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Psychologist in Terror War Is Subject of Complaint

By MORGAN SMITH

The decision about whether an architect of Bush-era [interrogation](#) tactics will keep his license as a psychologist is in the hands of a Texas government agency.

A complaint against Dr. James E. Mitchell is now before the Texas State Board of Psychologists, alleging that he violated the profession's rules of practice in helping the [C.I.A.](#) develop "enhanced interrogation techniques" for use in its so-called black prison sites during the Bush administration's war on terror. Along with Dr. Bruce Jessen, a fellow military psychologist, Dr. Mitchell was a primary developer of post-Sept. 11 [C.I.A. interrogation methods](#) that are currently under a criminal torture investigation by the Department of Justice.

Dr. Mitchell, who did not respond to repeated requests for comment for this article, parlayed his experience in training American soldiers to survive as prisoners of war into a lucrative consulting business with the C.I.A. He orchestrated — and, according to the complaint, participated in — the harsh interrogation of terror suspects using sexual humiliation and the drowning technique called [waterboarding](#).

Joseph Margulies, a [Northwestern University](#) law professor, and Dicky Grigg, an Austin lawyer, worked with a Texas psychologist, Jim L. H. Cox, to bring the complaint, which documents in lurid detail Dr. Mitchell's role in the questioning of prisoners.

The complaint, which was brought in June, alleges that the doctor misrepresented his qualifications to the C.I.A., placing "his own career and financial aspirations above the safety of

others” while designing a “torture regime” with a “complete lack of scientific basis.”

Mr. Margulies said he was pursuing the possibility of a similar action against Dr. Jessen, who is licensed in Idaho.

Mr. Margulies said Dr. Mitchell had never practiced [psychology](#) in Texas although through the years, he had maintained his license here and renewed it.

The severity of the accusations led the American Psychological Association to take the rare step of submitting a public comment to the Texas licensing board. The group’s letter said that if Dr. Mitchell were a member of the professional association — he is not — and if the accusations were true, he would be expelled.

The association’s ethics guidelines prohibit inhumane or abusive treatment of anyone, and there “are no circumstances in which that isn’t the case,” including wartime or threat of terrorism said Rhea Farberman, a spokeswoman.

A spokeswoman for the Texas board said she could not comment on the complaint, saying only that the board had yet to take disciplinary action against Dr. Mitchell, a process that typically takes about six months.

Mr. Margulies emphasized the board members’ importance in the process , calling them the “only gatekeepers” of the profession.

“They are either up to the challenge or not. This is their responsibility,” he said. “There is a psychologist out there who did these things. There’s no credible question about whether they happened. It’s been confirmed over and over again. And so the question is whether it matters.”

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