in a stunning speech she gave before the American Psychological Association members in a special track around the issue of psychologist involvement in coercive interrogations. She was a former member of the PENS Task Force.

APPENDIX E: Anton Apology

From: Barry Anton <barryanton@GMAIL.COM>
Date: July 31, 2015 10:03:44 PM PDT
To: COR@LISTS.APA.ORG
Subject: [COR] Statement regarding the Independent Review
Reply-To: Barry Anton <barryanton@GMAIL.COM>

Dear Council Colleagues:

Since my vote to support the Independent Review in November 2014, I have voluntarily recused myself from any deliberations regarding the Independent Review. While my involvement occurred a decade ago, I recused because of my lengthy involvement in senior levels of APA governance, which included my role as non-voting liaison to the PENS task force. As was true for many of you, reading Mr. Hoffman's report pieced together the emails, conversations, and meeting minutes into a picture that was profoundly disturbing. I was shocked and dismayed. It is difficult to reconcile our institutional failure to protect human rights given our role as healers, even amidst the anxiety that was the zeitgeist post 9/11. I was also saddened, humiliated and terribly disappointed to learn of the events that unfolded leading up to and subsequent to the PENS task force. Mr. Hoffman and his team deserve great credit for the painstaking work that they put into this project. But it is a story that can only anger and disappoint members of this association who have, for so many years, put their trust and hope in the governance and staff.

The report points out numerous instances where leadership of the association made mistakes, where participants in the process deceived and manipulated others, where private interests and personal agendas were pursued at the expense of the association's best interests and the public's well-being, and where we – collectively—failed to live up to our values. Psychologists should not participate in any process in which human rights are denied, individuals degraded, and their psychological vulnerabilities turned against them. We cannot participate in any process that colludes with the idea that there are worthy and unworthy human beings, lest we contribute to a process that allows the dehumanization of individuals into inferior groups.

We can't undo what happened ten years ago, but what we can do is reflect, listen, understand and change as an institution and as individuals. We need to comprehend why we failed to live up to our own principles, learn from our experiences, and correct our course. We failed to listen to disparate voices sooner in the process. Many people feel let down, if not betrayed, and we should now listen—with respect—to one another as we reset our course and redefine our mission. As we learn, we can become a better association.

Background and History

I have been rightfully asked to explain my role with the PENS task force and its aftermath. I want to take this opportunity to respond. While Mr. Hoffman's report cites some information regarding my involvement, there is additional information that was not included in his report that may help to clarify my involvement and the dynamics of the situation that accompanied it.

For those who are new to COR, or who don't know me well, I want to provide some context. For the last 18 years, with the exception of 2013 when I campaigned for president-elect, I have been involved in elected APA governance. Before that, I was on the executive board of the Washington State Psychological Association from the late 1980's until the mid 1990's. Like many of you, I had the opportunity to attend the State Leadership Conference (SLC). My role

who have attended SLC know it is an inspiring conference. I was energized to advocate for my profession on a national, as well as local level. I attended my first SLC during a yearlong sabbatical in the Washington State Legislature, advocating for mental health parity and other mental health related issues. I was excited to work with and learn from colleagues I met at SLC who hailed from other states and divisions. In 1997, I was encouraged to run for the Washington state COR seat, as Ruth Paige, our representative, was finishing her second, and final, three-year term.

For the next five years I threw myself into COR work, especially with the caucuses (there were six then). In 2000, I was elected to BPA, where I had my first experience working closely with APA staff. Geoff Reid and Ron Palomares staffed BPA. To say I learned a lot during those three years on BPA and simultaneously on COR would be an understatement. I learned to trust staff to provide background information, perspective and support and to be essential partners in implementation of plans and policies that APA was developing. When Geoff left APA he contracted with APA to make sure that mental health is meaningfully included in the WHO ICD revisions that affect all practitioners and consumers. My colleagues on COR and BPA were inspiring and encouraged me to get further involved in governance by running for Member-at-Large on the Board of Directors. My three-year term began in 2003 and ended in 2005. I was not on the board or COR in 2006, but was elected Recording Secretary in 2007 and served in that capacity for two terms, ending in 2012. We accomplished much during those years, including the National Conference on Undergraduate Education in Psychology, hosted by my university, numerous amicus briefs to the Supreme Court, diversity initiatives including creating the multicultural guidelines and EMPA financial support, and numerous other activities.

Each year, after the election of new Board of Directors' members, the president surveys Board members about their preferences for liaison assignments. All of the directorates, boards and committees, Accreditation, Ethics, the Alliance, the Federation, and other groups have a Board liaison. Most task forces and workgroups also have a Board liaison. In my second year, 2004, President Diane Halpern assigned me as liaison to the Education Directorate, Ethics Committee, Committee on Accreditation, Board Budget & Finance Subcommittee, and the Federation of Behavioral, Psychological & Cognitive Sciences. A board or committee liaison attends and observes portions of meetings and has no vote. The liaison then communicates a summary of the meeting back to the Board of Directors. The liaison can speak only when recognized by the chair. There are a lot of moving parts that Board members track.

As I recall, The Committee on Accreditation, Ethics, Finance and the Federation met separately from the Consolidated meetings. My wife wistfully noted that I was away from home over 100 nights that year. I learned that was the norm for most Board members. The reason I share this with you now, is that as a result of my being liaison to the Ethics Committee in 2004 and again in 2005, I was asked to liaise to the PENS task force.

Issues Cited in Mr. Hoffman's Report

I would like to address the main areas that Mr. Hoffman mentions about me in his report and provide additional context: These issues are:

- 1. The PENS Task Force Selection Committee**
- 2. Appointment of observers**
- 3. The Board declaring emergency action**
- 4. Proposing a glossary of terms**

Mr. Hoffman noted that I was on the selection committee for PENS, serving as the non-voting Board liaison. The PENS selection committee consisted of the president, Ron Levant, president-elect, Gerry Koocher, Steven Behnke, Director of the Ethics Office, and me. For all task forces, the President selects task force members. I was the most junior member of the selection committee and – as Mr. Hoffman observed – was involved “substantially less than the others.” I was not aware of the back channel communications that occurred among the staff, and it never occurred to me that members of the task force might actually be chosen for the specific purpose of drafting language that protected psychologists working for the military. It has unsettled and troubled me deeply to read Mr. Hoffman’s report describing the corruption of the process. I had no reason to doubt the integrity of those in charge of that process, and I remember being pleased that over 100 people wanted to participate in this important endeavor.

The process by which members of the PENS Task Force were selected was clearly flawed. Not more actively participating in the selection process and having little knowledge of the nominees’ backgrounds was a mistake on my part. This staff driven selection process was common practice at APA, but clearly should not have been. When the task force nominees were presented to the board, too much trust was placed in the staff recommendations. Rather than developing a mechanism to select task force members without any personal or private interests in the outcome, the leadership unwittingly turned the selection process over to precisely those individuals who wanted a particular result for personal reasons. Because conflicts of interest were so pervasive, the work of the task force was defective from the very start. As we know now, given the makeup of the task force, nothing coming out of it could possibly have been seen as independent.

A core failure in the process was not recognizing the depth of the conflict of interest and not enforcing basic conflict of interest rules to ensure independence and legitimacy. I fully believe the task force membership would have been different had we received better legal advice at the time. The process would have been more transparent, and the work product would not have been so terribly tainted.

I am sad that it seems important for me to say that I abhor the idea and practice of torture, and that I never colluded with anyone to create loopholes that would allow psychologists to participate in abusive treatment of detainees. That should go without saying, but I feel that I must say it.

Observer Selection: Russ Newman

Questions have been raised about my role in recommending that Russ Newman be invited as an observer. It is true that I made this suggestion based on staff recommendation. It seemed only logical that the Executive Director of the Practice Directorate be an observer, as he was both an attorney and a psychologist. Mr. Hoffman suggests in his report that there might have been some coordinated effort to have Russ Newman involved, either as a task force member or as an observer. If that’s true, I have no knowledge of that.

Had I known that Russ Newman was married to Debra Dunivin – a person who was personally and professionally involved in the interrogation process and whose own activities would be the subject of our ethical opinion – I would not have suggested that he participate as an observer. It was a clear conflict of interest that I simply did not know about.

Regarding the issue of observers per se, Gerry Koocher reported to Mr. Hoffman, “In thinking about the PENS task force, I would encourage us to be open and even to invite observers (e.g.,

They may or may not chime in with perspectives hypothetical situations, etc. However, I have no doubt that they will hear thoughtful, well reasoned, constructive efforts on how to guide our colleagues in difficult situations.”

Emergency Action

Mr. Hoffman noted that I had a “concern” about the board declaring an emergency to adopt the PENS report as policy. In fact, I was strongly opposed to this emergency process. I believed then, and always have, that the COR is the ultimate decision maker creating APA policy. However, there was significant internal pressure by staff to have the board release the PENS report quickly because other associations had provided guidance to their members, and APA had not, as Mr. Hoffman noted. All of the PENS task force members, the entire board, I, and ultimately COR, voted for adoption of the PENS report. Although I can only speak for myself, it’s my strong belief that no one on the Board of Directors who voted for the PENS report believed that he or she was voting for enhanced interrogations or torture. To my knowledge, not one board member realized or believed there were any loopholes that would allow military psychologists to participate in interrogations involving torture. The guise of acceptability was the result of the conspiracy to water down language and leave loopholes unclosed. Had we waited less than two months for the COR meeting to review the PENS report, we would have had Council input that may have uncovered the flaws in the report that were not apparent to any of us on the board.

In addition, PENS task force members were repeatedly told that this was a “first step” in an ongoing effort to clarify and guide psychologists. A casebook was to be the next step in this effort. Over the years following the PENS report, I asked staff several times about the progress of casebook and was offered various responses and excuses for the delay as chronicled by Mr. Hoffman. I had absolutely no reason not to believe the explanations for the delay that I received.

Creating a Glossary of Terms

I urged the PENS task force to include a glossary that defined torture with as much precision as possible because I was concerned that conceptual descriptions of torture would be so broad as to be unhelpful, and that concrete discussion of specific methods was necessary for the ethics opinion to be useful. As noted by Mr. Hoffman, my request to create a glossary was met with significant resistance from the representatives of the DoD. Creating a glossary would have, in my judgment, established more clearly what interrogation practices were torture, and what were not. Such a glossary would have also assisted those who had to determine whether individual psychologists who participated or engaged in specific practices had in fact gone over the line.

The Pro and Con statement for the implementation of the petition

COR has on its upcoming meeting agenda the “Template for By Law Amendment Ballots,” which addresses the creation of a standard protocol for Pro and Con statements. We discussed this item at the February COR meeting, and it will come before you next week as an Action item, if we have time to discuss it. In short, the current By laws require that Pro and Con statements accompany by laws amendments unless 2/3 of COR consider them unnecessary. As mentioned in the Hoffman Report, By laws that go out with a Pro and Con statement are usually defeated. In 2012, APA president Suzanne Bennett Johnson collected data to definitively show that if a pro and con statement was included on a By laws amendment ballot, the amendment almost always failed.

Following the successful 2008 petition submission, a petition resolution implementation task force

was technically not a By law, the entire board approved including a pro and con statement at the behest of Steve Behnke, who argued that, “Given the extensive debate and discussion this issue has received over the past three years, it would seem virtually untenable not to have pro/con statements regarding a new proposal.” As Mr. Hoffman noted, “Anton informed senior APA staff that he had been hearing concerns from Council regarding the Board’s instruction that the ballot be accompanied by pro and con statements. Anton explained that a Council member ‘noted that it has been raised many times at COR that items sent with pro/con statements usually fail. He (Anton) noted that it may seem ‘disingenuous’ of APA to want to include such statements with the petition.”

The Hoffman report suggested that I was colluding with Steve Behnke in somehow orchestrating the defeat of the implementation plan. This is patently false. In actuality, I wanted the implementation plan to pass. I wanted the membership to approve the implementation plan. I was trying to inform APA staff that there were serious concerns raised about the attachment of pro and con statements that would invariably lead to defeat.

There was no collusion of any sort in finding someone to write the con statement. Being Recording Secretary required me to find someone to write the con statement. I felt very fortunate to find anyone willing to take on the task over a holiday weekend, with a very short turn around time.

Only after reading Mr. Hoffman’s report did I learn that staff actually shaped and edited the con statement. Mr. Hoffman’s depiction of my role in this activity is incomplete and inaccurate. The report minimized the concern I raised about the impact of including a con statement on the outcome on the adoption of the policy.

Summarizing:

This has been a devastating experience for our profession, our members, and for anyone involved, no matter how unintentional or insubstantial their involvement. I accept responsibility for my actions and regret being unaware of the flawed process and that I did not know more about what was happening behind the scenes as this unfolded. Like my colleagues, I am distraught and dismayed by what the Hoffman Report recounts. I also feel sad and frustrated that my recusal since November has meant that I could not help my Board and Council colleagues as they struggled with the consequences that we are now only beginning to understand. The Hoffman report highlights errors, inadvertent and purposeful, that undermined a seemingly well-meaning attempt at clarifying psychologists’ roles in the abusive treatment of detainees.

I want to make it clear that I abhor the idea of torture and would never support efforts to allow inhumane treatment for anyone. I categorically deny that I was colluding with APA staff to permit loopholes in APA policies and resolutions that would permit psychologists to participate in any form of torture.

The Hoffman report creates an opportunity for each and every one of us to become more transparent and more accountable to our members as we go forward. This is an opportunity to recognize the responsibilities we assume whenever and wherever we are elected to serve.

Some colleagues have demanded my resignation in an effort to find someone to blame without anything other than the Hoffman report or the media to fuel their frustration and anger. If this is the will of COR, I will respect your wishes. However, I feel I would be shirking my duty

assessing my own actions and inactions as honestly as I can. I question how I could have been so blind to what was happening. Nonetheless, I take full responsibility for any errors in judgment, for my misplaced trust, and for my lack of keener vigilance. I am always open to discussing with you additional details that may not be apparent in the report or in this message, and to continue listening to your concerns, convictions, opinions and feelings, especially if you are among those who have spent a decade advocating for reform. I intend to put my full energy into moving our association forward, emphasizing human rights and dignity and the fact that APA is, after all, a charitable, educational and scientific organization that is meant to be working for the greater good. There is much to be proud of and much more to do, and I want to be a part of that progress.

As Mr. Hoffman has reported, there are people who have behaved in ways that have degraded and embarrassed our profession. As an APA member for more than four decades: as a professor, practicing clinician, and advocate for our profession, I've always worked what is best for psychology and those we serve and will continue to do so. During my 18 years in governance, I have tried to do my best as a leader and to serve the association and my fellow psychologists.

In the light of the evidence of the Independent Review I wish I had done things very differently. I can understand that you may be angry and disappointed. While I can't change the past, I can work with you to set a course for a healthier association in the future.

As we reflect on what went wrong, we can harness our energy, our knowledge of human behavior, and our collective expertise to begin the healing process. We can do this by carefully considering the organizational changes that are necessary and carefully implementing them with appropriate input from diverse points of view.

Sincerely,
Barry Anton
July 31, 2015

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APPENDIX F: Background to and Information about Col. Larry James' Involvement

Note: This is a long appendix. Appendix G can be found on p. 44.

*This appendix first gives background and then documents Col. Larry James' involvement in places where abuses tantamount to torture have been alleged. Div35 leaders trusted James' version of events, his claims that military psychologists were doing good at GTMO and overseas, and that he himself was "fixing" the problems at these sites. Their belief in him led them to lead Div35 down paths that are regrettable today, however, there has been, to our knowledge, no public recognition of this problem from those who once supported him so fervently. The facts below, some from his own book, **Fixing Hell**, a book that at least one critic calls "self-serving" (Rhapsody in Books, 2009), outlines actions that a feminist or Div35 member committed to multiculturalism and social justice would find troubling. His suggestion to use the culturally inappropriate Sports Illustrated swimsuit edition magazines with religious Muslim prisoners is clearly a problem. In his book he indicates that although he observed abuses he did not report them up the chain of command as required by the Uniform Code of Military Justice. Nor did he order those carrying out the abuses to stop immediately (James, 2008, pp. 49-56.) In his book he describes how he assisted in the rendition of children whom he then claims he served as a psychologist/therapist to. Their parents were not told and the children brought to GTMO were not charged with any crime. James also reports serving as both a therapist and an interrogation consultant (a conflict of interest) to these boys and gives their full names in his book, which may have put these boys at risk when they were returned to their country.*

In James' book, he claims he was tasked with or took on the job of "fixing" the abuses at both GTMO and Abu Ghraib. However, as the timeline below shows, abuse continued to occur whether or not psychologists were "heroically" trying to stop these abuses, as he contends. The presence of psychologists did not result in the "safe and effective" use of abusive interrogation techniques (Risen, 2015), as he has stated in this book and elsewhere. Furthermore, he contributed to work behind the scenes within APA to insure that military psychologists, of which he was one, would not be held accountable for their actions or inactions. Our Div35 leaders repeated James' claim (that he fixed issues regarding the alleged abuses), and they did so in an effort to counter requests asking for APA accountability and in a way that undermined support of the Moratorium Resolution.

BACKGROUND:

1996

– APA Ethics Committee appoints the Ethics Code Task Force (14 members), including Div. 35 members Laura Brown, Jessica Henderson Daniel, and Melba Vasquez – over a five-year period, the charge is to update the 1992 ethics code (Fisher, 2013). NOTE: The APA Ethic Code 1992 stated (Section 1.02): "If psychologists' ethical responsibilities conflict with law, regulations, or

other governing legal authority, psychologists make known their commitment to the Ethics Code and take steps to resolve the conflict” (APA, 1992, p. 1600).

2001

– Attack on the World Trade Center (September 11th).

-- “In December 2001 (three months post-9/11), the Department of Defense (DoD) General Counsel’s office contacted the Joint Personnel Recovery Agency (JPRA)...for information about detainee “exploitation” (Senate Armed Services Committee [SASC], 2008, pp. 3-4). The JPRA housed the Survival Evasion Resistance and Escape (SERE) program originally designed to train soldiers how to resist torture. SERE was later reverse-engineered for use against detainees.

2002

– “On February 7, 2002 [five months post-9/11], President Bush signed a memorandum stating that the Third Geneva Convention did not apply to the conflict with al Qaeda and concluded that Taliban detainees (designated as “unlawful combatants”) were not entitled to POW status or the legal protections afforded by the Third Geneva Conventions” (Senate Armed Services Committee [SASC], 2008, p. 2).

-- In February 2002, senior SERE psychologist Bruce Jessen and JPRA instructor Joseph Witsch participated in a teleconference with GTMO (Guantanamo Bay) interrogation staff, where they “made a ‘pitch’...about how they could assist” in detainee interrogations (Senate Armed Services Committee [SASC], 2008, p. 8).

-- In June 2002, three members of the U.S. Army’s Medical Detachment’s Combat Stress Control Team were deployed to GTMO, whereupon they were notified that Major General Dunlavey had assigned them to the newly-created Behavioral Science Consultation Team (BSCT or “biscuit”). This team consisted of a psychiatrist (Major Paul Burney), a psychologist (redacted, but later identified as Major John Leso; see below), and an unknown psychiatric technician. This was the inaugural BSCT interrogation team that was tasked with using reverse SERE torture techniques on detainees (Senate Armed Services Committee [SASC], 2008, p. 38).

-- Shortly after arriving at GTMO in June 2002, “the BSCT contacted the Chief of the Psychological Applications Directorate...at the U.S. Army’s Special Operations Command...Lt. Colonel Louie “Morgan” Banks. At the time LTC Banks was also the senior Army SERE Psychologist...LTC Banks contacted the JPRA [home to SERE training programs] for assistance in organizing training for the BSCT...LTC Banks informed the BSCT that JPRA was willing to modify its prior interrogation training sessions to suit the BSCT’s needs” (Senate Armed Services Committee [SASC], 2008, p. 39-40).

-- In August of 2002, APA Council voted to adopt the following Ethics Code language: (Section 1.02): “If the conflict is unresolvable via such means, psychologists may adhere to the requirements of the law, regulations, or other governing legal authority” (APA, 2002, p. 1063). It became effective on June 1, 2003. This language has been interpreted as the “Nuremberg Defense” (Pope & Gutheil, 2009), and has been framed by multiple APA officials as having nothing to do with 9/11 because the Ethics Code Task Force had begun its’ deliberations well

-- In September of 2002, three unnamed BSCT team members went to Fort Bragg for training organized by LTC Banks. They were also joined by several unnamed Army personnel and a CIA psychologist (also unnamed) (Senate Armed Services Committee [SASC], 2008, p. 43).

-- In October of 2002, Major Burney and Major Leso were tasked by MG Dunlavey to create a memo of suggested reverse-engineered SERE techniques for use with GTMO detainees. The memo included Category I, II, & III techniques of increasing severity. Both Burney and Leso included their reservations about the techniques in the memo. In addition, these two BCST members sent the memo to LTC Banks, and Banks replied in an e-mail that the techniques had multiple drawbacks in terms of effectiveness, especially the more severe physical techniques (Senate Armed Services Committee [SASC], 2008, p. 50-52).

-- In October of 2002, the Commander of GTMO's Joint Task Force-170 (Major General Dunlavey) submitted a torture technique memo for approval up the chain of command, largely based on the memo produced by BCST members Burney and Leso (Senate Armed Services Committee [SASC], 2008, p. 38).

-- "From October 2 until October 10, 2002 [GTMO] personnel interrogated Khatani [detainee]. According to multiple witness accounts, on or about October 5, 2002, military working dogs were brought into the room where Khatani was being interrogated. A summary statement [from an] FBI agent present at the time indicated that the FBI objected to the use of the dogs and raised those objections to Mr. Becker, the [GTMO interrogation] Chief. Mr. Becker acknowledged that he permitted the military working dogs to enter the interrogation in order to raise the detainee's stress level" (Senate Armed Services Committee [SASC], 2008, p. 60).

-- In November of 2002, Major General Geoffrey Miller took command of GTMO, replacing Dunlavey. Shortly after MG Miller arrived he approved a new interrogation plan for Khatani because the earlier interrogation in October had failed. In the new plan, "The purpose of the interrogation was to 'break the detainee and establish his role in the attacks of Sept. 11, 2001' and would be conducted over 20 hour blocks of time with four hours of rest in between each block, across an unknown number of days (Senate Armed Services Committee [SASC], 2008, p. 60).

-- MG Miller's interrogation plan for Khatani was met with resistance from the FBI and others within the DoD. Nevertheless, MG Miller and his team began the interrogation of Khatani on November 23, 2002 (before Rumsfeld's approval was received; see below) and which lasted until January 16, 2003 [during Leso's tour of duty at GTMO] (Senate Armed Services Committee [SASC], 2008, p. 85-88).

-- "Secretary of Defense Donald Rumsfeld's December 2, 2002 official authorization of aggressive interrogation techniques and subsequent interrogation policies and plans approved by senior military and civilian officials conveyed the message that physical pressures and degradation were appropriate treatment for detainees in U.S. custody" (Senate Armed Services Committee [SASC], 2008, p. xxix).

-- GTMO receives official standard operating procedures (SOPs) dated December 18, 2002 that describe stress positions, removal of clothing, and hooding, among other techniques. "The SOPs are based on the Navy SERE school manual" (Senate Armed Services Committee [SASC], 2008,

2003 -- According to a memo dated January 17, 2003, Khatani had earlier been subjected to the following torture techniques at GTMO: his head and beard were shaved “to assert control over the detainee,” his hands were shackled to a chair to prevent him from praying and prayer was denied “as a resistance technique,” “up to eight ounces of water was poured over his head” as a method of control when he “exhibited undesired behavior,” he was forced to “sit, stand, lay down, walk...by guards to enforce the control of the interrogator, was made to stand “for several hours at a time or sit on a hard chair for several hours,” he was verbally ridiculed to “elicit an adversarial response,” a female interrogator was used “who touched him in close proximity” while encouraging him to “pray to idol shrine,” and a K-9 unit was used at least “a half a dozen times” in order to scare him (Senate Armed Services Committee [SASC], 2008, p. 90-91).

