

ETHICS COMPLAINT FORM  
APA ETHICS OFFICE

Please type or print in ink. The document entitled "Information for Individuals Filing APA Ethics Complaints" which is included as part of the Ethics Complaint Packet may assist you in completing this form.

1. Person Making Complaint: DR. Trudy BONI  
Address: 3131 Executive Pkwy, Suite 104  
Toledo, Ohio 43604  
Phone: (419) 536.3354

2. Member(s) Against Whom You Are Complaining: DR. John  
Franklin hese  
Address: as listed with APA membership: 104 West Briar Drive  
Enterprise, AL 36330  
Phone: (202) 387-9845 (as listed with APA)

3. Please specify as accurately as possible the earliest date and the most recent date of the alleged unethical behavior:  
11.23.02 - ?

4. Have you discussed this situation with the psychologist(s) you are complaining about?

       Yes   X   No

5. Are you a member of the American Psychological Association?

       Yes   X   No

6. Have you filed a complaint with any other organization(s)?

  X   Yes        No

If you answered Yes, please indicate below where else you have filed and the date:

  X   State Licensing Board New York  
       State Psychology Association Ethics Committee         
       Civil suit (e.g., malpractice)         
       Grievance Committee         
       Other       


(Please describe the status of these complaint(s) in Item #7)

7. Please help us to understand your complaint by providing the following information typed or printed (in ink) on separate paper:


- (a) A **concise**, one paragraph summary of the nature of the alleged ethical misconduct;
- (b) A detailed description of the alleged misconduct, specifying as accurately as possible the dates and:
  - (i) the sequence of events leading up to the behavior,
  - (ii) a complete account of the behavior and the Ethical Standards you believe have been violated,
  - (iii) any relevant information about what happened after the behavior occurred,
  - (iv) the status of any other complaints you have filed and any other steps you have taken to address this situation.

**RELEASES**

8. I hereby give the member(s) against whom I am making this complaint permission to give the APA Ethics Committee any confidential information regarding me, including any records of our interactions, and to answer all questions the Committee may have concerning such information.

Signature:  Date: 4.15.07

9. I hereby give the APA Ethics Committee permission to send to the member(s) against whom I am making this complaint copies of any materials submitted by me or on my behalf concerning this complaint.

Signature:  Date: 4.15.07

10. I hereby waive any right to subpoena from APA or its agents, for the purposes of private civil litigation, any documents or information concerning this matter.

Signature:  Date: 4.15.07

\*\*\*\* IMPORTANT \*\*\*\*

Please sign each of the releases without modification. We will only process your complaint form if these releases are complete. If they are incomplete, processing of your complaint will be delayed while we return this form to you for your signature.

Date revised: August 14, 1996

Please return completed form to:  
APA Ethics Office, 750 First Street, NE, Washington, DC 20002

TRUDY BOND, Ed.D.

*Counseling Psychology*

3131 Executive Pkwy., Suite 104

Toledo, OH 43606

Telephone: (419) 536-3356

September 4, 2007

APA Ethics Committee

To whom it may concern:

Attached is a copy of the form I submitted to the American Psychological Association (APA) Ethics Committee on April 15, 2007 regarding APA member John Francis Leso. I have received no acknowledgment of or response to said complaint, and therefore am resubmitting this complaint in light of the Resolution adopted at the APA convention in August of 2007. Major John Francis Leso was licensed as a psychologist by the state of New York and retains license number 013492 until July, 2009. He is currently an active APA member and has been since 1996, and was chair of the Behavioral Science Consultation Team at Guantanamo in 2002-2003.

In addition to the information requested on APA's form, I am providing the following information to clarify this complaint:

- I resigned my APA membership in November of 2006 in protest of APA's continued support of psychologists' involvement in the torture of detainees at U.S. military installations as well as CIA "black hole" sites. Therefore, as a non-APA member, I have five years from the date of the ethics violation to file a complaint.

I filed a complaint with the Office of the Professions, New York State Education Department regarding John Francis Leso on April 7, 2007. That office called me within a week to discuss my complaint. Though sympathetic to my complaint, the director of the office stated that their office, though in charge of initially licensing John F. Leso, has no jurisdiction over military psychologists.

- The American Psychological Association (APA) 2002 Code of Ethics demands that I file this complaint:

**1.05 Reporting Ethical Violations**

If an apparent ethical violation has substantially harmed or is likely to substantially harm a person or organization and is not appropriate for informal resolution under Standard 1.04, Informal Resolution of Ethical Violations, or is not resolved properly in that fashion, psychologists take further action appropriate to the situation.

