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Court asked to order probe of Gitmo psychologist

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NEW YORK — A court was asked Wednesday to force an investigation into whether an Army psychologist developed abusive interrogation techniques for detainees at Guantanamo Bay and should be stripped of his license.

The court petition, filed by the San Francisco-based Center for Justice and Accountability and the New York Civil Liberties Union, furthers human rights advocates' efforts to spur probes of some psychologists involved in detainee interrogations. Critics argue that the psychologists' activities amount to professional misconduct and that state regulators should look into the matter.

Last summer, the California center filed a complaint about John Leso with New York's Office of Professional Discipline, which oversees psychologists. Leso is licensed in New York; Army spokespeople didn't immediately respond to inquiries Wednesday about him and where he could be reached.

While leading a behavioral science consultation team at Guantanamo Bay, Cuba, in 2002 and 2003, Leso developed "psychologically and physically abusive interrogation tactics" based on Army survival strategies, said the complaint, which drew on government documents, academic journal articles and other sources. The complaint said Leso wrote a memo promoting techniques such as exposing detainees to severe cold, depriving them of sleep and forcing liquids into them intravenously.

The agency declined in July to pursue a probe of Leso, saying his Army work fell outside its scope.

"It does not appear that any of the conduct complained of constitutes the practice of psychology as understood in the state of New York," Director Louis J. Catone wrote in a letter to the California center. As for larger questions about the appropriateness of detainee interrogation methods, he said, "It is not within this office's purview to express an opinion on that issue."

A spokesman declined to comment on Wednesday's court filing. It asks a judge to tell the agency to investigate the allegations that Leso's conduct warrants revoking his license, or other discipline.

"We think that the professional standards that prohibit abuse or harassment — that prohibit, generally, misconduct — would generally cover abusing detainees and devising ways to hurt people in a professional role," said Kathy Roberts, a lawyer with the Center for Justice and Accountability. It focuses on deterring torture.

Psychologist licensing boards in California, Louisiana and New York have rejected such complaints. But the American Psychological Association voted in 2008 to ban its members from taking part in interrogations at the Guantanamo prison and other military detention sites where the professional group believes international law is being violated.

The APA took an unprecedented step this year by encouraging Texas officials to revoke the license of James Mitchell, a retired Army psychologist accused of overseeing the torture of a CIA detainee in Thailand in 2002. Mitchell said the complaint against him, filed by a law professor, was full of "fabricated details, lies, distortions and inaccuracies."

In a complaint filed last summer with Ohio's psychologist licensing board, Harvard University's International Human Rights Clinic said retired Army Col. Larry James observed abusive interrogations at Guantanamo in 2003, 2007 and 2008 and didn't do anything to stop them. James has declined to comment; the Ohio board declined to pursue a similar complaint against him in 2008.

An update on the status of the current complaints against him and Mitchell wasn't immediately available Wednesday.

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