JAMES' INVOLVEMENT

-- About three months after MG Miller had taken command of GTMO, sometime in January of 2003 Colonel Larry James arrived at GTMO (and left on May 5, 2003). James was designated the replacement head of BCST (“biscuit #1”), and was met by Major Leso, the psychologist whom James was to replace. James describes Leso as “depressed, anxious, disappointed, and afraid” due to detainee abuses at GTMO. James also describes his initial impressions of MG Geoffrey Miller as “...the kind of commander you wanted to be around – a soldier’s soldier, all business and no bullshit,” and otherwise praised him highly (James, 2008, p. 27-33).

-- On January 15, 2003, Secretary of Defense Donald Rumsfeld rescinds his December blanket authorization for torture, after Navy General Counsel Alberto Mora threatened to sign an official memo of protest. Rumsfeld then created an interrogation Working Group which was convened almost immediately on January 17, 2003 (Senate Armed Services Committee [SASC], 2008, p. 108-110).

-- Between January and July 2003, an interrogation plan was developed by GTMO personnel for a detainee named Slahi, which contained many of the same torture techniques as the earlier approach used on Khatani. Slahi’s interrogation began at GTMO before MG Miller received approval for the plan (Senate Armed Services Committee [SASC], 2008, p. 136-140). The torture of Slahi began late May. James left in early May GTMO(January-May 2003 (Slahi, 2013)).

- In February of 2003, James (head of BSCT at GTMO) reportedly was told by MG Miller that “You’re the tip of the bayonet for the juveniles” (James, 2008, p. 38), meaning that James was sent to Bagram to pick up three male juveniles and bring them back to GTMO for further interrogation. James stated he was to develop a special lock-down unit for the juveniles (Camp Iguana). James goes on to discuss his thoughts on how he would protect these juveniles, whose names he gives in his text, when no one else would, how they had probably been brainwashed to become “sociopaths” using similar processes found within the KKK, as well as their histories of being kidnapped and sexually assaulted by adult terrorists in territories outside Bagram (James, 2008, p. 44-49).

- In an interview about his treatment at GTMO, Naqibulla, a 13 year old detainee, said that his “first ten days in Guantanamo were the worst days of his life” (Astill, 2004). He and Asadullah Rahman, a 12 year old, were later moved to Camp Iguana, a special juvenile detention facility that James stated he designed (James, 2008, p. 44-49; Worthington, 2007, p. 253). James stated that

detainees while in custody. In interviews, both Naqibull and Asadullah support James' claims that they were treated much better while housed in Camp Iguana – they were interviewed in Afghanistan after their January 2004 release from GTMO (Astill, 2004). James also reported serving both as therapist and as interrogation consultant for these boys.

-- Sometime between February and May of 2003, Colonel James describes numerous instances of dereliction of duty by others. He describes taking late night/early morning walks, where he talked with a “good old boy from Georgia,” Luther, and observed one of Luther's interrogations of a detainee. James states he heard a lot of “yelling, screaming, and furniture being thrown around” and observed Luther and three MPs wrestling a naked detainee to the floor (except for the pink panties they had put on the detainee). James describes deciding to wait, have a cup of coffee, and just observe, before he then thought “someone is gonna get hurt.” James states that he stopped the interrogation and had the detainee taken back to his cell for the night, and then talked to Luther. He states he told Luther that he should use McDonald's fish sandwiches and Sports Illustrated swimsuit magazine issues to win over the detainee's trust, and reports this approach was “so effective” that the detainee soon looked forward to Luther's visits.

-- Also sometime between February and May of 2003, Colonel James describes a meeting with Lt. Commander Pearl Henderson, a Navy nurse at GTMO. Between the two of them, he states they devised a plan where interrogators could not freely access detainee medical records for use during interrogations, by “declaring that the hospital and all doctors and nurses were completely off-limits to anyone from the intel community,” and that “biscuit [BSCT] staff were the only members of the Joint Intelligence Group who would have any access” to detainee medical records. James then goes on to discount the Red Cross report noted below that documented the use of detainee medical records “by interrogators to gain information in developing an interrogation plan” (James, 2008, p. 56-58; also see below).

-- Also sometime between February and May of 2003, Colonel James states that he wrote standard operating procedures (SOPs) for interrogating detainees. Upon hearing about abuses at Abu Ghraib, he stated: “What dumbass psychologist at the prison let that happen? Didn't he read the standard operating procedures I wrote at GTMO a year ago? I'm gonna track that bastard down and kick his ass” (James, 2008, p. 69). This underlines his knowledge of official interrogation SOPs at GTMO, as well as their transfer from GTMO to Abu Ghraib.

-- The Working Group that Secretary of Defense Rumsfeld convened released its final memo on March 6, 2003 that retained most of the torture techniques in Rumsfeld's earlier authorization. The nature of this report can be understood from the fact that its existence was hidden from Working Group member Alberto Mora, Navy General Counsel, whose earlier protests led to creation of the group. Rumsfeld approved 24 interrogation techniques, including some clearly abusive, for use at GTMO on April 16, 2003 as a result (Senate Armed Services Committee [SASC], 2008, p. 128-131). This was also well within the time of Colonel James' tour of duty at GTMO as the head of BSCT (January-May 2003).

-- An Army Commander's inquiry was initiated at GTMO following allegations of detainee abuse that occurred between March and April of 2003 (this also overlapped with the time of Colonel James' tour of duty at GTMO as the head of BSCT: January-May 2003). The results of the internal Army inquiry, which denied abuse had occurred, was widely criticized for missing major instances of abusive behavior that included a “female GTMO interrogator sitting on a detainee's

what she told the detainee was menstrual blood on a detainee's face and forehead," yelling and loud music, forced physical exercise, strobe lights, "sensory deprivation and even implied threats of death." The inquiry was also criticized for being "too limited and found that disciplinary action did not address the "command failures" (Senate Armed Services Committee [SASC], 2008, p. 134-136).

-- In June of 2003 (shortly after James left GTMO in May of 2003), the Red Cross made a visit to GTMO and in an internal government memo about their confidential report, the Red Cross stated that the "military has intentionally used psychological and sometimes physical coercion 'tantamount to torture' on prisoners" at GTMO. In a 2004 article about the leaked Red Cross report memo, Lewis, in the *New York Times* wrote that "doctors and medical personnel conveyed information about prisoners' mental health and vulnerabilities to interrogators...sometimes directly, but usually through a group called the Behavioral Science Consultation Team, or BSCT [of which James had just headed a month before]. The team, known informally as Biscuit, is composed of psychologists and psychological workers who advise the interrogators...the United States government, which received the report in July [2003], sharply rejected its charges, administration and military officials said" (Lewis, 2004). These Red Cross findings confirm the continuation of abusive interrogations and acts "tantamount to torture" that continued after James' placement there. The following reports also confirm this fact.

-- In late July of 2003, an interrogation unit was established at Abu Ghraib in Iraq. (Senate Armed Services Committee [SASC], 2008, p. 165). On July 26, 2003, Captain Wood (head of this unit) submitted an interrogation proposal to her chain of command that was based on the same policy in use at the Special Mission United Task Force (SMU TF) unit in Iraq. "CPT Wood said that she and her staff simply cleaned up some of the grammar, changed the headings and signature block and sent it up." CPT Wood stated that she re-sent the same memo in August of 2003 because there had not been an official response. Meanwhile, SERE "offensive" training was being solicited by higher ups for use in Iraq detention centers, and by early September of 2003, SERE experts were participating in actual interrogations in Iraq (Senate Armed Services Committee [SASC], 2008, p. 166-171).

-- In July of 2003, Amnesty International posted a press release that stated they had: "received reports of torture or ill-treatment by Coalition Forces [in Iraq]. Reported methods include prolonged sleep deprivation, prolonged restraint in painful positions -- sometimes combined with exposure to loud music, prolonged hooding and exposure to bright lights" (Amnesty International, 2004).

-- From August 31 to September 10, 2003, MG Miller (the commander at GTMO) was sent to Iraq to assess interrogation practices and resources. While in Iraq where he toured numerous military interrogation sites (including Abu Ghraib), MG Miller told Chief Warrant Officer Searcy that interrogation units were "running a country club and...they were too lenient with trainees...and that they should 'GTMO-ize' their facilities." According to MG Miller, he also discussed interrogation authorities and techniques with personnel from Abu Ghraib and suggested they develop an interrogation policy similar to the one used at GTMO (Senate Armed Services Committee [SASC], 2008, p. 190-198). James praises Miller as a "soldier's soldier" in his book (p. 33).

-- On September 14, 2003, the first approved policy to guide interrogations in Abu Ghraib went

included the use of dogs, stress positions, the use of loud noises/music and strobe lights, dietary manipulations, temperature extremes, isolation, and sleep deprivation (Senate Armed Services Committee [SASC], 2008, p. 158, 202). Thus GTMO interrogations policies were transferred to prisons located in Iraq.

- On October 12, 2003, Lieutenant General Sanchez rescinded the Sept 14th policy and reverted back to policies within the standard Army Field Manual that prohibited most if not all of the torture techniques in the earlier policy, with the exception of the use of military dogs (Senate Armed Services Committee [SASC], 2008, p. 158, 205).

-- Nevertheless, between September and December of 2003, both military police and military intelligence personnel at Abu Ghraib engaged in what Major General Tabuga, investigator after-the-fact, would call “numerous incidents of sadistic, blatant, and wanton criminal abuses” of detainees. This included the use of sensory deprivation and isolation, sleep deprivation/manipulation, removal of clothing and forced nakedness, humiliation techniques, temperature extremes, the use of dogs to induce fear, physical and sexual abuse, stress positions, forced physical exercise, and so on (Taguba, 2004; executive summary).

2004

- “The human rights scandal now known as “Abu Ghraib” began its journey toward [public] exposure on Jan. 13, 2004, when Spc. Joseph Darby handed over horrific images of detainee abuse to the Army’s Criminal Investigation Command (CID). The next day, the Army launched a criminal investigation. Three and a half months later (April 2004), *CBS News* and *The New Yorker* published photos and stories that introduced the world to devastating scenes of torture and suffering” (*Salon*, 2006).

-- “After the Abu Ghraib abuses came to light [April 2004], APA staff stated in internal communications that they began to field a greater number of inquiries from government personnel regarding ‘the ethics of psychology as a tool in national security investigations’” (Hoffman et al., 2015, p. 194).

- James stated he became aware of the abuses in Abu Ghraib at the time of widespread media coverage (April 2004), and immediately called Col. Banks to discuss what was happening (James, 2008, p. 68-75). Banks informed James that he had been specifically requested to go to Abu Ghraib, quoting Banks: “Larry...General Miller wants you in Abu Ghraib. He needs your help to fix the mess....It’s a fuckin’ shit-mess in this place. We learned at GTMO that we needed to have a psychologist in place the next time around....here’s the problem in a nutshell: they have had poor leadership, poor facilities, and piss-poor supervision” (James, 2008, p. 73-74). James never mentions in his book that MG Miller had personally helped export GTMO torture techniques to Abu Ghraib (see above), or that MG Miller had not yet officially taken over command of Abu Ghraib (not until May of 2004).

- “By late April [2004], it seems likely that APA’s discussions regarding the ethics of national security interrogations had reached some of their contacts in the military. At that time, Larry James reached out to Norm Anderson [APA CEO] to request that he be permitted to serve on a ‘sub-committee on terrorism’ that he had heard APA was forming. James’s request suggests that, even before the APA formally convened a meeting to discuss the ethical issues, there might

already have been internal discussion of a future task force or other working group to discuss ethical issues raised” (Hoffman et al., p. 194).

-- “...the internal APA communications as of May 2004 are sufficient to demonstrate that senior APA staff should have been on notice that psychologists were working in environments where such abuses were rampant. At that time, senior staff in the Ethics Office and Science Directorate were aware from...earlier inquiries that psychologists were being asked to participate in activities at Guantanamo in ways that raised potential ethical issues. In May, APA staff also learned that Larry James was being deployed to Iraq “to be Chief Psychologist at that prison,” presumably Abu Ghraib” (Hoffman et al., 2015, p. 192).

- Sometime in May 2004, James stated he met with Phillip Zimbardo to discuss Zimbardo’s prison experiment (James, 2008, p. 88-98). James stated that Zimbardo was very useful and their talks helped James to develop a list of “leadership principles” he would use to guide his efforts at “fixing hell” in Abu Ghraib (James, 2008, p. 78-87 – Zimbardo also wrote the prologue to James’ book).

-- “In June 2004, Anderson [APA CEO] reached out to James to confirm that he had been assigned to this role [Abu Ghraib], but then quickly retracted the question because he was sure it was “confidential even if true”...when James’s convoy was attacked [later in 2004], a senior staff member in the Education Directorate notified Anderson and informed him that James had returned from Iraq” (Hoffman et al., 2015, p. 192).

- James stated that in June of 2004, he met with MG Miller before leaving Bagdad for Abu Ghraib. During this meeting, James stated that Miller told him “I want you to teach them how to do this the right way...without all the harsh stuff.” James also went on to describe his admiration for Miller, favorably comparing him to John Wayne in the *Green Berets* movie (James, 2008, p. 102-103). Once again, there is no mention that Miller helped export GTMO torture techniques to Abu Ghraib, or that James himself admitted to writing the SOPs that had also been exported.

- Within a few days of his deployment to Abu Ghraib, James stated that he noticed guards sleeping at multiple stations, witnessed the “abuse” of a female interrogator by a male detainee, completed multiple rounds very early in the morning in order to surprise those on duty who were derelict in their assignments (James, 2008, p. 107-109), and witnessed the detention of children and adolescents in deplorable prison conditions (James, 2008, p. 13-114). James does not write of any steps he took in terms of lodging official reports, or giving direct orders as an active duty Army Colonel to subordinates, in order to ameliorate these problems.

-- During his time at Abu Ghraib, James stated he had a “direct line” to MG Miller and reported only to him. James also said that he wrote up a “detailed report on the mental health needs at Abu Ghraib” that addressed both soldiers and detainees, and handed the report directly to Miller (James, 2008, p. 129). James said that as a result, there were supposed to be a large contingent of mental health professionals “rolling into Abu Ghraib by the end of July [2004]” (James, 2008, p. 130). According to James, half of these requested soldiers arrived at Abu Ghraib, and the other half were sent to Camp Bucca; he claimed he then set up a mental health hospital unit to deal with severely mentally ill detainees (James, 2008, p. 138-141).

-- By the end of June 2004, James said he had assembled a BSCT team for use at Abu Ghraib, and

clear: if the biscuit [BSCT] were not present, there were to be no interrogations” (James, 2008, p. 131). However, there already was a BSCT at Abu Ghraib, headed by psychiatrist Scott Uithol:

"Desperate for some edge against a worsening insurgency in Iraq in November 2003, U.S. commanders implemented Miller's design at Abu Ghraib. In one example that came to our attention, Maj. Scott Uithol, a psychiatrist, arrived in Iraq expecting to serve with a combat stress-control unit. He was deployed instead to Abu Ghraib's newly formed Biscuit.

Uithol declined to talk to us, but other sources, including Abu Ghraib's chief of military intelligence, Col. Thomas Pappas, shed light on what at least some Biscuit members did. In testimony taken last February for an internal report but made public in October, Pappas described how physicians helped devise and execute interrogation strategies. Military intelligence teams, he said, prepared individualized "interrogation plans" for detainees, including a "sleep plan" and "medical standards." A physician and a psychiatrist monitored what went on" (Bloche & Marks, 2005).

-- James mused about the reasons for the Abu Ghraib abuses that had been shown in the media. He suggested that poor living conditions for the soldiers (lack of fast food and other standard amenities, poor sanitation, corruption of contractor services, and so on) and being under live fire, as well as the incompetence and sometime mental illness of those within administrative military ranks, contributed to the abuses; he based these musings on his experiences at Abu Ghraib from early June to October 31, 2004 (James, 2008, p. 141-150). In his book, James does not discuss policies developed by himself, multiple BSCT groups (one of which he headed), MG Miller, the SERE teams, or the memos from Secretary of Defense Rumsfeld that outlined and authorized “acceptable” severely abusive interrogation techniques.

-- James told Hoffman report interviewers that he was in Abu Ghraib until sometime in November of 2004 because he had been injured in a convoy attack and needed to recover adequately before travel (Hoffman et al., 2015, p. 143), contradicting statements in his own book. Thus, the actual date of James’ departure from Abu Ghraib is unknown, but appears to be between October 31 and the end of November 2004.

Of particular interest to feminists and social justice advocates are the following from James’ book:

-- James talks with a female soldier who had been sexually assaulted by her commanding officer; *James fails to officially lodge a report* although he does discuss the incident with the local JAG officer; said his talk with the victimized soldier made her “feel better” (p. 150-151); he then states he instituted a “buddy system” for female soldiers that “drastically reduced” the reports of sexual assault at Abu Ghraib; he said he did this because of his continued outrage over sexual assaults on the base (p. 152-153);

-- James *described a gay male soldier during weapons training in a derogatory fashion*, where the soldier was “more preoccupied about his nails, makeup, and whether the helmet messed up his hairstyle than with how to target the enemy;” James later stated that “none of us cared at all about his sexual orientation” (p. 153-154);

-- *James described a soldier as a lesbian when her sexual orientation had no bearing on her work.* “I didn’t have to ask her if she was a lesbian, but as a highly trained

“Sergeant Jackie was impeccable at performing her duties and nobody cared what she did after work” (p. 154-155);

-- *James described a female soldier in derogatory and objectifying terms and goes on to make assumptions that she was manipulating the system by becoming pregnant in order to be sent home:* “Private Jeni Nelson was a short, fat, seriously ugly young lady. Nevertheless, she got a boyfriend, got pregnant, and was promptly sent home...did she do it on purpose to get out of Abu Ghraib? Probably, and I’m sure she wasn’t the first” (p. 162).

-- *James described imprisoned detainees and their thought processes in dehumanizing ways, ignoring the effects of having one’s country invaded, long-term imprisonment, torture, abuse, or lack of habeas corpus, and, in many if not most cases, being imprisoned for putative offenses of which one was innocent:* “His rage was foul and almost inhuman...death to all Americans will be their only victory...I asked myself this many times, Are these guys normal? Is this part of mental illness or just a part of their culture?” (p. 197-198).

-- *James described the general mental health of the detainee population in dehumanizing ways:* “No one in the White House ever expected that the rates of true mental illness would be such a problem with this new enemy...add to this the 10 or 20 percent of their population who were simply dumb as a box of rocks, and we have a real challenge how to handle these people” (p. 199-200); James then goes on to contradict himself in the next paragraph: “Our rates of mental illness...at GTMO and Abu Ghraib actually matched the rates of mental illness in U.S. prisons” (p. 200).

-- “On November 30, 2004, the *New York Times* published an article revealing allegations from a leaked report by the International Committee of the Red Cross that psychologists at Guantanamo had been involved in psychological and physical coercion that was “tantamount to torture.... The article prompted an immediate and sustained effort by APA executives...to figure out how to address the issue from a messaging perspective....within days, the idea of a task force...was discussed [which eventually became PENS], and internal [APA] steps were taken to implement it (Hoffman et al, 2015, p. 17).

2005

-- Conversations [within APA] about who should serve on the [PENS] task force began immediately. On January 5 [2005], Kelly informed Mumford that she “put out the word to Div[ision] 19 and other defense types” about gathering names for the task force, and that Koocher and Levant had suggested Larry James and Morgan Sammons” (Hoffman et al., 2015, p. 219). James’ name appeared on multiple member lists circulated at APA, and he was subsequently appointed to the task force (Hoffman et al., 2015, p. 223-224). Koocher [past APA president] stated that James was selected [for PENS] because he had been sent to Abu Ghraib, and Koocher “figured that if there was anybody who would know about abuses it would be Gelles and James” (Hoffman et al., 2015, p. 241).

-- “On March 1 [2005], Col. Larry James (“James”) emailed Levant about his interest and concerns about serving on the [PENS] task force. In particular, James noted a “fear of

preconceived biases of some who may be anti-military.” Levant forwarded the message to Behnke, who stated he would contact James about his concerns” (Hoffman et al., 2015, p. 234).

-- “The 2 ½ day [PENS] meeting on June 24-26 [2005] in the APA board room resulted in a report drafted by Steve Behnke over those three days that, with two minor changes by the APA Ethics Committee a few days later, became the PENS Task Force Report” (Hoffman et al., 2015, p. 20). Before and during this meeting, multiple efforts were made by DoD members to restrict visitors to the meeting and to maintain secrecy, and to make sure the wishes of higher-level DoD officials were followed:

-- “Other media reports were released on the eve of the PENS meetings that covered Bloche and Marks’s *New England Journal of Medicine* article...it appears that Bloche and Marks were ultimately uninvited after the first day of the [PENS] task force meeting when DoD members expressed discomfort with having Bloche attend the meeting. Larry James even threatened to leave the meeting if Bloche was present. According to Arrigo’s notes from the PENS meetings, James and Banks criticized Bloche and Marks’s latest article for its accuracy and publication of John Leso’s name. They worried for Leso and his family’s safety as a result” (Hoffman et al., 2015, p. 259).

-- “Of note, James told Sidley [Hoffman] that he consulted with his chain of command before **PENS** to make sure that they were aware of his participation and that they had no issues. He specifically consulted with his two Navy clinical supervisors at his hospital, Walter Reed Medical Center, and made sure he “wasn’t saying anything out of line”...he also discussed the issue with Navy attorneys at one point, among other topics. **James** said the two take away messages from these chain of command conversations were (1) to ensure that psychologists kept their presence in detention settings, and (2) to inform DoD on how to conduct interrogations safely and ethically” (Hoffman et al., 2015, p. 268).

-- “The PENS report said that psychologists could serve as consultants to national security interrogations consistently with the Ethics Code, and articulated two high-level limitations on that activity, without further significant definition: psychologists could not be involved in torture or cruel, inhuman or degrading treatment, and psychologists should attempt to ensure that interrogation methods were safe, legal, ethical and effective” (Hoffman et al., 2015, p. 20). This latter list of words (safe, legal, ethical, and effective) was taken directly from the instructions for the BSCTs given to the Task Force on its first day. They then became the words used in the PENS report throughout the sustained efforts of APA officials (see Hoffman et al., 2015, p. 26).

-- “As one of the DoD task force members who thought the report should have gone farther told us, this language was “loose” and “not defined.” As he noted, key issues – whether a psychologist could cause psychological distress or physical pain to a detainee; if so, whether it was important to differentiate between “harm” and distress / pain; and if so, how one drew the line—were not addressed in the report despite the fact that an early draft of the report did attempt to cover those issues. (At Banks’s request, and to a lesser extent James’s, the report did not restrict psychologists from continuing to access detainee medical records, and instead prohibited psychologists from using them to the detriment of the detainee’s safety and well-being.) As this DoD task force member said and a wide variety of evidence confirms, these “loose” limitations were intentionally chosen by Behnke because they reflected what Morgan Banks and key parts of DoD wanted” (Hoffman et al., 2015, p. 20).

2006

- In an e-mail dated January 31, 2006, Michael Keller, a non-commissioned officer stationed at Abu Ghraib, wrote to family and friends that he had posted an official complaint with commanders about continued detainee abuses at the prison. Such abuses notably included the use of “torture chairs” wherein detainees would be chained for long hours, as well as using “double medical litters” where detainees would be squeezed between two litters lengthwise, and a soldier would then sit on top of the detainee. Keller was threatened with disciplinary action for going up the chain of command when his immediate supervisor was non-responsive after reporting these events (Keller, 2007, p. 216-225, Appendices C and D). Thus torture or abusive techniques were still in use after James said he had “fixed” the abuses at Abu Ghraib during his tour of duty from early June of 2004 to October-November, 2004.

-- In June 2006, “the *New York Times* ran a story highlighting the differences between the APA and ApA [American Psychiatric Association] ethical policies regarding the use of professionals as consultants to interrogations. That afternoon, APA staff circulated a letter to the editor that had been submitted to the *Times*, which defended APA’s position by explaining that “[p]sychologists have skills that can help prevent future acts of terror”...that afternoon, Behnke emailed Dunivin and Larry James to ask for their help in drafting a substantive response to the critiques. Later that evening, Behnke asked that James compose a response for Koocher to post to the Council listserv on his behalf, noting that James “garner[ed] enormous respect in the APA” (Hoffman et al., 2015, p. 365).

