AMERICAN
PSYCHOLOGICAL
ASSOCIATION

June 30, 2010

Texas State Board of Examiners of Psychologists
333 Guadalupe
Tower 2/Room 450
Austin, Texas 78701

RE: Complaint filed by Dr. Jim L. H. Cox regarding Dr. James Elmer Mitchell

This letter is submitted by the American Psychological Association ("APA") to the Texas State Board of Examiners of Psychologists ("Board") for consideration in connection with the June 16, 2010 complaint filed by Dr. Jim L.H. Cox regarding Dr. James Elmer Mitchell ("Complaint"). APA is a voluntary, nonprofit scientific and professional organization with more than 150,000 members and affiliates; it is the leading association of psychologists in the United States. Among the APA's major purposes is "to advance psychology as a science and profession and as a means of promoting health, education and human welfare...by the improvement of the qualifications and usefulness of psychologists through high standards of ethics, conduct, education, and achievement..." (APA Bylaws Article I.1).

APA does not normally submit comments in licensing board proceedings. APA has no knowledge beyond the information set forth in the Complaint and press reports regarding Dr. Mitchell's actions. As the complainant notes, Dr. Mitchell is not a member of APA, and accordingly, APA has no jurisdiction over this matter. The Board will no doubt hear from Dr. Mitchell in response to the Complaint and adjudicate the case according to its own procedures and considering Dr. Mitchell's explanation, if any, of the events in question. The issues raised in the Complaint before the Board, however, have been the subject of much public discussion and official investigation. In APA's view, the allegations regarding Dr. Mitchell's conduct are unique in the scope of misperception and harm they have caused regarding the public's understanding of the profession of psychology and its ethical principles. For this reason, APA believes it is important to make clear to the Board how its Ethical Principles of Psychologists and Code of Conduct, as well as relevant Association policies, apply to the facts set forth in the Complaint. Please also note that our information sharing is limited to APA policies on torture and other forms of abuse or inhuman treatment. We are not commenting on any other issues raised in the Complaint.

For the Board's information, long-standing APA policy strictly prohibits psychologists' involvement in any form of torture or other types of cruel, degrading or inhuman treatment or punishment. Our relevant policies date back to 1985 and were adopted by the APA Council of Representatives, the governing body of our association. (For more information and a compilation of these policies see: www.apa.org/ethics/programs/position/index.aspx.

Some of the more recent APA policies regarding the unethical nature of coercive interrogation techniques were not in effect at the time of the actions described in the Complaint. In APA's view, those policies are not necessary to find that actions of the type described in the Complaint are patently unethical. Acts such a waterboarding and sexual humiliation are explicit violations of APA policy, and utterly inconsistent with Ethical Standard 3.04 in the APA Ethics Code, which obligates psychologists to avoid harm.

750 First Street, NE
Washington, DC 20002-4242
(202) 336-6074
(202) 336-6157 Fax
(202) 336-6123 TDD

Carol D. Goodheart, EdD
President 2010

If any psychologist member of APA were proven to have committed the alleged acts as set forth in the Complaint before the Board, he or she would be expelled from the APA membership. The relevant state licensing board(s) would be notified of this APA action, and it would be our expectation that the individual's state license to practice psychology would be revoked.

If you have any questions about APA's policies or Ethics Code, please do not hesitate to contact me.

Sincerely,

Carol D. Goodheart

Carol D. Goodheart, EdD
President