- The following information is in response to Question 7 on the Ethics Complaint Form from the APA Ethics Office.

7. (a) A concise, one paragraph summary of the nature of the alleged ethical misconduct;

An 83-page interrogation log details psychological participation in the interrogation of Prisoner 063, Mohammed al-Qahtani, at Guantanamo Bay between November 23, 2002 and January 11, 2003. (<http://www.time.com/time/nation/article/0,8599,1169322,00.html>). Major John Leso, a psychologist and member of APA, who CHAIRED the Behavioral Science Consultation Team (BSCT) at Guantanamo Bay, was noted to be present at the start of the interrogation log. On November 27, he suggested putting the prisoner in a swivel chair to prevent him from fixing his eyes on one spot and thereby avoiding the guards. On December 11, al-Qahtani asked to be allowed to sleep in a room other than the one in which he was being fed and interrogated. The log notes that "BSCT" advised the interrogators that the prisoner was simply trying to gain control and sympathy. Many psychological "approaches" or "themes" were repetitively used, at the behest of the Behavioral Science Consultation Team. These included: "Failure/Worthless," "Al Qaeda Falling Apart," "Pride Down," "Ego Down," "Futility," "Guilt/Sin Theme (with Evidence/Circumstantial Evidence," etc. Al-Qahtani was shown videotapes entitled "Taliban Bodies" and "Die Terrorist Die." Some scripts aimed at his Islamic identity bore names such as "Good Muslim," "Bad Muslim," "Judgment Day," "God's Mission" and "Muslim in America." Al-Qahtani was called "unclean" and "Mo" [for Mohammed]. He was lectured on the true meaning of the Koran, instruction that especially enraged him when done by female soldiers. He was not told, despite asking, that some of the interrogation took place during Ramadan, a time when Moslems have special obligations. He was not allowed to honor prayer times. The Koran was intentionally and disrespectfully placed on a television (an authorized control measure) and a guard "unintentionally" squatted over it while harshly addressing the prisoner.

7. (b) A detailed description of the alleged misconduct, specifying as accurately as possible the dates and :

(i) the sequence of events leading up to the behavior,

- Interrogation centers in Iraq and at Guantanamo Bay created Behavioral Science Consultation Teams (BSCT) chaired by a psychiatrist or psychologist. As previously stated, Major John Leso was the chair of the Behavioral Science Consultation Team at Guantanamo during 2002-2003. University of Wisconsin history professor, Alfred McCoy, described those interrogation methods developed in Guantanamo Bay after Defense Secretary Donald Rumsfeld appointed General Jeffrey Miller to run the prison camp: "And under General Miller at Guantanamo, they perfected the C.I.A. torture paradigm. They added two key techniques. They went beyond the universal sensory receptors of the original research. They added to it an attack on cultural sensitivity, particularly Arab male sensitivity to issues of gender and sexual identity. And then they went further still. Under General Miller, they created these things called "Biscuit" teams,



behavioral science consultation teams, and they actually had qualified military psychologists participating in the ongoing interrogation, and these psychologists would identify individual phobias, like fear of dark or attachment to mother, and by the time we're done, by 2003, under General Miller, Guantanamo had perfected the C.I.A. paradigm, and it had a three-fold total assault on the human psyche: sensory receptors, self-inflicted pain, cultural sensitivity, and individual fears and phobia." (<http://www.democracynow.org/article.pl?sid=06/06/16/1355222>)

- John Leso was commissioned as a second lieutenant from the Johns Hopkins ROTC program as an undergraduate and was granted an educational delay to complete his doctorate in counseling psychology in 1995 at SUNY Albany, NY. In June of 2002, a mere four years after receiving his license as a psychologist he was promoted to Chief of the Clinical Psychology Service at Walter Reed Army Medical Center. Five months later, Dr. Leso was appointed Chair of the Behavioral Science Consultation Team at Guantanamo Bay.

7. (b) (ii) a complete account of the behavior and the Ethical Standards you believe have been violated,

- The American Psychological Association (APA) 2002 Code of Ethics includes both General Principles and Ethical Standards. ([http://www.apa.org/ethics/code2002.html#1\\_01](http://www.apa.org/ethics/code2002.html#1_01)) As will be documented later in this complaint, Dr. John Franklin Leso has violated all five General Principles of the Code of Ethics.