-- A few days later in June 2006, “Behnke also suggested that it might be helpful to make James available for a discussion group during Convention at which interested Council members could obtain more information regarding the roles psychologists were playing” (Hoffman et al., 2015, p. 365). Behnke commented: “Larry, this is bad. Let me ask you a question: Would you be willing to make yourself available at Convention for Council members (no press), to answer questions regarding the role of psychologists in setting such as Guantanamo Bay? I am meeting with the Board tomorrow . . . and I think that would be a good part of a plan to respond to what’s going on” (Hoffman et al., 2015, p. 366).

-- In July 2006, “Behnke also plotted to arrange a controlled, well-staged speech from a DoD official who would send a message to the Council about the humane treatment of detainees. The original idea was to have Larry James speak (noted above), but Koocher and Behnke later discussed having Army Surgeon General Kevin Kiley speak instead, and an invitation to Kiley was extended. On July 10, Behnke shared with Koocher his strategic thinking for making Kiley’s speech as smooth as possible if he accepted the invitation” to speak at the August 2006 convention (Hoffman et al., 2015, p. 377).

-- “Banks emailed the PENS listserv on August 12 [2005]...explaining that he, James, Dunivin, and others met with Army Surgeon General Kiley for a full day to try “to establish the doctrinal guidelines and training model for psychologists performing this job. The TF report provided, again, a solid anchor to use in our deliberations.” Ultimately, the full PENS report was appended to the first MEDCOM BSCT policy memorandum in October 2006. The report itself stated that a BSCT’s purpose was to “assist the command in conducting safe, legal, ethical, and effective detention operations, intelligence interrogations, and detainee debriefing operations” (Hoffman et al., 2015, p. 328).

2007

-- "...a detailed outline from Behnke sets forth the points he wanted to emphasize at the [2007] Convention months before it took place, including that "the most ethical stance APA can take is to remain fully engaged in consulting to interrogations" and that APA has been successful "in promoting the practice and theory of 'ethical' interrogations." A review of the email traffic between April and August 2007 shows that Behnke drafted such a letter in James's name and sent it to him to review on June 18, 2007....without making any changes to the letter, James sent it to Sharon Brehm on June 19, 2007, and Brehm then forwarded the letter to Behnke, Farberman, Anderson, and Strassburger. There is no indication that Brehm, or any other APA staff member, was aware that Behnke had been the original author of this [James'] letter. On June 23, 2007, Dr. Melba Vasquez posted an open letter to James in response to his own letter, expressing support for him and his work" (Hoffman et al., 2015, p. 408-409).

-- Also sometime in June 2007, "Dunivin wrote to Newman, Behnke, and Farberman about an open letter from "Concerned Psychologists" to APA President Sharon Brehm, which had been issued as a press release the day before, commenting "[t]his is pretty ugly." A number of military individuals, including Banks and James, had provided comments on the letter" (Hoffman et al., 2015, p. 394).

-- "Many individuals interviewed [for the Hoffman report]...recalled the August 2007 Council meeting because of the notable presentation made by Larry James on the need for psychologists to be involved in interrogations. Several people recalled that James's speech emphasized that "people will die" if psychologists were not permitted to work in such detention settings...it was Behnke who first suggested that Brehm recognize James to speak at Council. James was not a Council representative from Division 38 when the [Council] meeting began. Only after the previous Division 38 representative, Sharon Manne, was asked to step down was James selected to replace her" (Hoffman et al., 2015, p. 425). The Democracy Now recording documents James' "people will die" speech available at:

http://www.democracynow.org/2010/7/8/military_psychologists_face_complaints_with_licensing

-- On December 5, 2007, the [APA] Ethics Office received a complaint filed by Trudy Bond against Larry James. The complaint alleged that James was the "commander of the Guantanamo Behavioral Science Consultation Teams (BSCTs) from January 2003 to mid-May 2003, during a time when the International Committee of the Red Cross (ICRC) reported the most serious abuses at Guantanamo." Bond stated that under James's "command and supervision," psychologists from the military's SERE program were "instructed to apply their expertise in abusive interrogation techniques conducted by the DoD in Guantanamo." In the complaint, Bond also stated that she was "aware that Colonel James has denied the use of SERE techniques but the facts speak to his knowledge and military command of [BSCTs] who utilized SERE techniques." Bond cited the following three documents as support for her allegations: (1) the International Committee of the Red Cross (ICRC) Report of GTMO; (2) the *Review of DoD Directed Investigations of Detainee Abuse* (Report No. 06-INTEL-10) produced by the Office of the DoD Inspector General dated August 25, 2006; and (3) the Camp Delta Standard Operating Procedure Manual dated February 2003" (Hoffman et al., 2015, p. 520).

-- On December 12, 2007, Behnke assigned Stanley Jones as the investigator for [the James] complaint. On December 20, 2007, Jones drafted a decision memo to the then-Ethics Committee

think that the alleged actions, if proved, would constitute a violation of any of the ethical standards. In the memo, Jones identified the complainant as a “third-party” with “no direct knowledge of respondent’s behaviors at issue.... Jones did not review any additional information that was not included in the complaint form itself, nor did he take any affirmative investigative steps (although he would have been permitted to do so under Part V, Subsection 5.3.3 of the Rules), which was consistent with the general investigative practice of the **APA** Ethics Office. The day before New Year’s Eve, **on December 30, 2007**, ten days after receiving Jones’s memo, Deutsch responded that she agreed with the decision to close the complaint...[the] **James** complaint was closed within a month of the [**APA**] Ethics office having received the complaint—disposed of in truly lightning speed so that Deutsch could review it before her Chairmanship was finished” (Hoffman et al., 2015, p. 521).

2008

-- In September 2008, “the membership of APA voted and passed the 2008 petition resolution (APA, 2008b) which triggered the future development of the 2009 presidential advisory group report discussed below (Hoffman et al., 2015, p. 441). When Larry James drafted a letter critical of the 2009 advisory group’s report...he also asked Behnke to comment on it before he sent it to Council...[there was] no record that Behnke responded to James’s request for advice....evidence of the joint venture between APA and DoD [had] diminished in the latter half of 2007 and 2008” (Hoffman et al., 2015, p. 446).

2009

-- Nevertheless, “Behnke worked with Larry James to make sure that the title of the [2009] advisory group report would not be nearly as impactful as the petitioners intended it to be. In the days leading up to the Council meeting, Behnke and James began working closely together to guide the advisory group report through Council in a way that was acceptable to military psychologists. On February 18 [2009], James informed his colleagues that he would be meeting with Behnke the following day to “develop a battle plan of attack. I will engage with intentist [sic] this weekend at the APA Council of Representatives meeting to fight this.” At this strategic meeting, James and Behnke discussed the title of the advisory group’s report and coordinated regarding how Behnke could influence the governance process to retain the reference to “unlawful detention settings” in the title” (Hoffman et al., 2015, p. 447).

-- James was extremely satisfied that the strategy he and Behnke had coordinated together had been resoundingly successful. After the APA Council meeting in 2009, James reported to a group of military psychologists that a “friendly amendment” had been passed. He explained that they had “negotiated” three points:

1. the Advisory Group report will be called Psychologists Working in Unlawful [sic] Detention Facilities. This is significant since we don’t have any psychologists working in “Unlawful Detention Facilities”....
2. The Advisory Group’s report was “received” by the Council of Representatives. NO part of the crazy language in the advisory group’s recommendation section will be adopted! . . .

concil's [sic] report or APA policy. It will only say that psychologists can't work in unlawfull [sic] detention facilities)...

Notably, James's declaration of victory rested on precisely the two issues that APA staff, led by Behnke, had labored over in the weeks leading up to the 2009 Council meeting....What James did not acknowledge, however, was that he and DoD had the benefit of APA's chief strategist [Behnke] serving as their tutor" (Hoffman et al., 2015, p. 448-449).

2010

-- In February of 2010, APA Council voted to adopt the following Ethics Code language: (Section 1.02): "If psychologists' ethical responsibilities conflict with law, regulations or other governing legal authority, psychologists clarify the nature of the conflict, make known their commitment to the Ethics Code and take reasonable steps to resolve the conflict consistent with the General Principles and Ethical Standards of the Ethics Code. Under no circumstances may this standard be used to justify or defend violating human rights" (APA 2010, p. 4). It became effective on June 1, 2010.

2012

-- "On September 18, 2012, Bond and Reisner sent an open letter addressed to then-APA President Suzanne Bennett Johnson, expressing their concerns about the Gelles, Leso, and James [ethics] complaints....[because] the [2007] ethics complaint against Col. James was dismissed by the APA Ethics Office without investigation" (Hoffman et al., 2015, p. 503). To our knowledge, no further action has been taken regarding this matter.

APPENDIX G: 2007 Coalition Letter to President Sharon Brehm Regarding Several Psychologists Who Had Contributed to Abusive Interrogations

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

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

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 investigatory 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.

Stephen Soldz, Director, Center for Research, Evaluation, and Program Development & Professor, Boston Graduate School of Psychoanalysis; University of Massachusetts, Boston

Brad Olson, Assistant Research Professor, Northwestern University

Steven Reisner, Senior Faculty and Supervisor, International Trauma Studies Program, Mailman School of Public Health, Columbia University; Clinical Assistant Professor, Department of Psychiatry, New York University Medical School

Mike Wessells, Former Member, PENS Task Force; Columbia University

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Hal S. Bertilson, University of Wisconsin-Superior
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Note: Additional signatories will continue to be recruited.

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**APPENDIX H: 2007 Vasquez Initial Email Letter
and Follow-Up Email Regarding Additional Support of Larry James in Response to
Coalition's Letter (The follow-up email has the original email after it a second time)**

Sender: Council Representatives List <COR@LISTS.APA.ORG> on behalf of Melba J. T. Vasquez, Private Practice **PRIVACY REDACTION**
Sent: Saturday, June 23, 2007 11:42:27 AM
Recipient: COR@LISTS.APA.ORG
Subject: [COR] Open letter to Col. Larry James
Attachments: ResponsetoLarryJames.doc

Dear Larry,
 Copied below and also attached is a letter expressing some sentiments of support from several of us. I (almost arbitrarily) contacted a few people who have signed on, but I imagine that many more would have as well, had I had time to contact more. Perhaps they can send individual messages to you. Also, I'm hoping that several people who sent glowing comments to me about their knowledge of you send those comments to you as well.

Best wishes, Larry.

Melba Vasquez

An Open Letter to Larry C. James
 Colonel, United States Army
 Dear Larry,

We want to respond to your open letter to APA President Sharon Brehm, in which you strongly object to the implication that you have ever, in any setting, been involved in the use of torture, cruel and abusive treatment or punishment. We appreciate the need for you to speak out in honor of your dignity and integrity.

We want you to know that we believe that this unfortunate portrayal is antithetical to who you are as a person and as an officer in the United States military. The portrayal is certainly antithetical to what we know about you.

We believe that throughout your career you have done your best to adhere to the highest standards of ethical conduct. We are pleased to hear that no one in your chain of command ordered you to do anything inconsistent with this code of behavior.

We are aware that you are a person of color who has taken a unique leadership role among psychologists in the military. We perceive you to be a hero in your work at Abu Ghraib to develop training and to implement systems to prevent further acts of abuse. We are proud of your application of psychological research, materials and principles in doing so.

We are very pleased to hear that you perceive that APA's continuing work has given psychologists an invaluable resource to fight against promoters of harsh and abusive interrogation techniques, and that we are making progress in that arena.

We regret that well-meaning psychologists have engaged in listing of your and others' names associated with torture, directly and through innuendo. We can only imagine the demoralizing impact on you and others. We strongly regret this, and want you to know that many others of us see things differently.

We believe that most of your colleagues, including on the Council of Representatives wish you well as

you are soon to be deployed. We personally hope that this horrific war ends soon, and the cost—in lives, and in cost to decency and respect—will soon end, and that you will be home again soon.

Sincerely,

Melba Vasquez, PhD ABPP
 Rosie Phillips Bingham, PhD, ABPP
 Laura Brown, PhD, ABPP
 Nanci Klein, PhD
 Erica H. Wise, PhD
 Kristin Hancock, PhD
 David M. Rudd, PhD
 John N Moritsugu, PhD
 Beth N. Rom-Rymer, PhD, FICPP
 Stephen J. Lally, PhD
 Asuncion Miteria Austria, PhD
 Lenore Walker, PhD
 Martha E. Banks, PhD
 Dianne S. Salter, PhD, Esquire
 Sandy Portnoy, PhD
 Jenny Cornish, PhD, ABPP
 Michael J. Murphy, PhD, ABPP
 Jennifer F. Kelly, PhD
 Beverly Green, PhD, ABPP
 Sandy L. Shullman, PhD
 Melba J. T. Vasquez, PhD, ABPP
 Board of Directors, American Psychological Association
 Past-President, Texas Psychological Association

PRIVACY REDACTION

[REDACTED]

See what's free at <http://www.aol.com>.

To: Social Justice Discussion forum <SOCIALJUSTICE@LISTS.APA.ORG>
Date: Sat, 7 Jul 2007 09:42:54 -0500
Content-Type: text/plain

[Reply](#)

Parts/Attachments: [text/plain](#) (215 lines)

Hi All,
Here is some additional names in support of Larry James. Brad

=====Original message text===== From: "Ken Pope"
<kspope@kspope.com>
Date: Sat, 07 Jul 2007 8:15:44 am CDT
Subject: support for a psychologist, U.S. Army Colonel Larry James

A while back I circulated an open letter of support that Melba Vasquez, a member of this list, had sent to a psychologist, United States Army Colonel Larry James. The letter was signed by a number of prominent psychologists.

I received this follow-up (please see below) in which Melba lists additional psychologists, most of whom are members of the APA Council of Representatives, who have added their names to the letter.

She also includes Colonel James's personal email address during his deployment.

The open letter and original signatories appears at the end below. Ken

Resources for Veterans, Their Families, & Those Providing Services to Them:
<<http://kspope.com/torvic/war.php>>
"He who knows only his own side of the case, knows little of that."
--John Stuart Mill

----- Begin Forwarded Message ----- Hello, Ken.

Since I last sent out that letter, an additional 40+ or so people have signed on, as well, see below. The additions, who are primarily but not all members of the APA Council of Representatives signed on after the initial letter was sent.

It is heartwarming to see so many of the APA leadership concerned about supporting him.

His personal email during his deployment is Jamesbdaddy@aol.com Melba

Additions:

Patricia Arredondo, PhD Sallie E.
Hildebrandt, PhD
Robert J. Resnick, Ph.D., ABPP Neil Massoth,
PhD
Glen A. Ally, PhD, MP Nadine
Kaslow, PhD, ABPP Henry L.
Taylor, PhD Linda Campbell, PhD
Gwyneth M. Boodoo, PhD
John D. Robinson, EdD, MPH, ABPP Alan Entin,
PhD
Guillermo Bernal, PhD Katherine C.
Nordal, Ph.D
B. G. Cade, PhD, JD Jean
Carter, PhD Ron Levant,
PhD
Susan H McDaniel PhD, ABPP Natalie
Porter, PhD
Luis Vazquez, PhD
Suzanne Bennett Johnson, PhD Louise A.
Douce, PhD
Danny Wedding, PhD, MPH Jean
Lau Chin, EdD, ABPP Suzanne
LeSure, PhD
Barry A. Hong, PhD, FAACP Robin A.
Buhrke, PhD Mathilda B. Canter, PhD
Deirdre J. Knapp, PhD Harriette Kaley,
PhD
Steven M. Tovian, PhD, ABPP Judith
Patterson, PhD
Annette M. La Greca, PhD, ABPP Nancy
Wise-Vander Lee, PhD Thomas J. Vaughn,
Ph.D, ABPP Linda Forrest, PhD
Juan M. Rapadas, PhD Mark D
Kamena, PhD
Janet L. Barnes-Farrell, PhD Kate F. Hays,
PhD, Cpsych
Kathleen Kendall-Tackett, Ph.D., IBCLC

In a message dated 6/30/07 6:24:12 AM, kspope@kspope.com writes:

Melba Vasquez, a member of this list, sends along the following open letter to Colonel Larry James.

Ken

American Psychologist Study Calling for Changes in the APA Ethics Code regarding Boundary Decisions:

<<http://kspope.com/dual/multiple-relationships.php>>

"Hear the other side."
--Saint Augustine (354-430 AD)

----- Begin Forwarded Message ----- Dear Larry,

Copied below and also attached is a letter expressing some sentiments of support from several of us. I (almost arbitrarily) contacted a few people who have signed on, but I imagine that many more would have as well, had I had time to contact more. Perhaps they can send individual messages to you. Also, I'm hoping that several people who sent glowing comments to me about their knowledge of you send those comments to you as well.

Best wishes, Larry. Melba Vasquez

An Open Letter to Larry C. James Colonel, United States Army

Dear Larry,

We want to respond to your open letter to APA President Sharon Brehm, in which you strongly object to the implication that you have ever, in any setting, been involved in the use of torture, cruel and abusive treatment or punishment. We appreciate the need for you to speak out in honor of your dignity and integrity.

We want you to know that we believe that this unfortunate portrayal is antithetical to who you are as a person and as an officer in the United States military. The portrayal is certainly antithetical to what we know about you.

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We believe that most of your colleagues, including on the Council of Representatives wish you well as you are soon to be deployed.

We pe:

Sincerely,

Melba Vasquez, PhD ABPP
 Rosie Phillips
 Bingham, PhD, ABPP
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 Nanci
 Klein, PhD
 Erica H.
 Wise, PhD
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 Hancock,
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 J.Lally, PhD
 Asuncion Miteria
 Austria, PhD
 Lenore Walker, PhD
 Martha E. Banks, PhD
 Dianne S. Salter,
 PhD, Esquire Sandy
 Portnoy, PhD
 Jenny Cornish,
 PhD, ABPP Michael
 J. Murphy, PhD,
 ABPP Jennifer F.
 Kelly, PhD
 Beverly Green,
 PhD, ABPP Sandy
 L. Shullman, PhD

Melba J. T. Vasquez, PhD, ABPP
 Board of Directors, American Psychological
 Association Past-President, Texas
 Psychological Association Anderson House at
 Heritage Square

APPENDIX I: Moorehead-Slaughter's Letter in Response to Coalition 2007 Letter that Named Psychologists Who Had Contributed to Abusive Interrogations

September 5, 2007

Dr. Sharon Stephens Brehm
President
American Psychological

Association Dear Dr. Brehm,

I am writing in response to a listserv post regarding APA's Task Force on Psychological Ethics and National Security (PENS) that is composed of writings by Amy Goodman, host of the program "Democracy Now," and Dr. Jean Maria Arrigo, who was a member of the PENS Task Force. While I have not spoken outside of APA venues in my role as chair of the PENS Task Force, the Goodman/Arrigo post presents such a gross distortion of the PENS process—a process that concluded over two years ago—that silence no longer seems reasonable or prudent. Please distribute this letter as you deem appropriate.

First, I want to be clear: I have never worked in any capacity for the CIA, the FBI, or the Department of Defense. I am a psychologist for a nursery through 9th grade private school. I also serve on the training faculty for a university-based, multicultural center. I have served as chair of the APA Ethics Committee and chair of my state's psychology licensing board. I am currently a member of the APA Board for the Advancement of Psychology in the Public Interest (BAPPI). Like hundreds of other APA members, I have volunteered my time for APA activities. I have never received monies or compensation of any nature from APA for my time. While my employers have allowed flexibility in my work schedules to attend meetings, APA activities have never been counted toward my professional advancement. When I was asked to chair the PENS Task Force, I accepted. At no point was there any mention of compensation, reward, benefit, or other inducement for serving in this role or for coming to a particular position on the substantive issues. Any other suggestion is, quite frankly, an insult to my integrity.

Second, the Goodman/Arrigo post implies that virtually everyone in the room when the PENS Task Force met, other than Dr. Arrigo, was either covertly providing information to the military or had significant conflicts of interest that would predetermine a position. The APA staff present, many of whom are long-standing APA members, have been unspeakably poised and gracious in not publicly responding to the implication that their own integrity was compromised. A cursory review of APA activities reveals that APA has taken positions at significant odds with the United States government. The most recent example is the 2007 resolution on interrogations itself. The Washington Post calls APA's 2007 resolution "a rebuke of

the Bush administration's anti-terrorism policies.”

Third, the names and biographical statements of the Task Force members were provided to the APA Council of Representatives and posted on an APA division website weeks before the Task Force met with no restrictions whatsoever on how this information could be disseminated. This information was readily available through the Internet for interested members of the public. On the night the PENS Task Force began its work in Washington, a journalist contacted the director of the Ethics Office and asked for hotel information for specific members of the Task Force, by name. The notion that either the names of Task Force members or their biographical descriptions were not publicly available until a year after the Task Force met is completely false.

Fourth, as PENS Task Force Chair, I responded immediately when Dr. Arrigo raised allegations of “irregularities” in the PENS process. I believed strongly that the individuals directly involved should have the first opportunity to hear and respond to any such allegations. Nonetheless, despite numerous entreaties over several weeks, Dr. Arrigo refused to provide any substantive response to my requests that she explain what she viewed as Task Force irregularities. What are finally raised in the Goodman/Arrigo post as examples are, in fact, not irregularities at all. Other APA task forces have had multiple observers. In regard to the question of an investigation, the president-elect of APA pointed out to Dr. Arrigo that APA has neither subpoena power nor the necessary security clearances, so an “investigation” would be pointless—and would serve to demonstrate only that APA did not understand what a competent investigation would require.

The Goodman/Arrigo post states “No task force member was permitted to speak about the PENS report.” In fact, Dr. Arrigo has spoken a great deal about the PENS report. At no point has APA taken any action to discourage Dr. Arrigo from doing so. Much to the contrary, Dr. Arrigo spoke most recently at an APA Convention program on ethics and interrogations, the planning for which was funded by the APA Board of Directors.

Fifth, in discussing the composition of the PENS Task Force, the Goodman/Arrigo post fails to address how several of the Task Force members have been described in publicly available documents as taking central roles in fighting detainee abuse. Dr. Mike Gelles has been hailed for a successful protest of prisoner abuse in Guantanamo Bay. The work of Dr. Larry James in implementing procedures to prevent further abuses at Abu Ghraib has been described in a recent book by a former APA president. Dr. Robert Fein, chair of the Intelligence Science Board study on educating information, is demonstrating that research does not support the effectiveness of harsh interrogation techniques in eliciting accurate and reliable information; his work has been discussed in the *New York Times*. Dr. Morgan Banks has been described by Jane Mayer in the *New Yorker* magazine as taking an unequivocal position against “reverse-engineering” of SERE techniques; Dr. Banks has repeatedly stated that

“reverse SERE engineering” is both unethical and ineffective. Dr. Scott Shumate is portrayed in a recent *Vanity Fair* article as “disgusted” in reaction to detainee abuse. The Goodman/Arrigo post states “Six of the ten members were highly placed in the Department of Defense” (an inaccurate statement), and then goes on to ignore entirely the publicly available information about what these individuals have done to fight the abuse of detainees. The post likewise ignores how Mike Gelles has since left government service and remains a strong and vocal supporter of the PENS Task Force conclusions. Neither Amy Goodman nor Dr. Arrigo saw fit in their post so much as even to acknowledge the position of these PENS Task Force members or their actions to fight against detainee abuse.

Sixth, immediately following the PENS Task Force meeting after Task Force members had left Washington, a final draft of the report was distributed for their approval. Dr. Arrigo’s response reads in its entirety:

The depth, scope, and wisdom of this document are indeed impressive, and I approve it as a Task Force member. Also, I appreciate its literary grace (owing to Steve). As mentioned previously, I have felt uneasy with some elements, primarily omissions.

Fulfillment of the Task Force recommendations would relieve my concerns, and I hope for an opportunity for further participation. Thanks to the APA ethics committee, board, and staff members who have mobilized for swift review and dissemination of the PENS report. Jean Maria Arrigo

(Given that Dr. Arrigo has now provided this information to multiple individuals and entities, including an investigative journalist, I will assume that she has waived any expectation of her own privacy regarding these materials). The year following release of the PENS report, a majority of PENS Task Force members determined that the APA Ethics Committee was the appropriate body to write a casebook/commentary on the PENS report. Dr. Arrigo dissented vigorously and argued that the PENS Task Force should continue its involvement in PENS- related work.

