

## Response II

### Division 19 Response to APA Ethics Committee Call for Comments

#### **Comment 1 (General Comment):**

The leadership of the Society for Military Psychology, APA Division 19, unites with our Division 13 colleagues in endorsing SIOP's (Division 14) Proposed Revisions to the APA Ethics Code. Over 1200 members strong, Division 19 represents a broad and diverse group of psychologists employed in the service of our nation's military personnel, veterans, and their families. Our members have made and continue to make significant and positive impacts in areas such as national security, healthcare, leadership development, research, clinical practice, personnel management and academia. While we recognize and support the intent of the revised guidelines, we entreat the APA Ethics Committee to judiciously consider any changes and their potentially long-term and widespread implications on the future contribution of all psychologists within their local, national, and international roles. *The leadership of Division 19 strongly opposes and urges the APA Ethics Committee to reject Version B for reasons expressed in subsequent comments. While we do not believe the Version A to be necessary, we do not oppose it.*

#### **Comment 2 (Version A):**

The leadership of Division 19 concurs with SIOP regarding Version A that the addition of statement 3.04 (b) is not necessary based on our reading of the APA Ethics Code. Division 19 concurs that Version A avoids the substantive and significant issues created by the adoption of Version B. Of the two statements, Division 19 finds Version A—addition of 3.04 (b) Psychologists do not participate in, facilitate, assist or otherwise engage in torture—to be acceptable as it does not create any unforeseen issues as it makes salient a stance that we believe is implicit to the current APA Ethics Code. *To be clear, the leadership of Division 19 does not believe the Version A change is necessary but we do not oppose it and we strongly oppose the Version B change for the reasons expressed in subsequent comments. Due to the limited space afforded by this format, we would direct the APA Ethics Committee to a more detailed letter written by Drs. Thomas Williams, Ann Landes and Sally Harvey which was distributed via the Division Offices and COR listservs.*

#### **Comment 3 (Version B):**

*With regard to Version B (i.e., the inclusion of additional verbiage in 3.04 (b) and the inclusion of 3.04 (c)), the leadership of Division 19 does not support and strongly opposes its adoption by the APA Ethics Committee. In general agreement with SIOP, the leadership of Division 19 believes that Version B limits the ways in which psychologists can be use their expertise to advance to advance the well-being of individuals and the groups and organizations in which they work and live their lives. We strongly believe that Version B will lead to a wide range of unintended consequences that impact psychologists and the practice and research of psychology not only for military psychologists but for all psychologists and for APA. For example, Version B creates a dangerous slippery slope that potentially places APA at risk for violating “anti-trust” laws , since by these actions, APA is attempting to limit practice setting, not professional behavior.*

#### **Comment 4 (Version B):**

To support SIOP's statement, we offer the following specific points on Version B (not exhaustive):

- 3.04 (b) the addition of “or cruel, inhuman or degrading treatment or punishment” creates definitional ambiguity. There are other wording ambiguities as well.

- 3.04 (c) focuses on the setting of practice as opposed to professional conduct of psychologists in that it identifies settings in which psychologists cannot be present, rather than focusing on the conduct of psychologists. The focus of the Ethics Code is on behavior that is deemed ethical or unethical, rather than work settings or employers. This language opens the possibility of other work environments (e.g., certain research labs), employers (e.g., prisons), or other professional activities (e.g., drug trials) being prohibited in the future. This is a dangerous precedent for the Code. The Code should continue its focus on professional behaviors, as is the case throughout the General Principle and the Guidelines.
- 304 (c) reflects a mistaken view and understanding of military and intelligence entities and the conflict of interest is not unique to national security settings.

**Comment 5 (Version B):**

Version B represents an overcorrection in response to the Hoffman Report (HR), a flawed (incomplete, biased analysis) prosecutor's argument that was accepted as fact without critical review. Subsequent analyses of the HR—to include one done by Division 19—has called into question the report's facts and motives and Hoffman's process and conclusions. Although the emotional reaction by APA members and the Council of Representatives to the HR was understandable, the rush to acceptance of and action based on the HR last August without critical analysis is the antithesis of making scientific- and evidence-based decisions. The lack of due process is counter to our notion of justice. These events have damaged the careers of psychologists serving in the military as well as those named in the report. Adopting Version B will create more damage for military psychologists as well as for psychologists working in other contexts and for APA. *We urge the Ethics Committee not to compound the mistakes already made—we urge the Committee to reject Version B. We need to make sound decisions based on evidence, not be swayed by emotions and politics.*