**Principle A: Beneficence and Nonmaleficence**

Psychologists strive to benefit those with whom they work and take care to do no harm. In their professional actions, psychologists seek to safeguard the welfare and rights of those with whom they interact professionally and other affected persons, and the welfare of animal subjects of research. When conflicts occur among psychologists' obligations or concerns, they attempt to resolve these conflicts in a responsible fashion that avoids or minimizes harm. Because psychologists' scientific and professional judgments and actions may affect the lives of others, they are alert to and guard against personal, financial, social, organizational, or political factors that might lead to misuse of their influence. Psychologists strive to be aware of the possible effect of their own physical and mental health on their ability to help those with whom they work.

**Principle B: Fidelity and Responsibility**

Psychologists establish relationships of trust with those with whom they work. They are aware of their professional and scientific responsibilities to society and to the specific communities in which they work. Psychologists uphold professional standards of

conduct, clarify their professional roles and obligations, accept appropriate responsibility for their behavior, and seek to manage conflicts of interest that could lead to exploitation or harm. Psychologists consult with, refer to, or cooperate with other professionals and institutions to the extent needed to serve the best interests of those with whom they work. They are concerned about the ethical compliance of their colleagues' scientific and professional conduct. Psychologists strive to contribute a portion of their professional time for little or no compensation or personal advantage.

#### **Principle C: Integrity**

Psychologists seek to promote accuracy, honesty, and truthfulness in the science, teaching, and practice of psychology. In these activities psychologists do not steal, cheat, or engage in fraud, subterfuge, or intentional misrepresentation of fact. Psychologists strive to keep their promises and to avoid unwise or unclear commitments. In situations in which deception may be ethically justifiable to maximize benefits and minimize harm, psychologists have a serious obligation to consider the need for, the possible consequences of, and their responsibility to correct any resulting mistrust or other harmful effects that arise from the use of such techniques.

#### **Principle D: Justice**

Psychologists recognize that fairness and justice entitle all persons to access to and benefit from the contributions of psychology and to equal quality in the processes, procedures, and services being conducted by psychologists. Psychologists exercise reasonable judgment and take precautions to ensure that their potential biases, the boundaries of their competence, and the limitations of their expertise do not lead to or condone unjust practices.

#### **Principle E: Respect for People's Rights and Dignity**

Psychologists respect the dignity and worth of all people, and the rights of individuals to privacy, confidentiality, and self-determination. Psychologists are aware that special safeguards may be necessary to protect the rights and welfare of persons or communities whose vulnerabilities impair autonomous decision making. Psychologists are aware of and respect cultural, individual, and role differences, including those based on age, gender, gender identity, race, ethnicity, culture, national origin, religion, sexual orientation, disability, language, and socioeconomic status and consider these factors when working with members of such groups. Psychologists try to eliminate the effect on their work of biases based on those factors, and they do not knowingly participate in or condone activities of others based upon such prejudices.

However, in the introduction to the General Principles of the 2002 APA Code of Ethics, the following disclaimer is found: "General Principles, in contrast to Ethical Standards, do not

represent obligations and should not form the basis for imposing sanctions. Relying upon General Principles for either of these reasons distorts both their meaning and purpose.”

The Ethical Standards which do represent obligations for Dr. John Leso and should form the basis for imposing sanctions include the following:

**1.01 Misuse of Psychologists' Work**

If psychologists learn of misuse or misrepresentation of their work, they take reasonable steps to correct or minimize the misuse or misrepresentation.

**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 conflict with this Ethics Code, psychologists clarify the nature of the conflict, make known their commitment to the Ethics Code.

**1.05 Reporting Ethical Violations**

If an apparent ethical violation has substantially harmed or is likely to substantially harm a person or organization and is not appropriate for informal resolution under Standard 1.04, Informal Resolution of Ethical Violations, or is not resolved properly in that fashion, psychologists take further action appropriate to the situation. Such action might include referral to state or national committees on professional ethics, to state licensing boards, or to the appropriate institutional authorities.

**3.01 Unfair Discrimination**

In their work-related activities, psychologists do not engage in unfair discrimination based on age, gender, gender identity, race, ethnicity, culture, national origin, religion, sexual orientation, disability, socioeconomic status, or any basis proscribed by law.

**3.02 Sexual Harassment**

Psychologists do not engage in sexual harassment. Sexual harassment is sexual solicitation, physical advances, or verbal or nonverbal conduct that is sexual in nature, that occurs in connection with the psychologist's activities or roles as a psychologist, and that either (1) is unwelcome, is offensive, or creates a hostile workplace or educational environment, and the psychologist knows or is told this or (2) is sufficiently severe or intense to be abusive to a reasonable person in the context. Sexual harassment can consist of a single intense or severe act or of multiple persistent or pervasive acts.