Seventh and finally, I note with dismay that nowhere on the Democracy Now website was I able to find any material from the many voices at Convention and on APA Council who spoke strongly in support of APA’s position and eloquently against a limitation of psychologists’ roles in detention centers. In contrast, APA leadership ensured that all voices and perspectives would be heard at our annual meeting.

In response to continued member interest in this issue, the APA Board of Directors funded a group to plan an extensive program on ethics and interrogations at the 2007 Convention in San Francisco. The program consisted of nine, two-hour sessions. The majority of members on the program planning group were affiliated with the Divisions for Social Justice. Some of the harshest critics of APA’s position (including Dr. Arrigo) spoke at the Convention program— with APA leadership’s knowledge and full support. Democracy Now filmed at several of the sessions, including the Town Hall

meeting, again with APA leadership's knowledge and support. The Board of Directors was entirely committed to ensuring that a proposal limiting the roles of APA members in detention facilities would be discussed and debated at the Council of Representatives meeting. The discussion took place on the final day of Council's meeting, as requested by the chair of the Divisions for Social Justice. The resolution adopted by Council was the result of an intense, open and inclusive collaboration between Council representatives from numerous and diverse APA groups.

I appreciate that our membership has passionate differences of opinion on this complex issue. APA's current position is the result of intelligent, informed, and thoughtful debate that has been ongoing for over two years. We have explored every aspect of this issue in challenging and sometimes painful discourse, and we have reached a considered position. For those truly interested in a democratic process, APA leadership provided an excellent example in San Francisco of democracy in action.

Sincerely,

Olivia Moorehead-Slaughter,
PhD Chair, PENS Task Force

APPENDIX J: Request for Div35 to Sign Annulment Petition and Petition

Request from Roy Eidelson seeking endorsement of PENS repeal statement:

Dear Officers of the Society for the Psychology of Women,

On behalf of the Coalition for an Ethical Psychology, I am writing to request that Division 35 consider endorsing the petition calling for annulment of the APA's 2005 PENS Report. I have pasted the text of the petition below for your convenience. It is also available on the Coalition's website (www.ethicalpsychology.org/pens), as is a detailed background statement and an up-to-date list of all organizational and individual signers.

As a reminder, despite compelling evidence that psychologists acted as planners, consultants, researchers, and overseers to abusive interrogations of national security detainees, the PENS Task Force asserted that psychologists play a critical role in keeping these interrogations "safe, legal, ethical and effective." With this stance, the APA became the sole major professional healthcare organization to support practices contrary to the international human rights standards against which professional codes of ethics are judged. Despite subsequent changes in APA policies, the PENS Report remains in effect and is highly influential in military/intelligence and psychology settings today.

Thus far, 25 organizations and over 1,250 individuals have signed the petition. These six APA groups are among those that have already officially endorsed the annulment call:

- **Executive Committee of the Society for Theoretical and Philosophical Psychology (Division 24)

- **Society for Community Research and Action (Division 27)

- **Society for Humanistic Psychology (Division 32)

- **Psychoanalysis (Division 39)

- **Psychoanalysis for Social Responsibility (Section IX of Division 39)

- **Executive Committee of the Society for the Study of Peace, Conflict, and Violence: Peace Psychology Division (Division 48)

Individual signers include many distinguished members of APA who currently hold or have previously held leadership positions, as well as non-psychologists such as psychiatrists Robert Jay Lifton and Brigadier General (Ret.) Stephen Xenakis; scholar-activists such as Daniel Ellsberg and Noam Chomsky; attorneys who have represented Guantanamo detainees; eminent veterans of the intelligence community; and many other psychologists and human rights advocates.

We believe that the issues at stake here are of profound importance for the profession. Directly or indirectly, they bear on all areas of psychological specialization, from basic research to clinical practice. The effort to annul the PENS Report would benefit significantly from the support of Division 35, and we would welcome the opportunity to answer any questions you might have as part of your deliberations. We would also welcome your sharing this email with your division members, so that they can learn of the annulment petition and decide whether or not to sign on. Thank you for your time and consideration.

Sincerely,

Roy Eidelson, on behalf of the Coalition for an Ethical Psychology

Petition: A Call for Annulment of the APA's PENS Report

Over the decade since the horrendous attacks of 9/11, the world has been shocked by the specter of abusive interrogations and the torture of national security prisoners by agents of the United States government. Although psychologists in the U.S. have made significant contributions to societal welfare on many fronts during this period, the profession tragically has also witnessed psychologists acting as planners, consultants, researchers, and overseers to these abusive interrogations. Moreover, in the guise of keeping interrogations “safe, legal, ethical and effective,” psychologists were used to provide legal protection for otherwise illegal treatment of prisoners.

The American Psychological Association’s (APA) 2005 Report of the Presidential Task Force on Psychological Ethics and National Security (the PENS Report) is the defining document endorsing psychologists’ engagement in detainee interrogations. Despite evidence that psychologists were involved in abusive interrogations, the PENS Task Force concluded that psychologists play a critical role in keeping interrogations “safe, legal, ethical and effective.” With this stance, the APA, the largest association of psychologists worldwide, became the sole major professional healthcare organization to support practices contrary to the international human rights standards that ought to be the benchmark against which professional codes of ethics are judged.

The PENS Report remains highly influential today. Negating efforts by APA members to limit the damages – including passage of an unprecedented member-initiated referendum in 2008 – the Department of Defense continues to disseminate the PENS Report in its instructions to psychologists involved in intelligence operations. The Report also has been adopted, at least informally, as the foundational ethics document for “operational psychology” as an area of specialization involving psychologists in counterintelligence and counterterrorism operations. And the PENS Report is repeatedly cited as a resource for ethical decision-making in the APA Ethics Committee’s new National Security Commentary, a “casebook” for which the APA is currently soliciting feedback.

Equally troubling, the PENS Report was the result of institutional processes that were illegitimate, inconsistent with APA’s own standards, and far outside the norms of transparency, independence, diversity, and deliberation for similar task forces established by professional associations. Deeply problematic aspects include the inherent bias in the Task Force membership (e.g., six of the nine voting members were on the payroll of the U.S. military and/or intelligence agencies, with five having served in chains of command accused of prisoner abuses); significant conflicts of interest (e.g., unacknowledged participants included the spouse of a Guantánamo intelligence psychologist and several high-level lobbyists for Department of Defense and CIA funding for psychologists); irregularities in the report approval process (e.g., the Board’s use of emergency powers

that preempted standard review mechanisms); and unwarranted secrecy associated with the Report (e.g., unusual prohibitions on Task Force members' freedom to discuss the Report). These realities point to the impossibility and inadequacy of merely updating or correcting deficiencies in the PENS Report.

We the undersigned organizations and individuals — health professionals, social scientists, social justice and human rights scholars and activists, and concerned military and intelligence professionals — therefore declare that the PENS Report is illegitimate. We call upon the American Psychological Association to take immediate steps to annul the PENS Report. At the same time, in our own efforts, we aim to make the illegitimacy of the PENS Report more broadly known within our communities.

--

Roy J. Eidelson, Ph.D.

Member, Coalition for an Ethical Psychology

www.ethicalpsychology.org

President, Eidelson Consulting

www.eidelsonconsulting.com

Past President, Psychologists for Social Responsibility

www.psysr.org

APPENDIX K: McHugh Response to Hoffman Drafted by McHugh after Input, and McHugh's Past President Report in Fall 2015 TFP Newsletter

Response of the Society for Psychology of Women to the Hoffman Report 8-13-15, posted first on WOC listserv

With dismay, we read the report of the independent investigator (the Hoffman Report), which was released on July 10, 2015. The Society for the Psychology of Women (Division 35) accepts this report as thorough and fair. We are ashamed that the result of APA's failure of leadership, and our own, may have contributed to the torture of those held in detention by the U.S. government.

The Society for the Psychology of Women strongly condemns the ethical violations of APA leaders, staff, and members involved. We are deeply concerned about the attempts, and successes, of internal and external groups/individuals to distort the purview of our professional foundations through collusion and/or subterfuge. To regain the trust of the membership and the public, accountability is essential. As such we demand a thorough public acknowledgement of wrongdoing. Such accountability should occur in the context of due process, but calls for "due process" should not be allowed to obfuscate accountability or unreasonably delay action.

In this spirit we acknowledge our failure in 2007 to join with other groups that opposed the composition and process of the PENS Task Force. We regret that we did not take an early principled stand and demand that the APA uphold the international standards associated with the Geneva Convention and the UN Convention Against Torture both through its development and enforcement of ethical policy. Despite our intent to indicate solidarity with the PsySR and the Divisions of Social Justice in 2012 by affirming the safety, justice, and well-being of all people as our priority, we acknowledge that our issuing of a separate statement appeared to contradict this. For this we apologize. The Society for Psychology of Women pledges to contribute to the process of bringing our members and the large and diverse community of psychologists together to engage in serious and redemptive self-reflection and to take the necessary steps to (re)build a more conscious and compassionate organization. We stand with other concerned psychologists who are committed to reforming the American Psychological Association to ensure transparent and democratic process and to do all we can to reduce the possibility that such events will ever occur in the future. As feminists and as a social justice division, we affirm the importance of human dignity and well-being and of addressing all violations of human rights.

We applaud the recent actions taken by the APA's Council of Representatives to forbid the involvement of psychologists in national security interrogations and to plan for a Blue Ribbon Commission to evaluate and revise APA's ethical standards and adjudication processes. We ask that APA make further amends and organizational changes that would prevent this type of inexcusable series of decisions to occur. We believe that all segments of the psychological community should be seated at the APA table during this critical time of repair and reorganization as well as afterwards, including the historically

marginalized. The transformation we seek depends upon a much higher level of engagement from many more members of our profession. Change will require participation from all of us including those who actively denied the problem, those who have remained silent, and those who have remained uninformed and unconcerned.

We appreciate that there is a diversity of views in our division and thus we do not speak on behalf of everyone. However, we believe it is important to state our response now as clearly as we can. We welcome further discussion on our listserv (Div35-WOCLEADERS@LISTS.APA.ORG), and we will forward the concerns of our members to the APA leadership through our council representatives, or through additional position statements.

Past President Report: Discussion Regarding Division 35 Leadership and the Hoffman Report

Discussions in response to the release of the Hoffman Report were the focus of the APA meeting in Toronto in August. (If you have not yet read the Hoffman Report, you should at least read the executive summary.) The report describes the role that Olivia Moorehead-Slaughter, our President-Elect, played as Chair of the PENS (Psychological Ethics and National Security) Task Force (TF). It is important that members who were not present understand that the issues that arose from Olivia's role in the PENS Task Force and our EC discussion are both important to the division and are inherently conflict-laden. We need to move forward within the Division and within APA, but we cannot do that without acknowledging the past and current reality.

Here I am reporting on the discussion that occurred at the Division 35 EC Meeting at APA on August 5, 2015. Points of discussion are briefly reported as background to the anonymous vote of the extended EC indicating serious concerns about Olivia Moorehead-Slaughter assuming leadership of Division 35 at this time (30/41 indicated serious concerns, 5/41 indicated no serious concerns, and 6/41 abstained.) Olivia was given this information and has yet to indicate whether she is willing to step down.

Although we had a full agenda, and many traveled early to APA to attend and make reports at this meeting, the President and Secretary agreed to Olivia Moorehead-Slaughter's request to address the members during the EC meeting. Due to family issues, Olivia modified her request to address the EC via phone connection. We supplied the necessary IT to schedule her address. Olivia presented about 20 minutes of prepared remarks, followed by 30 minutes of questions and answers. After Olivia was off the phone, the EC proceeded to have a 90-100 minute discussion of her presentation until the meeting was adjourned. The agenda was set aside and the other business of the Division was suspended to accommodate the discussion of division leadership.

In her prepared remarks Olivia indicated that she was devastated by reading the Hoffman report. She indicated that she had been manipulated by the other parties involved and she had not intentionally supported torture. And that she, only now, in reading the Hoffman report understood how her role as Chair was a problem—that she “unwittingly participated in a process ...that likely facilitated harmful treatment and even torture to detainees” and she apologized for that and for misleading others by lending credibility to the PENS. “I didn’t know what I didn’t know.” “In the same circumstances with the same amount of information, it’s hard to say if anything would have been done different. But I didn’t have different information—I only knew what I knew.” “The good of the Division preceeds any one individual including me. How we move forward is a critical decision that the Division has to make.”

There were 50+ people in the room when the discussion started, but some left before the ballot at the end. Initially some individuals repeatedly addressed the group, but we tried to give priority to people who had not spoken. As the discussion evolved, almost every person in the room offered some opinion or perspective. Here are some of the points discussed:

- Questions regarding Olivia’s leadership on the PENS TF, e.g. forwarding emails written by others as her own.
- Positive interactions with and feelings towards Olivia.
- Question concerning whether Olivia could adequately represent the Div at this time given her role in the PENS report vis a vis the Division's current stand on torture.
- Concern that her involvement with PENS and the investigation will serve as a distraction during her 3-years through the Presidency cycle.
- Concerns regarding the likely negative impact that her Presidency will have on Div 35's credibility as a social justice Division.
- Concern regarding the resignations of additional Div 35 members in objection to her leadership.
- Questioning Olivia’s astuteness (e.g., Olivia’s reported lack of insight into the dynamics of the PENS TF and the problems with its positions, especially given that individuals opposed to the PENS report were repeatedly trying to convey them to her).
- Argument that not knowing is not an acceptable position; in a leadership position you need to inform yourself, and attend to information presented by others.
- Argument that the decision has to be about principles, not about individuals.
- Perspective that others would have behaved similarly.
- Problem with Olivia not listening to or considering the position of those dissenting
- Concern for members of the division who were hurt by this whole process
- In response to questions about the suppression and negative treatment of individuals opposed to PENS, Olivia stated that she had never shown disrespect for others.

- Perspective that we should support Olivia as a member of our Division and as a woman of color
- Question whether Olivia as PENS TF Chair had power to change the direction and actions of PENS.
- Argument that she needed to use her position as Chair to support the whistleblower and three people on the PENS TF who objected to the resolution crafted by those with connections to the Department of Defense.
- Concern that Olivia was being made a scapegoat, as often happens to members of minority groups. It was noted that white male TF members had not been made to relinquish their APA leadership positions.
- Question if we can, with integrity, hold others involved in the collusion and deception responsible while protecting Olivia.
- Problem with Olivia's response to questions about her actions if she were to assume the position of President (i.e., she mentioned initiatives such as feminist mentoring that did not address concerns about her leadership or how to address conflicts within the Division)
- Concern that having her as President will compromise our ability to work with other divisions and organizations who are moving forward on legislation and projects addressing the errors that led to the PENS TF's resolution
- Potential conflicts of roles as a division leader as we deal with addressing (ethical and other) problems in connection with PENS.

As we had exceeded our allotted time for the meeting, and some people had to leave, President Maureen McHugh asked if there was a general sense that we should take a vote on something. A number of options were raised. Most did not want a vote of no confidence per se but wanted to express their concerns about Olivia's leadership. A motion was made for attendees to vote anonymously on the following: "I have serious concerns about Olivia assuming leadership of Division 35 at this time." President Maureen McHugh asked attendees if this should be a vote by only the EC or elected EC or all attendees. While there was not a consensus, the majority of the group supported the decision to have all attendees vote with the anonymous ballot. EC members wrote their votes on pieces of paper turned in to and counted by the secretary, Monique Clinton Sherrod, and Susan Basow in the meeting hall. This anonymous vote resulted in 30/41 indicating yes, they had serious concerns, 5/41 indicated no serious concerns, and 6/41 abstained.

On Friday, August 7, Maureen conveyed the results of this ballot to Olivia by phone. Olivia said she needed time to think about the expressed concerns about her leading the division. Olivia stated that the strength of the division was paramount; however, according to Maureen, Olivia never indicated to her any inclination to resign. After sending two follow-up emails to Olivia to urge her to address the issue, to which she did not reply, the situation was turned over to the new President of the Division, BraVada Garrett-Akinsanya.

The Hoffman Report: <http://www.apa.org/independent-review/APA-FINAL-Report-7.2.15.pdf>

APPENDIX L: Moorehead-Slaughter Statements regarding remaining as President Elect of Div35

Statement 1 from Toronto, August, 2015, read over the phone. OMS's Prepared Speech (as Sherrod noted it in the minutes) followed by Sherrod's notes on questions and answers

Thank you for granting me time on the EC agenda to share my response to the Hoffman investigation report. As all of you are aware, in 2005 I was appointed Chair of the Presidential Task Force for Psychological Ethics and National Security (PENS) by then APA President Dr. Ron Levant. The charge of the Task Force was to respond to military psychologists working in national security who had approached the APA seeking guidance about their role when working in the area of interrogation. Did the Ethics Code apply to the work that they were doing and if so, did the ethics code provide guidance for their role? This was our charge. My initial response when approached about this role was to explain that I had no expertise or experience in the area of National Security and no background or experience with the military. I am a child trained clinical psychologist who spent the majority of my professional time in a pre-k through 9th grade independent school setting. In September I will begin my 18th year as a psychologist at the Park School and as a primary supervisor and faculty at an APA accredited pre-doctoral internship program. In September, I'll begin my 11th year at the Center for Multicultural Studies in Psychology at the Boston University Medical school campus. It was explained to me that I was being asked to chair this Taskforce for several reasons:

- my expert facilitation skills,
- my deep ethics experience,
- I was a former chair of the MA Board of Licensure;
- a former Associate Member of the APA Ethics Committee
- at the time, I was the current Vice Chair of the APA Ethics Committee and the incoming Chair of the APA Ethics Committee;
- the respect and credibility that I garnered within APA across a broad range of colleagues; and
- the ethnic diversity that I would bring to the Taskforce

It was important that members of the Taskforce would be selected to ensure that the content area expertise was present. I found this reassuring and appropriate so that we could accomplish the work that we were charged with completing during our 2 ½ days of meetings. By the close of the weekend, we were asked to produce a report that addressed the charge of the Taskforce. With the above stated information, I accepted the appointment to Chair the Taskforce. I remained more or less engaged around PENS and the work around APA for 2 to 3 years, but then returned to my work with children, schools, and interns. I feel relief with the Hoffman investigation report. I thought that the

PENS process from my selection of chair to selection of Taskforce members to the discussion during the Taskforce meeting to the drafting of the PENS report in its entirety was an honest and fair one. Because I believed this, I spoke confidently to colleagues, including during the presentation to the Council of Representatives about the integrity of the process. The PENS Report, APA's investment in supporting colleagues in practicing ethically in their roles with National Security, and the importance of us remaining engaged in dialogue about how to move forward. All of this was with the understanding that torture is never committed under any circumstances. Clearly I did not know what I did not know. Upon reading the report, I am now devastated, deeply saddened, and down right angry and outraged. In the investigation report, I am portrayed as having been manipulated, used as an agent, being uniformed, and exhibiting weak leadership; but the investigation does not conclude that I was aware of or was complicit in the collusion between APA and the DOD at any time. Indeed I was clueless that any collusion was occurring. So given that I now understand from reading of the Hoffman Report, where does this leave me? I must accept that I am unwittingly participated in a process that produced a report that in 2005 until the retraction in 2013 likely facilitated harmful treatment and even torture to detainees by the DOD. For this, I am very, very sorry. I must also accept that many of you were likely influenced by my endorsement of the credibility of the process and report. So again, I extend a heartfelt apology for leading you down a path that was less than credible. I can assure you I only said what I genuinely believed to be true. Again, I didn't know what I didn't know. In hindsight, there are likely questions that I might have asked but that did not occur at the time. I am making this statement b/c I feel that it is important that you hear my response to this investigation from me in my voice. I know that I will continue to process the entirety of what has transpired for a long time. Though it was not my intent to participate in a process that lacked integrity, I accept that I unwittingly didn't know. Had I known what I know now I would never have accepted the appointment of Chair of the PENS Taskforce. Hindsight truly is 20/20. As we all move forward, I assure you that I remain the person that you thought you knew. I take the responsibility of leadership very seriously. I continue to value deep engagement, the inclusion of diverse opinions, respectful and meaningful dialogue even when it is difficult, and an abiding respect for the feminist process for open communication and decision making. I thank you for electing as President-Elect of Division 35. I consider the opportunity to serve and lead this Division a privilege and honor. Leadership always matters. The work of this Division is critically important and we have a responsibility to future generations of feminist psychologist to do it well. The good of the Division proceeds any one individual including me. How we move forward is a critical decision that the Division has to make. Now we must lean into the feminist process and trust that we will emerge wiser and stronger. Thank you.

END OF STATEMENT AS CAPTURED

Questions to Olivia and Responses

President-Elect Olivia Morehead-Slaughter agreed to take questions from the group.

Question 1: There will be a lot of debate on Council and there are some tough questions. I would precede these by saying that there is a part of me that feels like I could have

easily been in almost any of the roles that occurred. In your role, in some of the APA staff's role, or in other APA Governance roles. The people who were mentioned—there are so many ways that this can occur without people's awareness and with a certain kind of drift. So, I'm asking these questions but I want you to understand that context. These are questions that I think we'd all need to soul search to answer, but that said. I think one of the issues is that you talk about how you are portrayed and the support that you gave in the position of not knowing. I think there are people who are saying that they raised issues and we raised issues and it was incumbent upon the Chair to hear us out more and to entertain our concerns and we felt that rubberstamping was going on and their position wasn't being heard or fairly aired. It's a position that needs to be addressed.

President-Elect Olivia Morehead-Slaughter Response Question 1: Olivia noted that she has heard those comments and in ensuing years heard feedback from the Taskforce. When thinking back on that weekend and those meetings, she personally <statement not fully captured> She acknowledged that not everyone's perceptions are hers—she can only speak for herself. She personally recollects that the discussion and discord (although not remembered verbatim) 10 years ago was that people were not silenced at the table and they could and did express varying opinions and take-aways even at the original meeting. They were not on one accord, but in terms of being silenced at those meetings that was not her experience.

Question 1 Follow up: Even subsequent years when folks made comments years late around the PENS Report--that's when people started to resign from the committee later. Did you ever feel like it would be helpful to go back and review some of the decisions or relationships?

President-Elect Olivia Morehead-Slaughter Response Question 1: In hindsight she would potentially do many things differently, ask different questions. At this point, it's very difficult to say. In the same circumstances with the same amount of information, it's hard to say if anything would have been done different. But different information was not available—she only knew what she knew and it was not what was in the Hoffman report. Now in hindsight things would be different, but that's not what was known then. There was lots of activity post PENS and some she was more involved in than others, but she like many of others was at many tables with lots of debates, lots of dialogue. There have been discussion over many years about these issues. She understands that lots of folks have spoken out strongly and she understands the passion around this. She felt like the most adamant statements were being made about not supporting torture. She personally felt like the things that she was involved in didn't support any of that whatsoever.

EC Comments on Question 1 OMS Responses: Hoffman came to the Council Meeting today and while he said that his investigation supports his findings of collusion between the Ethics Office and the DOD. He said explicitly that he had no evidence that it led to the torture of anyone or that any military psychologists were in fact involved in torture as a result of the issues in the PENS report. He made that very explicit, but he noted that he potentially could not know that b/c it could be confidential information but that is what Hoffman noted.

Hoffman also said that there are levels of involvement. While he talked about collusion, it was not collusion to support torture. That is an important distinction. Secondly, there were varying levels of participation of individuals who were noted in the report and distinguishing between what the report says and what individuals actually did is important. People have not fully read the report but are trying to interpret it which has resulted in demonization of many people probably beyond the point of culpability. The pain that you are experiencing is shared by some in the room stemming from when the PENS report was passed. Council Members also didn't know and thought what was done was not supporting torture and there are mutually shared feeling of betrayal. Additional comments were made about the supplemental materials provided in Council and the process for recruiting people to do activities when they do not necessarily realize what they are doing and how insidious this is. Someone can start the process and get sucked in further and further and not fully understand the process that they are in.

