

Dear Colleagues,

As movers of Action Item #3 under Ethics, Bill Strickland and I are writing to convey amendments to the main motion that will be proposed at the Council meeting regarding the “Policy Related To Psychologists' Work In National Security Settings And Reaffirmation Of The APA Position Against Torture And Other Cruel, Inhuman, Or Degrading Treatment And Punishment.”

The two amendments (see below) were developed by some Division 39 Council representatives working collaboratively with the Task Force and were accepted with minor modifications as reflecting the Task Force’s original intent. The purpose of these amendments is to clarify that the reconciled policy incorporates the "Be It Resolved clause” of the petition resolution as Statement 1, while retaining the petition resolution as a separate stand-alone APA policy. The revised corollary to Statement 1 now clarifies that the included Council policy provisions apply to work settings beyond those referenced in the petition resolution and in no way limit its reach.

The amendments have been approved by the Office of General Counsel which found them to be consistent with previously approved Council policy. The Policy and Planning Board and the Ethics Committee also support the amended language.

We encourage you to vote for the Main Motions.

Kathleen Dockett (Div 48)
William Strickland (Div 19)

Amendments appended below

Amendments to Main Motion # 1 in Action Item # 3

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

Amendment # 1

Lines 26 through 31: Bracketed material is deleted, and underlined material is added.

[APA in recognizing] APA recognizes that torture and other cruel, inhuman or degrading treatment or punishment can result [not only from the behavior of individuals but also from the conditions of confinement,] from conditions of confinement and the behavior of individuals. Psychologists are prohibited from working in unlawful detention settings as defined in Statement 1 (see Footnote ii), except when working directly for the persons being detained, for an independent third party working to protect human rights or when providing psychological services to military personnel working at the site(s).

APA further recognizes that some settings, which do not constitute unlawful detention settings as defined in Statement 1, nonetheless have conditions of confinement that constitute torture and other cruel, inhuman or degrading treatment or punishment. APA expresses grave concern over such settings in which detainees are deprived of adequate protection of their human rights, affirms the prerogative of psychologists to refuse to work in such settings, and will continue to explore ways to support psychologists who refuse to work in such settings or who refuse to obey orders that constitute torture.

Amendment # 2

Line 319: **Actions to be undertaken by APA**

Lines 324-332: Bracketed material is deleted, and underlined material is added.

1. APA shall call upon the US government, in instances where such action is indicated, including the President, Congress, Department of Defense, Department of Justice, and the Central Intelligence Agency, to prohibit the use of torture or cruel, inhuman, or degrading treatment or punishment [in any interrogation and] by individuals in interrogations and any other detainee-related operations. APA shall continue to inform relevant parties with the US government that psychologists are prohibited from participating in such methods and working in such settings (see Statement 1). In order to protect against torture and cruel, inhuman, or degrading treatment or punishment, and in order to mitigate against the likelihood that unreliable and/or inaccurate information is entered into legal proceedings, APA shall continue to call upon the US legal system to reject testimony that results from torture or cruel, inhuman or degrading treatment or punishment.

Lines 334-342: Bracketed material is deleted, and underlined material is added.

2. APA shall offer ethical guidance and support especially to psychologists working in national security settings at the beginning of their careers, who may experience pressures to engage in unethical or inappropriate behaviors [that they are likely to find difficult to resist.] and/or work in unlawful detention settings, while making clear such behavior in any setting is prohibited, as well as working in any unlawful detention setting (with exceptions cited in Statement 1). APA shall make information available on its website from the UN and its committees and other recognized authorities relevant to the identification of unlawful detention settings to the APA membership at large and other relevant parties. The APA Ethics Committee shall [develop] finalize and distribute a casebook and commentary, as well as additional guidance for psychologists, which is consistent with international human rights instruments, including those cited earlier, as well as guidelines developed for health professionals, as listed in the corollary to Statement 5. The Ethics Committee shall also develop a consultation process whereby psychologists whose work involves classified material may seek ethical guidance for assistance and support.

Lines 344-348: Underlined material is added.

3. APA shall disseminate and publicize this reconciled APA policy against torture and other cruel, inhuman, or degrading treatment or punishment and the policy prohibiting psychologists from working in unlawful detention settings (with exceptions cited in Statement 1), both within the Association (to boards, committees, and the membership at large), to the United States government (including the President, Congress, Department of Defense, Department of Justice, and the Central Intelligence Agency) and to the wider public to safeguard individual welfare and to advance human rights.