**3.03 Other Harassment**

Psychologists do not knowingly engage in behavior that is harassing or demeaning to persons with whom they interact in their work based on factors such as those persons' age, gender, gender identity, race, ethnicity, culture, national origin, religion, sexual orientation, disability, language, or socioeconomic status.

### 3.04 Avoiding Harm

Psychologists take reasonable steps to avoid harming their clients/patients, students, supervisees, research participants, organizational clients, and others with whom they work, and to minimize harm where it is foreseeable and unavoidable.

- In his article in the July/August 2006 volume of the Monitor on Psychology (<http://www.apa.org/monitor/julaug06/interrogations.html>), Stephen Behnke, JD, PhD and director of APA's Ethics Office, referred to the document, "REPORT OF THE PRESIDENTIAL TASK FORCE ON PSYCHOLOGICAL ETHICS AND NATIONAL SECURITY (PENS)." (<http://www.apa.org/releases/PENSTaskForceReportFinal.pdf>) which delineates the role of psychologists in the military. The PENS report became an extension of the 2002 Ethics Code. As Dr. Behnke wrote, "The Task Force looked to the APA Ethics Code for fundamental principles to guide its thinking. The Task Force found such principles in numerous aspects of the Ethics Code, such as the Preamble, 'Psychologists respect and protect civil and human rights' and '[The Ethics Code] has as its goals the welfare and protection of the individuals and groups with whom psychologists work'; Principle A, Beneficence and Nonmaleficence, 'In their professional actions, psychologists seek to safeguard the welfare and rights of those with whom they interact professionally and other affected persons'; . . . The Task Force concluded that the Ethics Code is fundamentally sound in addressing the ethical dilemmas that arise in the context of national security-related work." In addition, Dr. Behnke stated in writing on August 29, 2007, "In 2005, the APA Ethics Committee determined that the 12 statements in the PENS report were appropriate interpretations and applications of the APA Ethics Code. The version of the Ethics Code that the PENS report was written under was adopted by our Council of Representatives in 2002." Ironically, the APA's own task force consisted of at least 6 members with direct involvement with the interrogation programs, including Colonel Larry James, Ph.D. who was the chief psychologist for the Joint Intelligence Group at Guantanamo Bay and then became the director of the Behavioral Science Unit at Abu Ghraib. This involvement of these APA members may well lead to further complaints.
- At their convention in August, 2006, the APA Council of Representatives passed the 2006 APA Resolution Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment. The 2006 Resolution:
  1. Unequivocally condemned torture and cruel, inhuman, or degrading treatment or punishment.
  2. Prohibited psychologist involvement, either directly or indirectly, in behaviors that involved torture or cruel, inhuman, or degrading treatment or punishment and called upon psychologists to report violations.
  3. Stated that the prohibition and condemnation applied to all persons, settings, and contexts.



4. Included the principle that settings could be defined as cruel, inhuman, or degrading.
  5. Included the fundamental principle of denial of due process in as a primary characteristic in defining a setting as cruel, inhuman, or degrading.
  6. Argued that there were no exceptional circumstances that justified the use of torture or cruel, inhuman, or degrading treatment or punishment, including instances of war or following orders. (<http://www.peacepsych.org>;  
<http://www.counterpunch.org/woolf09012007.html>)
- In response to my question posed in August of 2006 regarding the 2006 Resolution and the 2002 Code of Ethics, Dr. Stephen Behnke, Director of Ethics for the APA, responded that the Resolution was an elaboration of the 2002 Ethics Code, and not a replacement for such. He stated in an email to me "This Resolution was intended to update the 1986 Resolution Against Torture."
  - At their convention in August, 2007, the APA Council of Representatives passed the 2007 Reaffirmation of the American Psychological Association Position Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment and Its Application to Individuals Defined in the United States Code as "Enemy Combatants." The 2007 Reaffirmation of the American Psychological Association Position Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment and Its Application to Individuals Defined in the United States Code as "Enemy Combatants" is aptly named. It is quite simply a reaffirmation and application of the 2006 APA Resolution Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, and the elements as listed about but within the context of interrogations of individuals designated as "enemy combatants" and "illegal enemy combatants" on the Military Commissions Act of 2006. (<http://www.counterpunch.org/woolf09012007.html>)
  - In the Town Hall meeting at the APA convention in August of 2007, Dr. Stephen Behnke specifically stated that the 2007 Reaffirmation of the American Psychological Association Position Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment and Its Application to Individuals Defined in the United States Code as "Enemy Combatants." would override Section 1.02 from the Ethical Standards, thereby not to excuse psychologists from continuing to be accomplices to torture because the national policies allow such violation of international law. **(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 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 other governing legal authority.)