Question 2: We are all happy to hear that there may not have been as direct a link between the PENS report and actual torture. We have to still deal with the idea that the actions of the APA didn't eliminate torture but they helped to perpetuate it in some ways. But I wanted to speak to the other victims not just the potential detainees that were water boarded but the other victims in this process some of whom were members of our Division. People who stood up and challenged the PENS Report and other processes for the next 6 or 7 years have felt traumatized, battered and disrespected. I don't think we can leave them out of this equation. It's not just about detainees on some island far from us. It's about our own members who have been battered and hurt by this whole process. People who recognized the manipulation early on and stood up and called it for what it was. They were beaten down by people in APA. That's the other part of the process and we can't just smooth it over saying people were caught up in it or didn't understand. People who tried to make them understand were not listened to. Many of those members have been in contact and they are still impacted by that experience and their connection with APA and the Division are still impacted by that. Now when you're talking about in hindsight—in hindsight or where you are now, what can you say about that part of the process and those people?

President-Elect Olivia Morehead-Slaughter Response Question 2: In hindsight she can say that they clearly knew something that she didn't know. They were clearly voicing concerns. It is not that she didn't hear them or disregarded them. She believes that dialogue and engagement is good and they didn't have to be on the same page but she never felt that she was disregarding them. She was not necessarily in agreement with them at the time b/c she felt the process for developing the Report was a good one and fair at the time, but that doesn't mean she was disregarding them. In hindsight, she can absolutely see how those individuals would say they spoke and they weren't heard, but she was never disrespectful to any of those who she did not agree with at the time. That's not her way of interacting with others. That may have not been case for everyone, but she can only speak for herself. With the release of this report, there is clear support for some of those things that they were really worried about. She understands the concerns here.

Question/Comment 3: I feel for you and grieve with you b/c I know it hurts your soul and spirit to see what happened with these bad decisions. One of the biggest things that was observed with Council was a challenge with the way that it does business. There was a considerable amount of time talking about the infrastructural ways that decisions are made, the way Taskforces are developed, how the good old boy network continues to function, how volunteers like us who are not on payroll rely on APA staff, and how power is not shared. A large portion of time was spent on how to reconstitute how business is done at APA. You and many people are victims of a system that is already rigged and we as feminist can't sit down anymore. We have to stand up and shout in not a lone voice but together. There has to be more attention to the process not just the content. Feminist process does not function in that way. I have hope that change will occur but they can't keep doing business as they've been doing it. We have to step back to assess how these things happen and what we can do to prevent it. I don't know that you can do it at this moment, but the road that you have traveled yields very important information about the systemic issues at APA which are a part of the core problems with things like this happening.

EC Follow-on COMMENT to 3: We are APA and as we take on leadership roles it's our responsibility too in how we operate in those roles. There are varying degrees about how people operate in those roles and we're not all victims.

EC Follow-on COMMENT to 3: In Governance we are volunteers but we're temporary. The experts are the people they hire who are on staff. We lean very heavily on those experts.

Comment to redirect group: We need to take questions directly to Olivia. We need to have a discussion about a lot of these other dynamics and really we should have them among ourselves without Olivia.

Question 4: Having chaired an APA committee, as I read the Hoffman report, I had a very strong sense of there but by the grace of God go I. So I can appreciate the difficult decision that you feel yourself in. What do you see as the road forward for the Division in terms of healing the pain for members who tried to stand up but felt they were not heard or respected? How do you see yourself being able to play a role in bridging the Division's loss of respect for our silence compared to other Divisions with whom we share values?

President-Elect Olivia Morehead-Slaughter Response Question 4: I see those questions as related. I think if I were those individuals I would be looking for acknowledgment that what they said was important and that we didn't pause long enough to hear them fully and in a way they were hoping that we would have or should have. In the going forward, it will be difficult without first acknowledging. It will be difficult for us to figure out how we as one Division move forward. One Division made up of people who don't necessarily agree or have the same opinions. It shouldn't be expected that we will all think alike. We have to continue to be respectful of the diversity of opinions and to be inclusive of the diversity of opinions. We can't let certain opinions trump others. We have to really engage these folks and utilize a feminist process. This begins with acknowledging the silence that you noted. Our Division may not have been as

forthcoming in the ways that others were in acknowledging these issues and things that were going on. Going forward we don't want to see that continue and we have to be more cognizant and more intentional about our voice. This goes back to the feminist process and using it at every turn. We need to think about how we intentionally focus on the process and the people. That's how we begin the healing and doing our part.

Question 5: You are incoming President-Elect of Division 35. Have you considered what you will do regarding this position? What are your plans with this position in our Society?

President-Elect Olivia Morehead-Slaughter Response Question 5: She has given a lot of thought to the fact that she is the incoming President-Elect of Division 35. She thought about this almost the entire time since the Hoffman Report came out and really thinking about it not just in terms of herself because the Division is bigger than just any one of its members, but in regards to the broader Division. The health of the Division is important and that it remain strong and a body that matters. Entrusting the leadership of the Division to her is a privilege and an honor and not an entitlement. She would want nothing more than to be an effective President-Elect and an effective President of Division 35. That will be her absolute intention and endeavor. She would have never taken it on if she thought that she couldn't be an effective President. If she couldn't put forth initiatives that she's excited about. Thinking this through and dialoguing with all of us that she knows are invested in the well-being of the Division, she knows this will be a process. She is excited about the work of the next year but at the same time she knows that this is a process that APA is going through and that she is going through. It is going to be a part of whoever is in Division leadership for these next several years. It's not going to be quick. So she think it's important for not only her to be thinking about her role as a leader and in this process, but also the Division. There is no divorcing herself from the PENS issue. This will be a process and important for her and all future leaders to consider. She is not defensive about her role as the Chair and it's irrefutable. It's not something we avoid talking and thinking about and the EC needs to think about whether we effectively move forward given the fact of her relationship with the Taskforce. She doesn't think this is a question that she can answer for the group. She will respectfully accept the EC's decision about that and she thinks it has to ultimately be about what's best for the Division.

President-Elect Olivia Morehead-Slaughter was thanked for her statement and response to questions and it was noted that the EC discussion would continue without her. She was not on the call for the remainder of the EC discussion about these issues.

Extended EC Discussion

President Maureen McHugh facilitated the discussion around the Hoffman Report and the Divisions Statement. She noted that there were 2 issues for discussion 1) the response from Division 35 regarding the Hoffman Report and 2) decisions around the President-elect situation. She posed the question of which item to discuss first and it was determined that the President-Elect issue should be discussed first.

Statement 2 sent to the EC35 listserv and members, August 31, 2015

August 31, 2015 – (From Fall 2015 Feminist Psychologist Division Newsletter)
To the Division 35 Executive Committee and Members:

I am writing at this time to communicate with you about my elected position as President Elect of Division 35. When asked to be on the ballot for President Elect of our division, I agreed to do so only after very careful consideration. I care deeply about issues related to social justice, issues which promote the growth and development of girls and women, and the intergenerational promotion of feminist psychology. Following the considerable personal and professional upheaval following the release of the Hoffman Report, I am even more committed to the aforementioned ideals.

I remain committed to leading and do not intend to resign from my position as President-elect. I recognize that there are those who have expressed concerns about my leading Division 35 at this time. I pledge to remain open to hearing your concerns and to responding to them. I also pledge to you my commitment to remaining engaged to do the hard work of assisting our division to heal and to find the path forward. I am also committed to assisting our association to make the necessary changes so that we do not repeat our past mistakes.

I recognize that this is a critical time for both our division and for all of APA. We are faced with the difficult task of reflecting upon decisions that we made individually and collectively over the past decade. As we do so, we are also faced with myriad emotions including anger, sadness, guilt and shame. I am personally devastated that I unwittingly participated in a process that produced a report that from 2005 until its retraction in 2013 likely facilitated harmful treatment and even torture to detainees by the DoD, despite the fact that “Mr. Hoffman stated unequivocally that the report *did not* conclude that APA supports torture. However, the report *DID* conclude that there was collusion between APA and the DoD to allow psychologists to be present where torture may have existed and that APA *WAS* trying to curry favor with the DoD. Mr. Hoffman stated that the report did not take a position on whether psychologists should be present in interrogations but noted that there was an inherent tension when psychologists were present in interrogation settings, even when designated as safety monitors.” (August 20, 2015, L. Grossman Council report to Division 31)

I expressed my remorse about this when I spoke at the EC meeting during Convention. I am doing so again in this letter. I also apologized to those of you who were misled or felt harm, disenfranchisement or unheard by my endorsement of the credibility of the PENS process and report and I am repeating that apology in this letter. I assure you that I communicated what I believed to be true and never would have intentionally misinformed others or endorsed a work product that I would have even remotely believed to be potentially used as a tool for torture or pain.

I am now determined to be a stronger leader who has learned from this very complicated time and I plan to use the lessons that I have learned for productive growth and healing. I have learned how to validate more, listen more and actively make decisions that are comprised of multiple perspectives. Consequently, I am prepared to do the hard work of leadership that will require patience, openness, honesty, and the willingness to listen and to learn. I believe that together, our division can move forward towards healing, acknowledging that this will be difficult work and that it will require that we stay in connection with each other through some very thorny terrain. This is the time for all of us to reaffirm our feminist values, to do the difficult and painful work before us, and to seize the opportunity to work across our diverse division to make this happen.

I assure you that my continued deep self-reflection and seeking to learn from the experience of accepting the role as chair of the PENS task force will serve as a catalyst for moving the division forward during this very difficult time. My plans include those of working alongside our current President, Dr. BraVada Garrett-Akinsanya, and a fully committed Executive Committee, to move us forward. I will personally serve as a key leader in the development of a Feminist Social Justice Webinar Series with listening sessions, feedback and solutions boards that will allow us to address multiple social justice areas with our members.

I have asked that we begin the series with more dialogues about the dynamics arising from the Hoffman Report. Since the release of the Hoffman Report, I have spent countless hours reflecting about my decision to say “yes” to the role as a non-voting chair of the PENS task force in 2005. By now, I am sure that you have read the Hoffman Report and have taken note of the reasons that I was asked to assume the role of chair (expert facilitation skills, deep ethics experience, respect and credibility within APA across a broad range of colleagues and because I am an African American woman and represent diversity).

What I did not bring to this role was expertise or experience in the area of national security or the military. I now feel that not having this expertise and being convinced to accept the position primarily because of my group facilitation skills and expertise in general ethics was a mistake. A chair with more content knowledge may have asked more and different questions. I, along with the majority of governance members over the next eight years truly believed that the presence of military psychologists would help PROTECT detainees.

In addition to sharing the lessons that I have learned from the mistakes that I have made, I plan to lead our Division toward a broader discussion of the roles of power and privilege within and outside of our group, as well as the roles of intersecting identities of gender and race.

Finally, my hope is that we will leave those discussions with greater understanding of the systems issues that initially put us in the current position (as a Division and as an

Association) and that we will be able to collaboratively develop ways to prevent this type of event from happening in the future. Truly, this is a very layered matter. The division is choosing to process its considerable pain around past decisions through its focus on me as an individual. My individual accountability is certainly necessary, but it is not sufficient. Division 35 will not fully heal without a thorough examination of its own actions and inactions over the past decade. It will take courage to face these past decisions with honesty and to withstand the convenience of displacement. I am willing to accept responsibility for my decisions and hope that the division will be willing to do the same.

Because of this experience, I truly believe that I am in a unique position to add value to our healing process on both micro and macro levels and I want the opportunity to try. I fully embrace the complexity of the healing ahead for all of us and believe that our work together will strengthen us individually and collectively. I further believe that it is through our mistakes that we gain the most learning.

As your President-elect, I commit to staying in connection with you, to listening to your voices, to remaining in dialogue with you, and to ensuring that our commitment to social justice remains evident and strong.

With sincere and warm regard,
Olivia Moorehead-Slaughter, PhD

Statement 3 (follows on next page)

**President-elect Report
Mid-winter Meeting
Jan. 29-31, 2016
New Orleans, LA**

Good Evening, Division 35, and welcome to our Mid-winter meeting! Being together in this space feels both important and surreal. Important because we have important business, conversations, and work that we must do together. Important because we are coming together from a place of division, primed to continue our reflections, deliberations, and attempts to understand and to digest the Hoffman Report and its meaning and impact upon our division, and upon the APA. Important because this undertaking is a monumental one that has caused us both individual and collective consternation, frustration, and indeed pain. It has been impossible to digest this Hoffman "elephant," yet we must continue to try to do so without causing a permanent rupture in what many of us consider our feminist division home within the larger Association. Surreal because after so much virtual discussion over these past months on the various listservs, it actually feels "just right" to be in this shared physical space, finally, where we can see, hear, and touch. It feels important for me to hear your voices and for you to hear mine, in the same room. Surreal because in 2005 when I said "yes" to chairing the PENS Task Force, I would never have dreamed of this day, this outcome, or the narrative that has been ascribed to me in terms of my motives or what surely I knew or should have known.

So, beginning with 2005 and some discussion of the sociopolitical context at the time seems extremely relevant and necessary before addressing the work of the present and indeed the future. Many of you will recall that our country was deeply immersed in the events of September 11, 2001 and all of the repercussions for us as a nation and a world: President Bush's claims about weapons of mass destruction; our involvement in Iraq and Afghanistan; the outrage many of us felt about the deaths of so many young women and men going into a war that many of us felt our country should not be fighting; the concerns about what was happening in the name of fear and national security at Abu Grahیب and Guantanamo; and the sense of dismay and perhaps helplessness that we were unable to stop any of this from happening.

At that time, there was a very vocal group of psychologists who felt that the larger political landscape notwithstanding, that psychologists *were* able to declare that *we* wouldn't participate. They were pressing for APA to support this action. There were other psychologists working in national security and in the military who were calling upon APA and more specifically the Ethics Office within APA for guidance and support in their roles, particularly those involved

in interrogations. The Presidential Task Force for Psychological Ethics and National Security (PENS) was born out of APA's attempt to be responsive to these psychologists. The charge to the task force was a specific one. We were to address whether the ethics code applied to psychologists in their roles in assisting with interrogations. And, if so, did it give the guidance they were seeking? I said "yes" to assisting my colleagues by giving them the guidance they were seeking to practice ethically in their roles as psychologists in these challenging settings.

When I was asked to chair the PENS Task Force, I made it clear that I am not a content expert in national security and have no military experience. This is not my area of practice and I had no aspirations for it to become my area of practice. I am a clinical psychologist who works primarily with children and have done so for almost 30 years. I was told that my background in ethics (former chair of MA board of professional licensure; former associate member of the Ethics Committee; current vice chair of the Ethics Committee; anticipated chair of the Ethics Committee in 2006); my facilitation skills; the respect and credibility I held in the association; and my identity as a woman of color (adding diversity to the task force) were the reasons they found me to be an excellent choice for this role. I was also assured that the selection of task force members would insure that there was ample content knowledge "at the table." I actually found this to be quite reassuring. We did indeed produce a report, the now rescinded PENS Task Force report (as of 2013), a report that was intended to be an *initial* step in what APA needed to do. This report was to be followed sooner rather than later with a case book commentary.

With the release of the Hoffman Report, came problematic revelations about all aspects of the PENS process: from who was selected as chair as well as who was selected to serve on the task force to the careful selection of the wording within the PENS report. The devil is truly in the details and might I suggest, in the *definitions* of important words like "torture." I am truly sorry for those who were misled by my reassurance about the credibility of the process as well as the report produced. I am extremely sorry and remorseful for anyone harmed in detention settings due to collusion with the DoD around the choice of language used in the PENS report. While I was not involved in this collusion (and the Hoffman Report does not assert that I was), I chaired the task force that produced this report and there is no refuting that fact.

Now, 11 years later, I am left to reflect, to examine, to learn and to grow in ways that draw heavily on my well of commitment to social justice for all. Looking back, I can see that I was indeed unwittingly selected to be used as the "perfect pick" to serve as chair. I had no depth of content knowledge, making it much less likely that I would ask probing questions or detect subtle yet very important

word choices in the now rescinded PENS report. I was viewed as a credible and respected professional within the association and would be able to leverage my personal reputation and credibility to persuade and to reassure others of the integrity of the process and the report of the task force. It goes without saying that I am not only truly sorry, but I too am angry for those who were misled by my reassurance about the credibility of the process as well as the report produced.

I am extremely sorry, remorseful and embittered by even the possibility that a single person was harmed in detention settings due to the collusion with the DoD around the choice of language used in the PENS report. Even though I did not actively create it, now, I am poised to use my credibility to help to clean up the mess. Doing so feels both right and necessary.

When I joined Div. 35 in 2008, it was with the full intent of joining a strong and diverse feminist group of women who shared my passion for social justice and the cultivation of women in leadership. My own personal involvement in the PENS era in so many ways reinforces and reignites my fervor for leading our division at this time. I was there and now I'm here, personally reflecting, acknowledging and holding myself accountable for my own actions and decisions; hearing all of you; committed to leading our division as we examine our actions and inactions, our imperfect past decisions and our opportunities for now and in the future. I want to believe that our commitment to social justice has not wavered and that we can get through our difficulties by leaning into the feminist values and processes that undergird this division.

My Presidential initiatives for 2017 reflect the importance of where we as a division find ourselves at this time and my commitment to creating space for continued reflection and movement forward. I very much invite you to work alongside me, pressing forward, imperfections and all. I commit to hearing your voices and trust that you will hear mine. I commit to not assigning a narrative to you and trust that you will not assign one to me. Indeed the strength of this division is both in our common humanity and our many differences.

1. Our Social Justice Agenda with Division 35:

- a. Addressing organizational and systemic issues related to power in the wake of Hoffman
- b. National and international historical and current trauma
- c. Feminist leadership within patriarchal systems
- d. Addressing violence against women and girls
- e. Promoting social justice within Division 35: A call to action
- f. Lunch Counter Conversations continued

2. Women as Authentic Feminist Leaders: The Power and the Peril

- a. Explorations of our stories and the lessons we have learned
- b. (Though not finalized, I'm pleased to say that there is a proposed joint project with Jean Maria Arrigo which will create a valuable training within our division and more broadly within APA, focused on helping everyday psychologists to be more sensitized to/aware of the manipulation that can occur when they are in positions of leadership. I am committed to capturing the lessons that I and others have learned so that they are less likely to be repeated.)

3. Killing Her Softly: Self-care that Sustains and Heals

4. Mentoring that Matters: Strong Girls becoming Strong Women

I am excited about the work that we will do together. Indeed, this is why I ran for President of this division. I was committed then and I'm even more committed now. Let's move forward together!

Olivia Moorehead-Slaughter, PhD
President-elect

Statement 4

Olivia Moorehead-Slaughter <mooreheado@PARKSCHOOL.ORG> 03/01/16 6:37 PM

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Dear Feminist Sister Colleagues,

This message comes after reading so many thoughtful responses to the issues that have continued to embroil our division and though I have not chimed in to express my appreciation/support/amen! to several of them (Jean, Natalie, Linda, Mary B, Pam), I have done my best to keep up with all that is continuing to engage us. I do realized (sic) that for many, the very fact (and it is a fact) that I served as chair of the PENS task force makes me symbolically objectionable in my current role as president-elect. I can assure you that I was not then and I am not now in favor of torturing *anybody*. My reason for accepting the role is as Linda described, to facilitate a task force which was asked to provide ethical guidance to our colleagues working in the military and national security who were assisting in interrogations. It was a pretty narrow and specific assignment. I have said in other forums and will repeat here that I had no awareness of collusive actions and no awareness that the wording of the PENS report was deliberately vague.

Like so many of you, I am awash with many strong emotions post-Hoffman, including anger, outrage, dismay, and frustration. Oh, to have known then what I have learned from Hoffman now. I continue to do deep soul searching about my role and feel deep remorse for any harm that may have come to any persons as a result of the eight years during which the PENS task force report was in place. This continues to cause me a great deal of angst that I am working to channel into positive and productive actions for good. There is so very much injustice in this world. Some of it is happening to people who look like me and some of it is happening to others who don't. I do not believe that one group's misery trumps another's and I do not engage in debating who has suffered the most. All suffering is intolerable and concerns me. This was true in 2004 and it's true now.

This is one installment of feedback on the volumes that I have been reading and by no means completely sums up my feelings. However, before leaving my office at the end of a long day, I wanted to "lean in" and add my voice to this conversation. Before I end, I too want to thank BraVada for her courageous, bold and respectful leadership. We could not have a better president for the difficult seas that we are navigating and I sincerely thank her for all that she continues to do on behalf of our dear Division 35.

I'm an optimist and will likely remain so to the very end. I believe we'll find our path forward. I support Khanh's (and other's) appeal for taking the path of restorative justice and would gladly participate in such a process. It would be very healing for our division and would allow each of us to acknowledge, confront, process and make reparations in a way that would be healthy and promote both individual and collective strength. This work is surely not for the faint of heart and I believe that it will require all of our diverse feminist voices to create meaningful change. I continue to be ready and willing to work alongside all of you.

Onward.....

Warmly,

Olivia

Statement from 2008 Documentary

TRANSCRIBED SEGMENT OF THE MOVIE: INTERROGATE THIS: PSYCHOLOGISTS TAKE ON TERROR 2008

NOTE: Olivia Moorehead-Slaughter speaks after Behnke in the film at about 1 hour and 16 minutes into the film which is 90 minutes long).

HER STATEMENT IN THE FILM:

There have been questions about how psychologists, how did I become chair of this task force (TF). I became chair of this TF like any other APA member becomes chair of a presidential TF. You get asked to do that. Well I'm not a member of the CIA, I have no associations with them. I'm not an APA staff person, I'm an APA member, just like thousands and thousands of other members who are asked to chair task forces or to take a voluntary role within the Association. I don't have a military background, I don't work primarily or really at all on interrogations. I'm not even in a forensic setting. What I have done and what is a part of my professional background is a lot of experience in ethics. I have been associate member of the Ethics Committee, I have been a member of the Ethics Committee, I've chaired the Ethics Committee, I've chaired my state licensing board, worked as a member of that board. So, I do have a background in which I've done a lot of thinking, a lot of work around ethics and thinking around the ethics code. My background professionally is working with children. I'm a clinical psychologists, I work primarily in my professional practice with children around children's issues. I'm in a school 3 days a week and I train interns, predoc interns another day a week in an APA accredited internship program. I play well with others, so I suspect that in terms of facilitating a TF that was as broad and diverse as and as potentially volatile as this one was, because we felt, APA felt, it was important to bring all of the constituencies together

and have them all at the table, including peace psychology, including the military, including people with backgrounds in ethics, and all kinds of national security experience. We needed all of that expertise at the same table. We had a big job ahead of us and it needed to get done in an efficient way. That was my charge. I certainly can harken back to Mike Gelles, our colleague, who clearly was value-added, blowing the whistle and stopped a lot of harm, perhaps from occurring. Will there ever be enough evidence for those who simply disagree? Ah, I think not. I'm not sure there are enough examples on behalf of years of instances where psychologists have been value added that would ever satisfy those who simply don't agree with APA, either I refuse to engage in further dialogue or debate with colleagues who disagree around APA's position or I remain engaged and agree to disagree. And continue to believe that there is gain and there is a benefit in continued dialogue. I think the dialogue is healthy, communication is healthy. I promote that every day, I think it's important for us to remain engaged. I think for an adult, that's the model that works best, it works for a democratic process, it works for solving problems, it works for coming up with what's a reasonable position to take. Do we all end up at the end of the day on one accord? Not necessarily, and as the years have gone on, and I think this is why it's taken 3 years, and it could take longer than 3 years, it's because you know, the climate has not shifted. The backdrop is pretty much the same. Psychologists are still needed in their roles and because that is the case APA still needs to remain supportive, it needs to remain engaged, it needs to remain embracing of our colleagues who practice in areas where they need guidance around ethical practice. Our Association could not be more clear, could not be more engaged with psychologists in making that position as clear as possible, and it has gone on the record time and time again that torture is not allowed, it is in fact condemned. We've got a lot at stake here as a profession and as a country. Where we come down on this is pivotal and not just for those of us who are here, but for the generations to come. That's another reason I remain engaged. Every day, I'm around a host of children who I feel at some point will be asking me questions, So why were you involved in that debate and how did that impact our country? How did it impact the profession of psychology? I want to be able to be proud of the answer I give to that.

APPENDIX M: Draft Minutes of Toronto EC35 Meeting

**The Society for the Psychology of Women
Executive Committee Meeting at APA Convention
Wednesday, August 5th
Radisson Admiral Hotel – Toronto Harbourfront, 249 Queen's Quay West,
Toronto, ON M5J 2N5 Canada
Minutes DRAFT**

Forty-nine members of the Extended-Executive Committee (EC) attended the APA EC meeting of APA's Division 35, The Society for the Psychology of Women (SPW) in Toronto, ON. The following individuals attended the meeting: Amanda Almond, Asuncion (Siony) Miteria Austria, Nancy Baker, Martha Banks, Susan Basow, Lula Beatty, Martha Bergen, Mary Brabeck, Nicole Buchanan, Silvia Canetto, Erika Carr, Kim Case, Donna Castanado, Jean Lau Chin, Ellen Cole, Joan Chrisler, Monique Clinton-Sherrod, Lynn Collins, Khanh Dinh, Mindy Erchull, Yvette Flores, BraVada Garrett-Akinsanya, Julii Green, Iva Greywolf, Debra Kawahara, Emily Keener, Sharon Lamb, Phi Li Loan, Maureen McHugh, Clare Mehta, Shari Miles-Cohen, Lauren Mizock, Debra Mollen, Olivia Moorehead-Slaughter (partial by phone), Mimi Ormerod, Wendy Peters, Natalie Porter, Lucia Puchalski, Pam Remer, Joy Rice, Suzanna Rose, Rakhshanda Saleem, Inga Schowengerolt, Charlene Senn, Isis Settles, Margaret (Peggy) Signorella, Jennifer Vencill, Wendi Williams, Diane Willis, Jennifer Wisdom, Leilana Crane

Additional guest during some or all of the meeting included APA Division Services representative Keith Cook and Division 35 (non-EC) members Kathryn Anderson, Lucia Puchalski and Sarah Ullman.

President Maureen McHugh called the meeting to order at 6:20 pm and welcomed the members. **Secretary Monique Clinton-Sherrod** stated that some slight modifications were made to the agenda to shift priority for topics involving invited guests. **Monique Clinton-Sherrod** requested any changes for the Midwinter 2015 minutes. The Midwinter 2015 meeting minutes were approved.

President's Report: President Maureen McHugh directed attendees to her full report in the agenda book which describes accomplishments with APA Programming, the NMCS, Committees and Taskforces during her Presidency.

She also noted a few highlights and additional comments:

- She reported on a very successful Transnational Summit and thanked the planning committee for a job well done.
- She noted that there is an exciting APA Program with thanks to the dedication of Mindy Erchull and Nicole Buchanan. She noted the exciting series of meetings and discussions scheduled for the AWP/SPW suite and encouraged members to attend some of these discussions.

- President McHugh discussed that in the Newsletter she wrote about the *Even the Score Campaign* which successfully lobbied to have Flibanserin, a Medical Treatment for Hypoactive Sexual Desire Disorder in Premenopausal Women, recommended for approval. This involved a recent decision by an advisory committee to the Food and Drug Administration to approve the drug, even though it had not been approved by the FDA. The FDA will meet on this in August to make a final decision on this. She would like to pass a resolution regarding this issue and President McHugh shared sample language that was included in the Newsletter. It was noted that this may need to be run through the full membership and President McHugh noted that this was included in the Newsletter for full membership review. Suggestion that what is decided during the meeting should be shared on the Announce list and have a deadline for responding. It was also suggested that this could possibly be a resolution endorsed by the EC. Strong support for doing something b/c of the seriousness of the issue. A question was raised about how this could put forth as a resolution for APA as well. It was noted that we may need to start with speaking to the policy person

Motion: Moved for the EC to adopt the resolution: *We support women's right to sexual fulfillment. In pursuit of sexual fulfillment, we believe that women want safe and effective options, not unsafe and ineffective medications. Therefore, we urge the U.S. Food and Drug Administration to override the Advisory Committees' (Division of Bone, Reproductive and Urologica Products) recommendation, and reject Flibanserin.*

Motion passed with all in favor.

President-Elect Report: President-Elect BraVada Garrett-Akinsanya noted that her campaign is Expanding Feminist Presence. She shared her plans for expanding this presence which includes the following themes:

- **Goal 1: Expanding Feminist Spaces: Where Practice and Research Meet.** Pam Remer established a Task Force on Feminist Evidence-Based Practice and President-Elect Garrett-Akinsanya will expand upon this work by initiating a Research-to-Practice Task Force to explore ways in which shared knowledge, grant making and collaborative partnerships can be formed. Dr. Edna Esnil in conjunction with a representative from Division 42, Dr. Josephine Johnson, will be leading this thrust.
- **Goal 2: Expanding Feminist Spaces for Collaboration Among SPW Sections.** This initiative will include an Inter-Sections Taskforce on the Healthy Development of Indigenous Girls and Girls of Color, as well as a Leadership Institute for Indigenous Women and Women of Color. Dr. Wendi Williams will Chair this Task Force and will be assisted by Dr. Beryl Wingate.
- **Goal 3: Expanding Feminist Spaces: For Strategic Alliances in Social Justice.** This will involve creation of a Taskforce on Strategic Alliances for Social Justice to identify the ongoing threats and opportunities for our Division members to actively collaborate within and outside of our Division to address disparities in

health and wellness. Dr. Barbara Streets and Dr. Natalie Porter will lead this initiative with assistance from former Student Representative Jessica Joseph.

- **Goal 4: Expanding Feminist Spaces for Feminist Economic Advancement and Entrepreneurial Leadership (aka--Sistahs need to get paid!).** The purpose of this initiative will be to assemble a Taskforce on Feminist Economic Advancement and Entrepreneurial Leadership. This will be led by Jean Lau Chin and Peggy Signorella.
- **Goal 5: Expanding Feminist Spaces that promote an Opportunity for SPW Members to be seen, heard and involved.** Through the continued use of media and technology, this initiative will provide our members with innovative platforms that will facilitate collaboration and provide a means by which they can communicate their needs, challenges and successes. It will be led by Drs. Allie Minieri, Clara Mehta, Emily Keener, and Marlene Maheu.

Past President Report: Past President Lynn Collins noted Feminism.org is still online (Taskforce Chaired by Wendy Peters) and there is a proposal for a Web Maven to maintain the site. She highlighted the goal of the Transnational Summit was to facilitate a paradigm shift from an International towards a Transnational Psychology of Women and noted that there was an international array of speakers. It was well attended with 77 participants and very exciting to see the great work accomplished. She also provided an update that Erica Carr is continuing work on book about Serious Mental Illness. Past President Collins is also working on incorporating bylaws changes into the Division's bylaws and handbook with the help of Joy Rice and Karen Wyche.

APA Offices

Division Services: Keith Cooke from Division Services provided an overview of the services that they provide and invited Division 35 members to work with them for upcoming activities. He also invited members to stop by to speak with them at the Convention. He discussed the event planning staff that are available to address whatever questions we may have.

APA Women's Programs Office: Shari Miles-Cohen thanked the Division for the continued support with the office's programming. They have selected their next class for the APA Leadership Institute for Women in Psychology. She reminded us that there are several service awards that members can apply for. She will be sharing this info with the sections during their meeting tomorrow. The office is continuing to work on human trafficking, women in leadership, diversity in education, and other activities with additional details available on their website. Full report forthcoming.

Committee on Women in Psychology (CWP): Jennifer Wisdom, Chair of CWP, provided an update on activities since the last meeting. She provided information on current leadership (Chair Wisdom, Vice Chair Edna Esnil) and upcoming leadership (Chair-elect Erlise Ward and Vice Chair-elect Cheryl Travis). First year members have been great. They will have call for nominations is opening this fall in several areas and due September 1, 2015—they welcome self-nominations. Resident Scholar is working

on the updates to the Changing Gender Composition of Psychology. Identified Campus Sexual Assault as a key issue and Dr. Cheryl Travis is leading this to have discussion meetings for this to look at Campus Climate Survey options. Continue to revising policy statement on substance abuse by pregnant women. –Trafficking of Women and Girls report is continuing to be utilized and a resolution is being drafted for APA to make an official statement. LIWP is continuing as mentioned by in the WPO report. Continuing social media and outreach efforts. CWP networking meeting is Saturday 8-9:50, as well as NIH funders meeting. CWP reviews a list of women for nomination for APA awards and will be announcing their own leadership awards winners on Saturday.

Committee/Task Force Reports

Program Committee: Committee Chair Mindy Erchull thanked folks for their support with the program activities submission and review process. The program is in the agenda book. It was a good year, but for the 2nd year submissions were down. She noted that we need to continue to monitor this and encourage people to submit to effectively use our programming hours. It was noted that innovation and collaboration was key to getting submissions accepted and some key highlights of programming for this year were discussed. Wendy introduced Lucia Puchalski, the graduate assistant to the Program Chair for next year. Wendy has some topics of interest from other Divisions and she will be putting out an email blast to the listserv about next year's conference submissions and current topics and themes. Members should let her know of interest in topics and also let her know of other topics of interest. Submissions that get submitted and accepted saves our program hours. Those not accepted for collaborative programming go back to the Divisions for review. For this year, collaborative programs that were accepted overwhelmingly connected very explicitly to the themes—have to market these in this way.

Violence Against Women and Girls: Secretary Monique Clinton-Sherrod reported on behalf of Committee Chairs Jackie White and Pearl Berman. The full report can be found in the agenda book but a couple of requests were noted. 1) With regard to the National Plan to End Interpersonal Violence, there are remaining gaps in in the plan the committee needs help to make the plan more representative of LGBTQ populations, male victims, and offenders of nonsexual abuse, and minority populations; there has been a relative lack of help from most stakeholders in these areas; therefore, "if you want it in the plan, help with the plan." There is some urgency to this. If you can assist, please contact Pearl Berman. 2) With regard to the work on developing researcher-administrator collaborations around campus climate surveys and sexual assault, anyone who has personal experiences on their own campuses should contact Jackie White. The committee would like to hear about those experiences. The committee is hoping to identify some "lessons learned" along with suggested best practices.

Task Force on Gender Inclusion: Chair Inga Schowengerolt trying to work on breaking down barriers to gender inclusivity in APA and Division 35. Requesting help from anyone interested and you can reach out to Inga. They will have a roundtable tomorrow to discuss on various gender inclusivity issues.

Committee on Academic Feminist Psychology: Committee member Isis Settles noted that this special committee has 3 key goals outlined in their report. She reported on their activities including meeting at Association for Psychological Science (APS) where they had an excellent panel. They are planning for 2nd Institute for Academic Feminist Psychologist and this will be in conjunction with AWP. They are hoping to get some of the AWP folks, especially more early career faculty. They will be continuing to work to identify funding sources for the Institute. They also have chapters for the book, *Gender beyond Difference: Best Practices in Feminist Psychological Science* coming in and expect revisions to happen throughout the fall and the final book to be sent to the publisher for early next year. Thank you to Nicola Curtin who's done a great job as chair

Feminism.org Website: Chair Lynn Collins is still functional and stable and can accept money for CEUs. They would like to diversify the type of programming that is provided on the site and also, anticipate hiring a web maven via a proposal through the Finance Committee. Please let Lynn know if you know of any good feminist candidates for this position.

Financial Reports

Finance Committee: Peggy Signorella reported on several proposals that have been approved and presented funding proposals for EC vote (see report for list of approved proposals).

Proposals Requiring EC approval:

- Renewal of the Institute for The SPW/AWP Featured Feminist Science Symposia Series submitted by Richmond and Erchull for \$3000.
 - Discussion: Mindy Erchull provided background of the participation in the Institute to increase presence of feminist psychology and that it was previously approved for a 3-year cycle. It would be financed at the same level for the symposium series at AWP which typically covers registration costs. FC requested for an extended report with information such as ratings for the session, number of attendees, etc. (This was approved by the FC with requested information.)
 - **Motion:** It was moved that this proposal be funded.
 - **Voting Results:** Motion passed with all in favor.
- Institute for Academic Feminist Psychologists (**Nicola Curtin, Kate Richmond, Isis Settles, and Stephanie Shields**) **request for** an additional \$5000 (\$10,000 total), given these factors and the benefits to SPW.
 - **Discussion:** Comment that we need to continue to provide strong support for building the capacity of feminist psychologists. Need for stronger support, including financial support. Important for consideration to be given for varying needs and barriers of those who may need support. Additional information was shared regarding the way funds have been distributed previously to a diverse group of attendees and efforts to

- continue to find additional sources of funding. The financial issues are a major barrier that need to be considered. (This was approved by the FC.)
 - **Motion**—It was moved that the proposal be funded.
 - **Voting Results:** Motion passed with all in favor
- Proposal of additional funding for the Transnational Psychology of Women Summit in the amount of \$3900 to account for additional speakers and the symposium series that was added (Joy Rice, Lynn Collins, and Sayaka Machizawa)
 - **Discussion:** Lynn provided a brief overview of the need here. Original funding cost was \$25,000 with \$5700 contributed by SPW previously and this would be up to \$3900 increase for SPW contribution to cover speaker costs. There were 12 countries represented with approximately 79 attendees. (This was approved by the FC.)
 - **Motion**—It was moved that the proposal be funded.
 - **Voting Results:** Motion passed with all in favor.
- Section 5 2020 Fundraising Campaign—Section 5 would like to request that the Division matches dollar-for-dollar, up to \$1000 per year, for every donation dollar they receive each year in the next five years (Catherine Hsieh). This will fund 2 travel awards (1 for a student member and 1 for an early career member) and also a legacy fund that could be a good way to sustain the Section and support members. Total funding request is \$5000. (This was approved by the FC.)
 - **Discussion:** Khan provided additional information on the proposal and intended purpose to facilitate membership among students and early career members and sustainability of the Section.
 - **Motion:** It was moved that this proposal be funded.
 - **Voting Results:** Motion passed with all in favor.
- Finance Committee will be setting a regular schedule for FC meetings and there will be a deadline for submitting proposals to the FC. FC is also looking into a secure way for posting proposals to allow better access by the EC of the proposals for reviewing.
- Announcement was made for an early career activity that was supported and will occur at APA.
- Finance information was not in the agenda book due to some challenges with APA accounting which causes delays with producing financial reports.

Treasurer Report: Peggy Signorella distributed the Treasurer Report and provided an overview of current financials. She noted that we are quite stable with current standing and no major changes with the financial outlook of the Division. Income from PWQ and dues and largest costs from midwinter meeting. Provided a rough estimate in the investment account but there are still challenges with getting this information from APA.

Investment Report: Jean Lau Chin reported that Investments are robust with about \$2 million in assets across 3 accounts. Some issues with having various financial institutions handling Investment accounts as opposed to a one centralized account, but we continue to be robust.

Discussion Item

APA Presidential Elect: Various members made comments around the upcoming APA Presidential Elect Candidacy, including brief comments by Dr. Jessica Henderson Daniel. Members were asked to give a vote of number 1 on the slate to Dr. Henderson Daniel.

Issues around President-Elect and Hoffman Report: President-Elect Olivia Morehead-Slaughter made comments via phone in regards to the Hoffman Report. She made a prepared statement regarding her appointment as chair of the PENS task force. This was followed by a question and answer phase and then a group discussion that did not include President-Elect Morehead-Slaughter. The notes below capture as closely as possible the Statement and question and answer session that followed the statement. This is followed by a summary of key issues raised from the group discussion that did not include President-Elect Morehead-Slaughter.

Statement:

Thank you for granting me time on the EC agenda to share my response to the Hoffman investigation report. As all of you are aware, in 2005 I was appointed Chair of the Presidential Task Force for Psychological Ethics and National Security (PENS) by then APA President Dr. Ron Levant. The charge of the Task Force was to respond to military psychologists working in national security who had approached the APA seeking guidance about their role when working in the area of interrogation. Did the Ethics Code apply to the work that they were doing and if so, did the ethics code provide guidance for their role? This was our charge. My initial response when approached about this role was to explain that I had no expertise or experience in the area of National Security and no background or experience with the military. I am a child trained clinical psychologist who spent the majority of my professional time in a pre-k through 9th grade independent school setting. In September I will begin my 18th year as a psychologist at the Park School and as a primary supervisor and faculty at an APA accredited pre-doctoral internship program. In September, I'll begin my 11th year at the Center for Multicultural Studies in Psychology at the Boston University Medical school campus. It was explained to me that I was being asked to chair this Taskforce for several reasons:

- my expert facilitation skills,
- my deep ethics experience,
- I was a former chair of the MA Board of Licensure;
- a former Associate Member of the APA Ethics Committee
- at the time, I was the current Vice Chair of the APA Ethics Committee and the incoming Chair of the APA Ethics Committee;
- the respect and credibility that I garnered within APA across a broad range of colleagues; and

- the ethnic diversity that I would bring to the Taskforce

It was important that members of the Taskforce would be selected to ensure that the content area expertise was present. I found this reassuring and appropriate so that we could accomplish the work that we were charged with completing during our 2 ½ days of meetings. By the close of the weekend, we were asked to produce a report that addressed the charge of the Taskforce. With the above stated information, I accepted the appointment to Chair the Taskforce. I remained more or less engaged around PENS and the work around APA for 2 to 3 years, but then returned to my work with children, schools, and interns. I feel relief with the Hoffman investigation report. I thought that the PENS process from my selection of chair to selection of Taskforce members to the discussion during the Taskforce meeting to the drafting of the PENS report in its entirety was an honest and fair one. Because I believed this, I spoke confidently to colleagues, including during the presentation to the Council of Representatives about the integrity of the process. The PENS Report, APA's investment in supporting colleagues in practicing ethically in their roles with National Security, and the importance of us remaining engaged in dialogue about how to move forward. All of this was with the understanding that torture is never committed under any circumstances. Clearly I did not know what I did not know. Upon reading the report, I am now devastated, deeply saddened, and down right angry and outraged. In the investigation report, I am portrayed as having been manipulated, used as an agent, being uniformed, and exhibiting weak leadership; but the investigation does not conclude that I was aware of or was complicit in the collusion between APA and the DOD at any time. Indeed I was clueless that any collusion was occurring. So given that I now understand from reading of the Hoffman Report, where does this leave me? I must accept that I am unwittingly participated in a process that produced a report that in 2005 until the retraction in 2013 likely facilitated harmful treatment and even torture to detainees by the DOD. For this, I am very, very sorry. I must also accept that many of you were likely influenced by my endorsement of the credibility of the process and report. So again, I extend a heartfelt apology for leading you down a path that was less than credible. I can assure you I only said what I genuinely believed to be true. Again, I didn't know what I didn't know. In hindsight, there are likely questions that I might have asked but that did not occur at the time. I am making this statement b/c I feel that it is important that you hear my response to this investigation from me in my voice. I know that I will continue to process the entirety of what has transpired for a long time. Though it was not my intent to participate in a process that lacked integrity, I accept that I unwittingly didn't know. Had I known what I know now I would never have accepted the appointment of Chair of the PENS Taskforce. Hindsight truly is 20/20. As we all move forward, I assure you that I remain the person that you thought you knew. I take the responsibility of leadership very seriously. I continue to value deep engagement, the inclusion of diverse opinions, respectful and meaningful dialogue even when it is difficult, and an abiding respect for the feminist process for open communication and decision making. I thank you for electing as President-Elect of Division 35. I consider the opportunity to serve and lead this Division a privilege and honor. Leadership always matters. The work of this Division is critically important and we have a responsibility to future generations of feminist psychologist to do it well. The

good of the Division proceeds any one individual including me. How we move forward is a critical decision that the Division has to make. Now we must lean into the feminist process and trust that we will emerge wiser and stronger. Thank you.

END OF STATEMENT AS CAPTURED

Questions to Olivia and Responses

President-Elect Olivia Morehead-Slaughter agreed to take questions from the group.

Question 1: There will be a lot of debate on Council and there are some tough questions. I would precede these by saying that there is a part of me that feels like I could have easily been in almost any of the roles that occurred. In your role, in some of the APA staff's role, or in other APA Governance roles. The people who were mentioned—there are so many ways that this can occur without people's awareness and with a certain kind of drift. So, I'm asking these questions but I want you to understand that context. These are questions that I think we'd all need to soul search to answer, but that said. I think one of the issues is that you talk about how you are portrayed and the support that you gave in the position of not knowing. I think there are people who are saying that they raised issues and we raised issues and it was incumbent upon the Chair to hear us out more and to entertain our concerns and we felt that rubberstamping was going on and their position wasn't being heard or fairly aired. It's a position that needs to be addressed.

President-Elect Olivia Morehead-Slaughter Response Question 1: Olivia noted that she has heard those comments and in ensuing years heard feedback from the Taskforce. When thinking back on that weekend and those meetings, she personally <statement not fully captured> She acknowledged that not everyone's perceptions are hers—she can only speak for herself. She personally recollects that the discussion and discord (although not remembered verbatim) 10 years ago was that people were not silenced at the table and they could and did express varying opinions and take-aways even at the original meeting. They were not on one accord, but in terms of being silenced at those meetings that was not her experience.

Question 1 Follow up: Even subsequent years when folks made comments years later around the PENS Report--that's when people started to resign from the committee later. Did you ever feel like it would be helpful to go back and review some of the decisions or relationships?

President-Elect Olivia Morehead-Slaughter Response Question 1: In hindsight she would potentially do many things differently, ask different questions. At this point, it's very difficult to say. In the same circumstances with the same amount of information, it's hard to say if anything would have been done different. But different information was not available—she only knew what she knew and it was not what was in the Hoffman report. Now in hindsight things would be different, but that's not what was known then. There was lots of activity post PENS and some she was more involved in than others, but she like many of others was at many tables with lots of debates, lots of dialogue. There have been discussion over many years about these issues. She understands that lots of folks have spoken out strongly and she understands the passion around this. She felt like the most adamant statements were being made about not supporting torture. She personally felt like the things that she was involved in didn't support any of that whatsoever.

EC Comments on Question 1 OMS Responses: Hoffman came to the Council Meeting today and while he said that his investigation supports his findings of collusion between the Ethics Office and the DOD. He said explicitly that he had no evidence that it led to the torture of anyone or that any military psychologists were in fact involved in torture as a result of the issues in the PENS report. He made that very explicit, but he noted that he potentially could not know that b/c it could be confidential information but that is what Hoffman noted.

Hoffman also said that there are levels of involvement. While he talked about collusion, it was not collusion to support torture. That is an important distinction. Secondly, there were varying levels of participation of individuals who were noted in the report and distinguishing between what the report says and what individuals actually did is important. People have not fully read the report but are trying to interpret it which has resulted in demonization of many people probably beyond the point of culpability. The pain that you are experiencing is shared by some in the room stemming from when the PENS report was passed. Council Members also didn't know and thought what was done was not supporting torture and there are mutually shared feeling of betrayal. Additional comments were made about the supplemental materials provided in Council and the process for recruiting people to do activities when they do not necessarily realize what they are doing and how insidious this is. Someone can start the process and get sucked in further and further and not fully understand the process that they are in.

Question 2: We are all happy to hear that there may not have been as direct a link between the PENS report and actual torture. We have to still deal with the idea that the actions of the APA didn't eliminate torture but they helped to perpetuate it in some ways. But I wanted to speak to the other victims not just the potential detainees that were water boarded but the other victims in this process some of whom were members of our Division. People who stood up and challenged the PENS Report and other processes for the next 6 or 7 years have felt traumatized, battered and disrespected. I don't think we can leave them out of this equation. It's not just about detainees on some island far from us. It's about our own members who have been battered and hurt by this whole process. People who recognized the manipulation early on and stood up and called it for what it was. They were beaten down by people in APA. That's the other part of the process and we can't just smooth it over saying people were caught up in it or didn't understand. People who tried to make them understand were not listened to. Many of those members have been in contact and they are still impacted by that experience and their connection with APA and the Division are still impacted by that. Now when you're talking about in hindsight—in hindsight or where you are now, what can you say about that part of the process and those people?