- Two government documents detail Major John Leso's psychological participation in and supervision of the interrogation of Prisoner 063, Mohammed al-Qahtani, at Guantanamo Bay between November 23, 2002 and January 11, 2003, actions which are in violation of the previously-listed Ethical Codes. The first is an 83-page interrogation log which places Major John Leso at the interrogation, details his further involvement, and describes the psychological torture of the detainee. (ORCON [Authoring agency classified by Originator Control]. Interrogation Log Detainee 063. PDF can be reached through <http://www.time.com/time/nation/article/0,8599,1169322,00.html>) The second is an Army investigation of complaints of mistreatment of prisoners at Guantanamo Bay, including Prisoner 063. (United States Army. Final Report Investigation into FBI Allegations of Detainee Abuse at Guantanamo Bay, Cuba Detention Facility [Section entitled "First Special Interrogation Plan," pp 13-21], Apr, 1, 2005. <http://www.dod.gov/news/Jul2005/d20050714report.pdf>) According to the log, on November 27, 2002, in the middle of al-Qahtani's daily 20-hour interrogations, Major John Leso "suggested putting the prisoner in a swivel chair to prevent him from fixing his eyes on one spot and thereby avoiding the guards." On December 11, after 16 days of 20 or more hours of interrogation a day, broken only by a 42-hour hospitalization for torture-induced hypothermia, al-Qahtani asked to be allowed to sleep in a room other than the one in which he was being fed and interrogated. "The log notes that 'BSCT' advised the interrogators that the prisoner was simply trying to gain control and sympathy." Further psychological abuse under the chairmanship of Major John Leso follows:

Prisoner 063 was called "unclean" and "Mo" [for Mohammed]. . . He was not told, despite asking, that some of the interrogation took place during Ramadan, a time when Moslems have special obligations. He was not allowed to honor prayer times. . . Transgressions against Islamic and Arab mores for sexual modesty were employed. The prisoner was forced to wear photographs of "sexy females" and to study sets of such photographs to identify whether various pictures of bikini-clad women were of the same or a different person. He was told that his mother and sister were whores. He was forced to wear a bra, and a woman's thong was put on his head. He was dressed as a woman and compelled to dance with a male interrogator. He was told that he had homosexual tendencies and that other prisoners knew this. Although continuously monitored, interrogators repeatedly strip-searched him as a "control measure." On at least one occasion, he was forced to stand naked with women soldiers present. Female interrogators seductively touched the prisoner under the authorized use of approaches called "Invasion of Personal Space" and "Futility." On one occasion, a female interrogator straddled the prisoner as he was held down on the floor . . . He was leashed (a detail omitted in the log but recorded by investigators) and made to "stay, come, and bark to elevate his social status up to a dog." He was told to bark like a happy dog at photographs of 9/11 victims and growl at pictures

of terrorists . . . He was shown pictures of the attacks, and photographs of victims were affixed to his body.

([http://www.bioethics.net/journal/j\\_articles.php?aid=1140](http://www.bioethics.net/journal/j_articles.php?aid=1140))

- To summarize, as the chair of the Behavioral Science Consultation Team at Guantanamo, Dr. John Leso violated Ethical Codes **1.01 Misuse of Psychologists' Work, 1.03 Conflicts Between Ethics and Organizational Demands, 1.05 Reporting Ethical Violations, 3.01 Unfair Discrimination, 3.02 Sexual Harassment, 3.03 Other Harassment, and 3.04 Avoiding Harm.**

7. (b) (iii) any relevant information about what happened after the behavior occurred,

Dr. John Leso was promoted to a position at the United States Embassy in Austria.

7. (b) (iv) the status of any other complaints you have filed and any other steps you have taken to address this situation.

I filed a complaint with the Office of the Professions, New York State Education Department regarding John Francis Leso on April 7, 2007. That office called me within a week to discuss my complaint. Though sympathetic to my complaint, the director of the office stated that their office, though in charge of initially licensing John F. Leso, has no jurisdiction over military psychologists.

- The APA has received and apparently buried numerous other complaints by psychologists against APA member John Leso. While the investigations are confidential, the results of any action taken against any psychologist licensed in New York State is accessible at their website. John Leso's license and membership in APA remains intact.
- As recently as August 19, 2007, Dr. Steven Behnke told Bob Egelko of the San Francisco Chronicle that he was unaware of any cases of APA members at military bases who have "developed the torture techniques and, in some cases, applied them."