President-Elect Olivia Morehead-Slaughter Response Question 2: In hindsight she can say that they clearly knew something that she didn't know. They were clearly voicing concerns. It is not that she didn't hear them or disregarded them. She believes that dialogue and engagement is good and they didn't have to be on the same page but she

never felt that she was disregarding them. She was not necessarily in agreement with them at the time b/c she felt the process for developing the Report was a good one and fair at the time, but that doesn't mean she was disregarding them. In hindsight, she can absolutely see how those individuals would say they spoke and they weren't heard, but she was never disrespectful to any of those who she did not agree with at the time. That's not her way of interacting with others. That may have not been case for everyone, but she can only speak for herself. With the release of this report, there is clear support for some of those things that they were really worried about. She understands the concerns here.

Question/Comment 3: I feel for you and grieve with you b/c I know it hurts your soul and spirit to see what happened with these bad decisions. One of the biggest things that was observed with Council was a challenge with the way that it does business. There was a considerable amount of time talking about the infrastructural ways that decisions are made, the way Taskforces are developed, how the good old boy network continues to function, how volunteers like us who are not on payroll rely on APA staff, and how power is not shared. A large portion of time was spent on how to reconstitute how business is done at APA. You and many people are victims of a system that is already rigged and we as feminist can't sit down anymore. We have to stand up and shout in not a lone voice but together. There has to be more attention to the process not just the content. Feminist process does not function in that way. I have hope that change will occur but they can't keep doing business as they've been doing it. We have to step back to assess how these things happen and what we can do to prevent it. I don't know that you can do it at this moment, but the road that you have traveled yields very important information about the systemic issues at APA which are a part of the core problems with things like this happening.

EC Follow-on COMMENT to 3: We are APA and as we take on leadership roles it's our responsibility too in how we operate in those roles. There are varying degrees about how people operate in those roles and we're not all victims.

EC Follow-on COMMENT to 3: In Governance we are volunteers but we're temporary. The experts are the people they hire who are on staff. We lean very heavily on those experts.

Comment to redirect group: We need to take questions directly to Olivia. We need to have a discussion about a lot of these other dynamics and really we should have them among ourselves without Olivia.

Question 4: Having chaired an APA committee, as I read the Hoffman report, I had a very strong sense of there but by the grace of God go I. So I can appreciate the difficult decision that you feel yourself in. What do you see as the road forward for the Division in terms of healing the pain for members who tried to stand up but felt they were not heard or respected? How do you see yourself being able to play a role in bridging the Division's loss of respect for our silence compared to other Divisions with whom we share values?

President-Elect Olivia Morehead-Slaughter Response Question 4: I see those questions as related. I think if I were those individuals I would be looking for

acknowledgment that what they said was important and that we didn't pause long enough to hear them fully and in a way they were hoping that we would have or should have. In the going forward, it will be difficult without first acknowledging. It will be difficult for us to figure out how we as one Division move forward. One Division made up of people who don't necessarily agree or have the same opinions. It shouldn't be expected that we will all think alike. We have to continue to be respectful of the diversity of opinions and to be inclusive of the diversity of opinions. We can't let certain opinions trump others. We have to really engage these folks and utilize a feminist process. This begins with acknowledging the silence that you noted. Our Division may not have been as forthcoming in the ways that others were in acknowledging these issues and things that were going on. Going forward we don't want to see that continue and we have to be more cognizant and more intentional about our voice. This goes back to the feminist process and using it at every turn. We need to think about how we intentionally focus on the process and the people. That's how we begin the healing and doing our part.

Question 5: You are incoming President-Elect of Division 35. Have you considered what you will do regarding this position? What are your plans with this position in our Society?

President-Elect Olivia Morehead-Slaughter Response Question 5: She has given a lot of thought to the fact that she is the incoming President-Elect of Division 35. She thought about this almost the entire time since the Hoffman Report came out and really thinking about it not just in terms of herself because the Division is bigger than just any one of its members, but in regards to the broader Division. The health of the Division is important and that it remain strong and a body that matters. Entrusting the leadership of the Division to her is a privilege and an honor and not an entitlement. She would want nothing more than to be an effective President-Elect and an effective President of Division 35. That will be her absolute intention and endeavor. She would have never taken it on if she thought that she couldn't be an effective President. If she couldn't put forth initiatives that she's excited about. Thinking this through and dialoguing with all of us that she knows are invested in the well-being of the Division, she knows this will be a process. She is excited about the work of the next year but at the same time she knows that this is a process that APA is going through and that she is going through. It is going to be a part of whoever is in Division leadership for these next several years. It's not going to be quick. So she think it's important for not only her to be thinking about her role as a leader and in this process, but also the Division. There is no divorcing herself from the PENS issue. This will be a process and important for her and all future leaders to consider. She is not defensive about her role as the Chair and it's irrefutable. It's not something we avoid talking and thinking about and the EC needs to think about whether we effectively move forward given the fact of her relationship with the Taskforce. She doesn't think this is a question that she can answer for the group. She will respectfully accept the EC's decision about that and she thinks it has to ultimately be about what's best for the Division.

President-Elect Olivia Morehead-Slaughter was thanked for her statement and response to questions and it was noted that the EC discussion would continue without her. She was not on the call for the remainder of the EC discussion about these issues.

Extended EC Discussion

President Maureen McHugh facilitated the discussion around the Hoffman Report and the Divisions Statement. She noted that there were 2 issues for discussion 1) the response from Division 35 regarding the Hoffman Report and 2) decisions around the President-elect situation. She posed the question of which item to discuss first and it was determined that the President-Elect issue should be discussed first.

President-Elect Leadership. Several key issues were noted during this discussion. Notes from the recording of discussions during that meeting were loaded into ATLAS.ti qualitative software for coding. A coding scheme was developed based on the verbatim notes and all information was coded by individual statements with that coding scheme by 2 raters. The quotations and their individual codes were compared for accuracy of codes associated with each statement made, discrepancies between raters, and other changes that are needed to determine and address interrater reliability issues. The information below provides **major themes and synthesis of key issues/comments** included. Appendix A also includes a table with major themes identified, subcategories within the themes and summary information covered within each.

Key Themes: A theme could be repeated at different times throughout this discussion regardless of ordering. The themes are currently grouped by the logical flow of overarching themes, e.g. approach to the discussion/concerns with process; Leadership issues and what's best for Division; historical issues such as the social justice piece and views on torture; and direct statements of decision and vote.

- **Feedback on voting approach and/or role of the EC**
 - Views that it is not the role of the EC (or in the Bylaws) to remove an elected officer
 - Discussion of the type of vote desired (e.g. vote of no confidence vs vote of concern, anonymous ballot or typical voting procedures)
 - Concern with those voting not being fully informed in terms of prior notification about voting and reading of the Hoffman Report
 - Views of pros and cons with urgency in need to vote—pro in terms of allowing for stability with leadership and not showing inaction and con in terms of need for more time for processing this critical issue
 - Given the amount of time devoted to the discussion, a need to move forward with a vote
- **Concern with Lack of Feminist/systematic Process During the Meeting**
 - Perception that lack of inclusion of President-Elect in the discussion was not in line with feminist process

- Concern that approach was hasty without adequate time for full discussion, EC being fully informed, and processing for information for decision
- **Concern with President-Elect's Ability for Effective Leadership**
 - Likelihood of President-Elect need to deal with PENS report issues as a distraction to ability to lead and uncertainty of President-Elect's understanding of the extent of such impact
 - Potential conflicts of interest with President-Elect needing to explain PENS report but serving as Division head
 - Concern with views of lack of transparency and accountability shown by President-Elect with actions following Hoffman Report release and statement and responses.
 - Concern with lack of direction/vision for next steps from President-Elect.
 - Concern with feedback from others who felt concerns raised following the PENS Report release were ignored or not acted upon by President-Elect and impacts on those members support for President-Elect as a Division leader.
- **Concern with What is Best for the Division**
 - Concern with the Division maintaining credibility if President-Elect stays in office given context of the Hoffman Report and need for informed decisions around this issue with focus on what's best for the Division.
 - Concern with potential loss of membership if President-Elect stays in office with questions of how sizeable this impact would be given potential limited knowledge by the full membership.
- **Concern Related to Social Justice Divisions**
 - Perception that Division 35 is not credible with other social justice divisions because of 2012 decisions and need to repair this
 - Clarification of occurrences in 2012 with summary of the process that led to Division 35 making an independent statement against torture and clarification that President-Elect was not on EC at that time.
 - Perception that 2012 statement was the same as the PENS Report and Division needed to support international rules and other Divisions.
 - Suggestions that the President-Elect make her decision to stay in role based on the Division's stance/response regarding the Hoffman Report and surrounding issues with other Divisions and her ability to facilitate the process/agenda determined by the Division.
- **Comments on Issue of Torture**
 - Concern that torture, the issue central to PENS, is getting lost in political management of this scandal within and outside of the Division
 - Comments on agreement that torture is wrong and concern with excuses for such behavior
 - Clarification that Division did make a statement against torture in 2012

- Comment on the distinction between President-Elect discussion and Division's perspective on torture (which was stated in 2012 as against)
- **Statements on President-Elect Resignation**
 - Some views that President-Elect should resign given context but be a part of the Division's healing process
 - Comments on listserv communications calling for resignation.
- **Comment on Supporting the President-Elect**
 - View that the President-Elect can play an integral role in mending fences and aiding the Division in working through this process
 - View that President-Elect shouldn't be a scapegoat for accountability of Division and others or "thrown under the bus."

Verbatim Statement for anonymous vote of all present at EC meeting: I have serious concerns about Olivia assuming leadership of Division 35 at this time.

- Voting options: Yes, No or Abstain
- Secretary Monique Clinton-Sherrod and Nominating Chair Susan Basow tallied votes: 30/41 indicated yes serious concerns, 5/41 no concerns, and 6/41 abstained.

President McHugh: we are not going to take up the written response of Division 35 to the Hoffman Report. Does anyone have ideas with how the handle that?

- SPSSI did a good thing where there is an EC response. Suggestion of Survey Monkey to voting members of the EC to assess agreement with the Hoffman Report Response. Question of whether edits will be taken and suggestion of putting a deadline on the receipt of feedback. Noted that this is really important but there were concerns with the time limit. President McHugh will put the statement out again and request feedback back in 1 week.
- It is important that it is a joint effort between President McHugh and Incoming President Garrett-Akinsanya to finalize given the transition in leadership.

Due to the extent of earlier discussion, additional agenda items were not covered. Additional Section, Committee, and Task Force reports can be found in the agenda book.

President McHugh adjourned the meeting at 10:50.

There was also a table that follows:

President-Elect Discussion Summary Table

Primary Theme	Subcategories	Summary of Information Noted
Feedback on voting approach and/or role of EC	Views that it is not the role of the EC to remove an elected officer	<ul style="list-style-type: none"> • Not the role of the EC to tell an elected President that they should step down • EC removal of elected position is not in our structure or Bylaws • Not EC authority for elected officer removal but should it go to membership
	Vote of No confidence versus Vote of Concern and Secret Ballot process	<ul style="list-style-type: none"> • Important for Division to address crisis of leadership with a vote. • Given extensive discussion during EC meeting, need for moving to a vote • Vote of no confidence <ul style="list-style-type: none"> ○ Support for vote of no confidence which is within EC authority versus telling someone they should resign which is not ○ Framing this lack of confidence around a contextual issue rather than the person ○ Perspective of vote of no confidence as not a personal judgement of President-Elect but lack of confidence about her ability to be an effective president at the current time under the current circumstances ○ A vote of no confidence differs from what is being questioned here • Considerations for timing of a vote <ul style="list-style-type: none"> ○ Many within and outside of Division deserving of vote of no confidence—larger issues around how this came about and how the Division makes decisions ○ Consider if should revisit Hoffman Report and determine Division stance on that before any vote with determination of President-Elect to carry out Division stance • Approaches proposed with vote: <ul style="list-style-type: none"> ○ Take a vote of no confidence, communicate to President-Elect, and let her decide next steps or decision to address concerns. ○ Use secret ballot even though not our

Primary Theme	Subcategories	Summary of Information Noted
		<p>usual process because people more comfortable with that</p> <ul style="list-style-type: none"> ○ Discomfort with secret ballot b/c feeling of it being counter to feminist process ○ Decision to allow elected and extended EC to vote ○ Do a vote on a phrase such as X percentage of the EC has serious concerns about you assuming leadership at this time. Report the outcome and she can make a more informed decision. (Note: this was agreed upon approach)
	Concern with those who have not read the Hoffman Report Voting	<ul style="list-style-type: none"> • Those who have not read the report should not vote • The vote is not judging who's right or wrong or culpable in the report, but statement about the effectiveness of this leader coming in right now
	Urgency with making a decision regarding the President-Elect	<ul style="list-style-type: none"> • Urgency with needing a decision from the President-Elect and ensuring stability with leadership and allow current President to have an effective tenure • Concern with rushing the process • Concern with remaining silent/inactive on a decision and not acting on discussion
Concerns about President-Elect ability for effective leadership	Likelihood of President-Elect involvement with PENS investigation distracting for leadership responsibilities	<ul style="list-style-type: none"> • Frustration with limited feedback from President-Elect on PENS and Hoffman Report and likelihood of process being distracting and impacting leadership ability during 3-year Presidency cycle • Potential negative impact to Division membership and concern for Division as a whole if President-Elect stays in role • Acknowledgement of complex context around the PENS report voting process and power dynamics for President-elect, but concern that timing of these issues will not facilitate effective leadership • Lack of indication of understanding by President-Elect of extent of impact of this

Primary Theme	Subcategories	Summary of Information Noted
		situation on ability to address PENS/Hoffman Report issues and lead the Division
	Potential Conflict of Interest for President-Elect	<ul style="list-style-type: none"> • President-Elect is in a position of having a conflict of interest with having to explain herself constantly and that becomes the face of the Division • View of a strong conflict of interest given PENS involvement
	Concerns about lack of transparency/responsibility/accountability of President-Elect	<ul style="list-style-type: none"> • Questions of whether President-Elect was exhibiting a lack of transparency and being a consummate politician in terms of information shared and response to Hoffman Report • Comments on beliefs in genuineness of statement and response to questions and acknowledgement of responsibility • Desire for President-Elect and others in leadership to take more responsibility in regards to the PENS report and process—including a need for consistency with how individuals and systems in which we work are asked to be accountable • Concerns with using ‘not knowing’ as an excuse regarding the PENS Report when many were voicing concerns to President-Elect and others • Desire for mutual support given to the President-Elect but also received from her in terms of addressing Hoffman Report findings • Importance of President-Elect and Division as a whole to take responsibility • Concerns with the perceptions of passiveness of the President-Elect following PENS Report release
	Concerns about lack of direction for Division from President-Elect	<ul style="list-style-type: none"> • View that President-Elect comments did not indicate clear direction for healing • View that President-Elect may inhibit the Division from being forerunners in change or making up for Division actions in 2006
	Prior Actions of President-Elect did not represented good	<ul style="list-style-type: none"> • Question of leadership indicated by President-Elect with signing of emails that others wrote with no editing and no changes • Other Division members treatment following

Primary Theme	Subcategories	Summary of Information Noted
	leadership	PENS Report release and beliefs of President-elect having not listened to them
Concerns with what is best for Division	Responsibility to Division and maintaining its credibility	<ul style="list-style-type: none"> • EC is responsible for the Division and needs to do what is best for the Division • Decision is not about culpability but about the President as being a representative of the Division and our credibility as a Division • Issue of credibility of the Division and Association as a whole and the possibility that inaction may be perceived as business as usual • Need to balance personal relationships and the reputation of the Division and its health • Responsibility to the Division to be fully informed before making this decision • Information beyond the Hoffman Report, including what other Divisions say and what other people think about our Division are important • The context under which the President-Elect will be taking leadership of our Division and some members' poor treatment following the PENS Report raises credibility issues • Responsibility of the EC to make informed corrective actions
	Potential loss of Membership	<ul style="list-style-type: none"> • Broader membership of the Division may not stay if President-Elect is the leader and some have already departed • May be a choice of staying true and faithful to one of our sisters who was led astray or the strength of the Division and our larger vision for the Division • Small percentage of the 3000 Division members vote and not likely that sizeable numbers have read the Hoffman Report or plan to leave the Division

Primary Theme	Subcategories	Summary of Information Noted
Concerns with lack of systematic/feminist process during meeting	Feminist process and President-Elect role in process	<ul style="list-style-type: none"> • Making this decision without having the President-Elect being a part of the discussion isn't feminist process—doesn't hold true to feminist principles of inclusivity and respect • Desire for President-elect to assist in making decision-making a more feminist process without hearing party lines from her • Belief that President-Elect resignation is easy way out and better for the Division to have a process that includes her for this difficult conversation. • Arrive at a decision through a process that allows for all voices to be heard in the decision while not making it personal • Continue to remember feminist process which should equate to an anti-oppression process • Desire for Division to utilize a feminist process that works to analyze who was culpable
	Concern with rushed process and EC not being fully informed Concern with	<ul style="list-style-type: none"> • Desire for a feminist process that is not hasty approach with the decision about President-Elect • Concern with EC not being fully informed that this decision would be included on agenda—doesn't give all parties information to make an informed decision • Rushed timing and discussion does not allow for being fully informed and utilizing a fair feminist process • Concern with decisions made on other's interpretation of the Hoffman Report rather than individual reading of the Hoffman Report
Comments on supporting President-Elect	Supporting the President-Elect to help to work through a process	<ul style="list-style-type: none"> • Support President-Elect if she takes office and takes steps for mending of fences, making amends, and being very conscious about things going forward • Important considerations for context of President-Elects leadership role with the PENS report in large part because she is a woman of color and this should support for her in working through process

Primary Theme	Subcategories	Summary of Information Noted
		<ul style="list-style-type: none"> View of discussion “throwing President-Elect under the bus” or scapegoating and need to work together to support her as a group and as feminist Division using a process to determine outcome that includes the President-Elect
Concerns related to social justice divisions	Concerns related to social justice divisions	<ul style="list-style-type: none"> Perspective that Division 35 is not credible with other social justice Divisions because we did not stand with the Divisions for social justice in 2012 Possible need for additional mending of past experiences with social justice Divisions
	Clarification of prior Division public statement and social justice divisions	<ul style="list-style-type: none"> Extensive (respectful) discussion in 2012 with a process for making public statements was put forth for the Division’s opinions and it was agreed upon. Result was that the EC came to a place where it said that we don’t agree with the letter that was sent b/c of language to repel PENS and division 35 made our own statement that went on record saying that we were against torture and for humane treatment In 2012 some of the assertions that were being made in that letter that we were being asked to sign on to, we had no way of knowing where it came from, how we could validate it and the decision to say yes we are agreeing in principle on this but we are not going to sign on to this where we don’t have our own independent evaluation The 2012 meeting was very different from the 2006 meeting, where there was a lot of silencing going on President-Elect was not a part of the EC in 2006 and shouldn’t be held accountable for the Division’s actions then The information for the 2012 decision was available to other Divisions and lack of clarity on Division 35’s decision to find it inconclusive

Primary Theme	Subcategories	Summary of Information Noted
	President-Elect make decision for continuing in role based on Division stance/expectations on PENS Report	<ul style="list-style-type: none"> • Need for a strong stand in objecting to and being firm about how wrong we think the PENS process was and the disservice to those who tried to stand up for that and determine if the President-Elect is comfortable being President-Elect and President of a Division that has set that as an agenda • President-Elect initiatives would need to include accountability and healing process for the trauma that has ensued if remaining in the role • Self-examination by the Division is needed with us holding ourselves accountable and then asking the question back of whether the President-Elect can lead us in that process
Direct Statements on resignation	Summary of Statements Expressed Regarding Resignation	<ul style="list-style-type: none"> • View that President-Elect should resign as President-Elect but remain in the Division to help us move forward • Not pleasant to ask for resignation, but seems best given context • Some members of the open discussion listserv are openly calling for President-Elect to step down <p>Resignation may be warranted, but some things being discussed are not things for which President-Elect should be held accountable</p>
The Issue of Torture & Division Response	Concerns around issue of Torture	<ul style="list-style-type: none"> • Larger issue of torture getting loss in political management of a scandal • The first meeting that I'm referring to did involve people on different sides and it was about military psychologist and supporting them. It was still a problem of why we didn't know as a group • Saying we just didn't know and be pardoned from that is a cop out need to move beyond individuals and think about principles • There can be diversity of opinion but there should be no diversity on the issue of torture because it is an issue of right and wrong
	Clarification on prior Division	<ul style="list-style-type: none"> • We did take a stand against torture with a public statement

Primary Theme	Subcategories	Summary of Information Noted
	statement on torture	<ul style="list-style-type: none"> Details of the discussion process in 2012 and the decisions made that led to individual Division statement saying that we were against torture and for humane treatment Comment that our response was exactly what PENS did and not agreeing with international rule and other divisions was a problem.
	Separate issues with President-Elect discussion and stance on torture	<ul style="list-style-type: none"> Desire for a feminist process on the President-Elect issue and not being hasty does not equate to support of torture Not about torture or no torture but about whether feminist make decision that are based on information
Outcome of vote--single quotation indicating question for vote and results	Outcome of vote--single quotation indicating question for vote and results	<ul style="list-style-type: none"> I have serious concerns about Olivia assuming leadership of Division 35 at this time. Voting options: Yes or no or abstain— <ul style="list-style-type: none"> Secretary Monique Clinton-Sherrod and Nominating Chair Susan Basow tallied votes: 30/41 indicated yes serious concerns—5/41 no concerns and 6/41 abstained

APPENDIX N: MITF Call

Member-Initiated Task Force to Evaluate and Address Division 35's Role in the PENS Task Force Report and Aftermath

In light of the Hoffman Report and Division 35's response to it, we are forming a new "Member-Initiated Task Force" of Division 35 members (past and present) in order to address our role over the past decade, as a Division, in events surrounding the PENS Task Force and aftermath. **This Member-Initiated Task Force openly invites and seeks to involve members who have not been on the Executive Committee nor involved in APA governance over the past 10 years.**

This Task Force's charge will be as follows:

- a) to write a history of events with a timeline of actions and missed opportunities of the Division and its members;
- b) to document the role of the division and division leaders over the past decade; drawing conclusions regarding lessons learned;
- c) to list accountability steps for the division to take in order to both rectify past mistakes and make reparations to victims.

Our goal is to make Division 35 a model for a feminist ethical psychology. We ask that any other Division 35 members who are passionate about this topic consider joining the Task Force. We hope to have a preliminary report by the mid-Winter meeting.

We call on members of other divisions to form similar Task Forces if they too believe that their divisions may have moved on too quickly, before self-analysis, accountability, and reparations have been made. Feel free to repost to other divisions.

Co-Chairs Sharon Lamb Sharon.lamb@umb.edu and Sarah Ullman seullman@uic.edu

Also initiated/supported* by the following Division 35 members past and present:

Joan Chrisler
Lynn Collins
Iva GreyWolf
Emily Keener
Jennifer Langhinrichsen-Rohling
Jeanne Marecek
Maureen McHugh
Mary Pelton-Cooper
Norma Reiss
Joy Rice
Suzanna Rose
Lisa Rubin
Rakhshanda Saleem
Rhoda Unger

Mindy Urchill

*Signers supported the Task Force effort and are no necessarily volunteering to serve on the Task Force

APPENDIX O: Three Articles in Newsletter that Newsletter Editors were Scolded for Printing and which Led to their Resignation

1. Global Racism of Division 35 (Sharon Lamb & Rakhshanda Saleem (Div 35 newsletter, Winter 2015, Vol 42, 5)

Division 35 is facing a crisis of ethics with its president-elect, Olivia Moorehead-Slaughter, having played a prominent role as the chair of the PENS Task Force in denying APA's involvement in torture as outlined in the Hoffman Report. Despite its current identification as a social justice division, its leaders are ignoring calls for reform of APA and the Division. Other divisions are demanding accountability and resignations from positions of power of those directly named in the Hoffman Report. Instead of leading or even joining such efforts, Division 35's leadership continues to support Olivia Moorehead-Slaughter as president-elect of the division, thus demonstrating its disregard for and a lack of commitment to solidarity with the victims, i.e., global voiceless and powerless people of color against which atrocious social injustices were committed.

What is worse is that the support of Dr. Moorehead-Slaughter is being morally and ethically justified by putting forth a very narrow view of feminist solidarity and anti-racist politics as it refers to White/Black relations in the U.S. To support this narrow view of social justice, leaders appear to be redirecting the conversation by pointing to and sometimes creating a divide along racial solidarity lines reducing the issue to one about supporting one of our own (right or wrong). This framework has been deployed as an ideological weapon to defend the morally indefensible role Olivia Moorehead-Slaughter played (wittingly or unwittingly) in the cover-up of the psychologist's role in the torture. Led by some of the Black leadership in the division, it is perpetuating the very problematic dynamics they themselves, rightfully have criticized in White feminists, i.e., not being sensitive to the issues and injustices impacting those outside of their own racial-identity group. These current justifications and support for Olivia Moorehead-Slaughter's leadership exhibit a blatant disregard for the racist brutalities committed against global Brown/people of color by defining social justice solidarity as solidarity to only about protecting only one's own identity-group. While identity politics serve a purpose for movements in certain times and circumstances, ignoring immense injustices against other disenfranchised populations, locally and globally, clearly highlights the serious limitations of identity politics and shuts the door on those who have already suffered from torture, for those globally who are in serious need of feminist support.

In this limited perspective, which at best is a misguided characterization of anti-racist and feminist solidarity and at worse about reducing anti-racism work to promoting women of color's careers within the Division and APA, we are completely losing the objective of feminism, i.e., fighting against all forms of injustice and inequality. Feminism was never an effort to raise women over men or some racial groups over other racial groups. Fighting racial injustice was never only about placing women or people of color in positions of power, but doing so that they would, from their experience, fight for justice for all and definitely not to provide Brown or Black faces to hide the atrocities behind.

This is precisely what Olivia demonstrated she was unable or unwilling to do including taking on the responsibility of listening to the voices that brought these concerns forward at great risk to their positions and well being. Her credibility and competence as a leader is not helped by her extremely weak claim that she simply “did not know” what was publicly being debated as the biggest controversy within APA in decades and what she defended APA for years until the Hoffman report made it impossible. Division 35’s leadership and EC is replicating this pattern, i.e., choosing to not attend to the concerns, choosing to not take ethically and morally just positions, and choosing to continue to defend Olivia’s role while not leading a movement for addressing global racism within Western feminism and APA that led to these circumstances.

Division 35’s leadership in their urging and encouraging of “moving on” without serious critical analysis and accountability of the past is creating superficial communities of friendship and familiarity not rooted in principled and ethical opposition to all forms of social injustice. In an unfortunate similarity to the so-called war on terror’s exploitation of the rhetoric of women’s rights (or women’s liberation) to justify the unleashing of bombs, Division 35’s leadership is exploiting the language of racial solidarity and sisterhood in a way that undermines transnational solidarity with underprivileged global communities.. We ask, how can we all come to understand what is happening to Black people in prisons in the US if we ignore what has happened to Brown people in Guantanamo? And how can we ask for accountability of a police officer or department for their role in committing horrors against people of color within U.S. when we support and defend those who have played a role in hiding such horrors by our own profession?

We call for Olivia to resign, and for Division35 to engage in a deeper and more meaningful discussion about global racism and feminism that could potentially result in our leadership in APA on these issues. Regardless of what any one of us believes were the reasons for Olivia Moorehead-Slaughter to have played this role, the fact remains that she did play an important and harmful role. We ask that she step down from leadership and engage in honest introspection as a peer in the division, allowing others in the division to move forward with our division’s continued response to the report and its aftermath.

We call on Division 35’s leadership to take a strong stand against institutional corruption and conflicts of interest that led to APA’s involvement in supporting torture. Knowing Olivia’s role, supporting and defending her despite serious concerns expressed both by the larger membership and overwhelmingly by the EC vote straw poll at the Toronto meeting replicates what APA did with the calls for concerns about torture for decades. We need to restore our damaged credibility as a division and not be complicit in racism against the globally marginalized and powerless.

2. Why Such Silence in Division 35 and How Can We Move Forward? Sarah E. Ullman, PhD., Department of Criminology, Law, & Justice, University of Illinois at Chicago (Div 35 newsletter, Winter 2015, Vol 42, 5)

I am writing to call on all of us to respond to and move forward in our Division and with other related groups to make statements and take actions to be part of the change needed in the APA post-Hoffman. I have been rather stunned at the silence and lack of dialogue about this within the Division. I hope we can still find a space here amongst those of us who believe that as feminists we need to speak out and support those who have been pushing for change in the APA over the past, almost, decade.

To begin with, I am one of those APA members, being less connected than I should have been for some years, who did not pay attention to the “dissenters” (maybe we want to rename them “truth-tellers”?) or even really realize they were there. I have thought about this and think that perhaps it was just easier to look the other way, whether consciously or unconsciously, when I saw those who were portrayed as some crazy fringe protesters at the 2010 APA convention in San Diego. Perhaps I just “wrote them off” as an uncomfortable presence at an otherwise enjoyable and positive annual professional event?

When discussing this with a friend and colleague of mine who I have known many years, after the Hoffman report came out, she reminded me that we saw those protesters at that Convention (somehow I didn’t remember that until she said that). She also said that this is a good reminder to us to always listen to dissenters and not allow them to be silenced. I hope we have opportunities to discuss the implications of what has occurred in the APA and in our Division in an open and honest way, so that we do not silence ourselves or others seeking to continue our good work as feminist psychologists.

So, how can we as feminist psychologists embrace human rights for all including women, people of color, and those who have been tortured and support ongoing efforts of others both inside and outside of our professional organizations?

First, we can educate ourselves (as I am continuing to do) and each other by reading the Hoffman Report and other articles and documents. I would also include the chapter about the role of psychologists in James Risen’s 2014 book “Pay Any Price: Greed, Power, and Endless War.” This is the work which led APA to commission the independent review. While disturbing to read, I think doing so is vital to ensure that we do not “look the other way” and face the realities of the torture that has occurred, including our role in it.

Second, we can organize to take actions in a socially responsible manner that address the torture, injustices and harms that have been documented. There are various options we can consider including starting a torture fund to aid survivors and their families.

As a psychologist studying sexual assault, abuse and trauma, I know the dangers of denial and collusion that often occur regarding violence against women and children. These have some similar dynamics to torture (including sexual abuse and humiliation), and to the cycles of awareness and denial at individual, group, and societal levels. I also feel the dynamic of “betrayal trauma” by our organization in this scandal that also pertains to interpersonal violence survivors (see Jennifer Freyd’s work in this area, most recently in her 2013 book, “Blind to Betrayal.”)

My work has focused on encouraging disclosure and recovery and positive support to survivors in “safe spaces” and avoiding denial and negative social reactions of blame, control, and infantilization that revictimize survivors and contribute to a climate of silencing of those trying to speak out about their experiences. We must shine a light on abuse and injustice to stop it, hold perpetrators accountable, and provide a healing environment for survivors.

Crises are an opportunity for self-examination and change on individual, group, and societal levels. Let us not miss this opportunity as we all have much to learn from each other. We owe it to ourselves and others to do our best to seek the truth and act on it, however difficult.

3. OPEN CALL: Transparency in Accountability Database: Division 35 Discussion, President-Elect Debate, and The Hoffman Independent Review-Report (Kelli Vaughn-Johnson) [Note: This author received only a caution and request to add wording that the database would not represent the division or APA. The email has since been closed and project dismissed due to lack of participation. The materials received are being preserved as noted)

We find ourselves in a precarious position within the Society for the Psychology of Women. It seems we cannot move forward and refuse to be pushed back. We continue in this standstill in part due to the concerns of both our own and our division’s accountability in the past events and current reforms, especially as they regard the direct involvement of our President-Elect Olivia Moorehead-Slaughter. The intent of this call is to solicit your feedback in order to provide a neutral location to share thoughts and resources regarding these issues that is available to all concerned.

There has been much debate on the WOC-Leaders list, POWR-L, and 35 Executive listservs since the release of the report. Emails have been flying while letters and articles circulated. How much of that information made it out to the general membership? Where do the “other” members, student affiliates, and interested parties stand? Have any of us seen all of the responses? Should our President-Elect step down or remain on the executive? The latter question has paralyzed the division and all but silenced the strength of our collective voices in the reforms.

Who am I and why do I care?

The calls for transparency and accountability are vital for me. I am long time student affiliate of the division. I am not currently on any APA or division boards or taskforces, though have served in the past on the division 26 executive, 35 heritage committee, and am a former Association for Psychological Science Student Caucus President. As a psychologist in training who specializes in history my first instinct is to collect and organize the materials in front of me for a full assessment. When questions of information access regarding these important discussions came to light, but with no

action, I volunteered my services. Though only with conditions. In the spirit of transparency, I also proposed this collection of materials because many of us are missing large portions of conversations concerning the accountability calls regarding our President-Elect and other related issues. Bringing as many voices to the table seems vital if we are to work together as a unified division moving forward in both division and organization reforms.

What is it?

The intended database will be a single webpage intended to be as inclusive as possible with voices from all sides of the debate within the division. It is a neutral non-division/non-APA general collection spot. Letters and emails (in any format) can be sent to a singular email set-up for this purpose. To date, I have copies of those sent to the WOC-L and POWR-L lists since August. The goal is to add all those previously sent to the executive or individual members directly and new ones from those who have not participated in those discussions. ALL VOICES and perspectives are welcome and wanted: Fellows, Members, Affiliates, Students, Executives, and interested parties on any side of the issue or even if apathetic to the outcome.

What can you do?

Your help is needed to build the database of our comments, letters, emails, and thoughts, regarding these events as they relate to Division 35, the report, debates over reforms, our President-Elect's role, and accountability. It is not your labor but your words that are needed. Make your voice heard on the issue of accountability as it applies to our President-Elect: Do you call for her to step-down or stay on the executive? Articles that may be relevant, background material, or concerns/comments regarding other 35 member's involvements are also welcome. Your comments and thoughts on needs for reform are also encouraged. You can either submit letters or emails that you have already written or develop something new. Submit in any format directly to: letterstoswp@gmail.com.

How it works?

You submit to the email above. The email address is monitored by a neutral third party who works with me on an external project, but is Canadian and not a member or affiliate of APA or division 35. She will distribute one copy of all materials to me and to an appointed member of the voting executive for the division. This is to balance concerns of bias. The Executive member appointed opposes our President-Elect stepping down and I have publicly called for her to do so. Neither of us will have access to the email directly and no filtering or editing will take place. All submissions to the email will be made accessible on the web page by me for division members, affiliates, and interested parties. The executive member will be able to see that all materials are represented. Please submit all materials within 30 days of the date of this publication. Items will be posted as they are received to facilitate the prompt availability of materials to all.

What will happen to the information?

As my calls for transparency have been, anything received at the email above is considered eligible to be shared, posted, and preserved for the historical record as well as distributed to the division announce list, listservs, and any other interested parties. It is not currently nor will it become owned, operated, or (most likely) endorsed by the division but will be made available for a one-year period online. If you would prefer password protection for documents, please note that in your email. If enough people request password protection the full page will be password protected, with this password will be made available to all listed above. The contents will be retained and made available to the Psychology's Feminist Voices project and will be donated in full to the APA PENS Debate Collection at the Univ. of Colorado at Boulder archives to be made available in five years.

APPENDIX P: APA Lawyer Letter to Division Newsletter Editors and their Response



January 22, 2016

Emily Keener, PhD
 Assistant Professor
 Slippery Rock University of Pennsylvania Vincent Science Center, 309-A
 1 Morrow Way
 Slippery Rock, PA 16057
 Email: Emily.Keener@sru.edu

Clare Mehta, PhD
 Assistant Professor of Psychology Emmanuel College
 Administration Building, Room 421-A 400 The Fenway
 Boston, MA 02115
 Email: Mehtac@emmanuel.edu
 Re: Responsibilities as Editors of APA Division 35
 Feminist Psychologist Newsletter

Dear Doctors Keener and Mehta:

I am writing on behalf of American Psychological Association and Division 35. It has been brought to our attention that the two of you, acting autonomously as Editors of THE FEMINIST PSYCHOLOGIST, approved final content for the 2015-2016 Winter Issue of that publication which is derogatory toward the Division and its leadership; undermines the mission of the Division to respectfully recognize and explore the diversity of women's experiences; and negatively impacts the Division's membership recruitment and retention efforts. As we understand it, your approval of and inclusion of that content was done without the review of the leadership of Division 35, which is inconsistent with the requirements of the Division Bylaws and is dangerous to the Division and to APA given that liabilities associated with that publication, including liabilities for defamation, can be imputed to these organizations. Indeed, APA and Division leadership are stunned by the lack of discretion and sensitivity demonstrated by your independent decision to publish clearly inflammatory materials without first seeking the advice and counsel of the Division's Executive Committee.

As you should be aware, Article IV, section 10 of the Division 35 Bylaws provides that the Publications Committee and its Editors and Editorial Boards make recommendations for policies and content for Division publications to the Executive Committee and that final decisions about those policies and content are made by the Executive Committee. This delineation of authority allows for the Executive Committee to ensure that all public

statements issued by the Division are consistent with the Leadership's larger message and purpose, and especially with the President's goals for her term in office. The failure to include Division leadership in the publication decisions at any level of review of this publication are clearly inconsistent with Bylaws requirements.

Effective immediately, you are directed not to publish or distribute any emails, articles or other material to the general public or to APA, APA members, Division 35 or Division 35 members which purport to be official communications from or about THE FEMINIST PSYCHOLOGIST or the Division 35 Publications Committee unless those communications have first been approved by the Executive Committee of Division 35. You also may not incur any expenses in connection with your role as Editors of the THE FEMINIST PSYCHOLOGIST or members of the Division 35 Publications Committee without approval of the Division 35 Executive Committee.

We regret the necessity to send this letter but feel compelled by the circumstances to do so. If you have questions about this directive, please feel free to contact me.

Sincerely,



Jesse Raben

Associate General Counsel American Psychological Association

Cc: Maureen McHugh, Ph.D.

Lynn Collins, Ph.D.

BraVada Garrett-Akinsanya, Ph.D.

Deanne Ottaviano, Esquire, Arent Fox LLP

RESPONSE LETTER:

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elizabeth@lawkm.com

Re: Emily Keener and Clare Mehta

January 29, 2016

Jesse Raben

Associate General Counsel American Psychological Association 750 First Street, NE
Washington, DC 20002-4242 jraben@apa.org

Mr. Raben:

This firm represents Emily Keener and Clare Mehta regarding the issues addressed in your January 22, 2016 letter. In this letter, you make serious and false accusations towards my clients with the intent to intimidate them based on their rightful use of the discretion granted them by their positions as Editors of *The Feminist Psychologist*.

Your letter alleges that my clients violated the Bylaws and the underlying mission of Division 35. This is a clear misunderstanding of both the Bylaws and the driving reason behind the existence of Division 35- promoting education, encouraging scholarship and advocating towards public policies that advance social justice. These are goals pulled directly from the Purposes section of the Bylaws of Division 35. Nowhere in the Bylaws does it state as you claim that all statements published in *The Feminist Psychologist* are required to be consistent with the President's goals for her term in office.

You referred my clients to Article IV, Section 10 of the Bylaws in an attempt to justify your claims. This is the section in full:

“The Publications Committee shall be responsible for recommending policies regarding the establishment and management of publication activities for the Society. Specifically, the Publications Committee will make recommendations to the Executive Committee concerning the terms of publishing contracts and agreements, the appointments of Editors and Editorial Boards, and the specifications of policies other than editorial. This Committee shall be chaired by the two immediate past-presidents of the Society. Members are the Editors of the Society's journal(s), the Society newsletter and the book series, as well as the Coordinator of Division Web presence.”

It is clear from this wording that the Bylaws absolutely do not confer upon the President or the Executive Committee the right to review articles prior to publication, no matter how damaging they may feel the articles are. The Publications Committee is to make recommendations regarding contracts, agreements, appointments of Editors and Editorial Boards and the specification of policies other than editorial. This language leaves no doubt that the Editors retain full editorial autonomy and are not required to submit articles to the Executive Committee.

Further reading of the Bylaws shows a similar lack of support for your contentions as to this vast expansions of the rights and duties of the President and Executive Committee. The duties are laid out in clear and significant detail. The only references to any content whatsoever in *The Feminist Psychologist* in the list of duties of the Executive Committee is that the President must write a President's letter and ensure that a call for volunteers is included in the newsletter; the Secretary prepares a brief summary of the Executive Committee minutes; and the Treasurer distributes a budget which might be included in

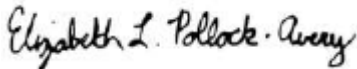
The Feminist Psychologist. The section of the handbook referring to The Feminist Psychologist (p. 103), which outlines the responsibilities of the Editors, states nothing about a requirement of Presidential approval prior to publication.

Effective immediately, my clients resign from their positions as Editors of The Feminist Psychologist and from membership in Division 35. They do this not because they have done any of the wrongs of which you accused them, but rather in response to the direct intimidation from you and the Executive Committee regarding their proper use of editorial discretion.

In addition, this letter is to inform you and the Executive Committee that you must cease and desist all accusations of wrongdoing against my clients. If these false allegations are repeated in the future, my clients will have no choice but to bring litigation against the Executive Committee for libel, slander, tortious interference and any other remedy or cause of action available to them.

Any further correspondence should be through me. If I do not hear from you, I will assume your full cooperation with the demands outlined above and will consider this matter closed.

Very truly yours,



Elizabeth L. Pollock-Avery

Cc:

Maureen McHugh, Ph.D.: mcmchugh@iup.edu

Lynn Collins, Ph.D.: lynn.collins@gmail.com

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APPENDIX Q: Review of Olivia Moorehead-Slaughter's Responsibilities with Regard to the justification, "I Didn't Know What I Didn't Know" (statement made publicly at Mid-Winter Meeting in New Orleans)

Many individuals involved with PENS and Div35 have said, after the Hoffman Report, "I didn't know" in a way that appeared to be a justification for why they supported the PENS TF Report, did not heed critics, and even obstructed protesters. Because Olivia Moorehead-Slaughter played such a prominent role in the initial PENS TF, has continued writing articles and making presentations supporting the work of the PENS TF, and is now President-Elect of Division 35, in this Appendix, we examine this excuse or justification in her particular case.

Appendix C notes the important articles in public and mainstream news venues as well as reports that were available for reading throughout the past decade. As recently as August 31, 2016, in a letter to Division 35, Dr. Moorehead-Slaughter expressed her continued belief that psychologists were present during interrogations to "protect" detainees.

Looking back to the year of the PENS TF, there are several emails of the PENS Task Force in 2005 that show Dr. Moorehead-Slaughter had read articles that both took a critical view of the interrogations and that had reported that torture or abuse may be continuing at interrogations sites. For example, in a May 21 and May 23 set of communications of the PENS Task Force, Fein shared a May 20, 2005 article in the New York Times (Fein, 2005), recounting the deaths of 2 Afghan prisoners and Moorehead-Slaughter responded:

Thank you for circulating this article. I had not seen it and like you, found it very disturbing and daunting in that there is some reference early in the article to "what is generally accepted as interrogation techniques." I trust that most of what is described in this article does not fall into that category. Am I being terribly naive here?

On a separate occasion that year, another article was discussed. Banks expressed thanks to Moorehead-Slaughter for her work and the plan for the release of the document, and stated, "This is GREAT news" (Hoffman, p. 116). Moorehead-Slaughter sent out an e-mail with the heading, "Washington Post editorial" and wrote:

An editorial in yesterday's Washington Post, "The Stain of Torture," by Burton J. Lee, III, contains the paragraph immediately below (the entire editorial is posted at the end of the message). Could people comment on what Burton Lee may be referring to when he states, "These new guidelines distort traditional ethics rules beyond recognition to serve the interests of interrogators, not doctors and detainees"? I think it's likely that questions about this editorial will come up when our Report is released. On the whole, I think our Report fits well with the editorial, but I would be very interested in comments on this particular statement, and/or how this statement fits with our Report.

Dr. Thomas later responded to this email, beginning to question her own involvement and how to respond to those asking her to sign a petition against torture being circulated by Physicians for Human Rights. Thomas wrote, "I have relied on Larry's remarks as

persuasive. Yet, there is this swirl around us. I don't think that we can afford to ignore it" (Hoffman, p. 118).

Dr. Moorehead-Slaughter also played an active role in undermining the work of dissident voices and the Coalition. To rally against their claims, she must have in the very least read them. To name a few times this occurred, this can be seen in her support of the PENS TF in 2007 at the mini-convention, in her 2009 letter to President Brehm, and in her documentary appearance. In a trailer for the documentary "Interrogate This: Psychologists Take on Terror" (2009), Dr. Moorehead-Slaughter stated about the dissidents: "Will there ever be enough evidence for those who simply disagree? I think not" (1:08 – 1:14).

Over the following years, Dr. Moorehead-Slaughter continued to defend the Task Force and her work on it, up to the Hoffman Report's publication. This work has included articles (Behnke & Moorehead-Slaughter, 2012), documentary appearances, and a "scholar-in-residence" position at Yale. With regard to her position at Yale as Scholar-in-Residence, photos of her lectures there (dated July, 23, 2015) indicate that she was lecturing on PENS ideas and military psychology. These photos were taken three weeks after the release of the Hoffman Report. There are multiple photos and in one, on the chalk board, in one column, are the words "SECRECY", "CIVILIAN CASUALTIES" and a bullet-point under it, written: "TORTURE." To the right of that list is the word US with a line diagonally pointing downward underneath it, to the word "CONGRESS" with the abbreviation, "OPP." underneath it. In another, students are sitting at the oval table with Dr. Moorehead-Slaughter, who is not in the picture. On the chalkboard can be seen: "P", "veteran care", "1,000,000,000,000", and "DEFCON-1" along with a small drawing that looks like a vertical cylinder behind the upper half of a circle, or an arch that was in the foreground. In the same collection, another photo from Explo at Yale 2015 "Scholar-In-Residence", is a picture of Dr. Moorehead-Slaughter in the foreground with the following words in one column chalked on the board in the background: "PAKISTAN"; "AFGHAN"; "TALIBAN"; "CHINA" and in another column to its right, are the words, "RED CROSS."

Moorehead-Slaughter made an argument in her letter to Brehm in 2007 and later to Div35 that she received no compensation nor benefit from her work as Chair of the PENS Task Force. But certainly, personal rewards have occurred through her participation, at the very least mention of this position on her biographical sketches and CV and perhaps her Scholar in Residence position, given she hadn't held an academic position.

That Moorehead-Slaughter took an active role in promoting PENS is clear, but it is also clear that Behnke defined her thinking through writing statements for her to make publicly, in letters, and in emails. Behnke's role as a mastermind wordsmith would not be as important to this story, if Dr. Moorehead-Slaughter did not consistently put her name on materials he created for her to send out to the PENS Task Force.

On July 13, 2015, little more than one week after the Hoffman Report was published, Dr. Stephen Soldz discussed Behnke and others, including Moorehead-Slaughter, on

Democracy Now. He mentions the earlier comment, from Moorehead-Slaughter in 2009, that the dissidents will never be satisfied.

They were careful to avoid learning the facts. As the facts became public, they denied them, over and over again. But Behnke was a mastermind at wordsmithing among other things, so as critics tried within the Association to modify, to come out with anti-torture resolutions, he systematically worked with DoD officials to nuance the wording so they would actually not constrain the military psychologists one bit. So they would have these nice-sounding anti-torture things that actually did not mean a word. There were some of us at the time that were saying that. Of course, we were always described as those who will never be satisfied. Well, the Report shows that those of us who would never be satisfied were right, that those nice-sounding statements were just that, nice-sounding statements, but had no bite (Soldz on Democracy Now, July 13, 2015).

The point of this Appendix was to provide information with regard to what Dr. Moorehead-Slaughter knew, could have or ought to have known, or could have investigated further, and how she may have profited from not knowing, or “willful blindness” and not investigating. Until very recently she supported the work of the PENS Task Force, Behnke, and loopholes that were crafted, never once expressing outrage at those people she worked with, even after the Hoffman Report, never once challenging the militarization of psychology, and only once raising questions about her own role when on May 20, 2005 she posed the question on the listserv, “Am I being naïve?”

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