

The Case of Dr. Larry C. James

Dr. Trudy Bond v. Louisiana State Board of Examiners of Psychologists (LSBEP)

Despite their universally recognized duty to do no harm, doctors and psychologists have played a key role in the United States government's policy of torture in its overseas prisons. Some have crafted and justified torture tactics, inflicted pain, overseen abuse and enabled and covered up cruel treatment. Freedom of Information Act litigation and a U.S. Senate Armed Services Committee (SASC) inquiry into the treatment of detainees have yielded shed light on the specific role of military intelligence psychologists and psychiatrists at the Guantánamo Bay detention center in Cuba. The names and licensing information of several individuals who may have been involved in prisoner abuse are publicly known. Yet, when presented with credible information that licensees within their jurisdiction may have committed gross breaches of ethics, state licensing boards have refused to take action. To date, not one health professional has been held accountable for their role in torture.

Who is Dr. Larry James?

In 2003 and 2007, Dr. Larry James was Chief Psychologist of the Joint Intelligence Group and a senior member of the **Behavioral Science Consultation Team (BSCT)** charged with advising on the interrogation and "behavior management" of the men and children at the Guantánamo Bay detention center. In 2004, he served as Director of the Behavioral Science Unit at the Abu Ghraib Prison. A New Orleans native and former Louisiana State University professor, Dr. James is licensed to practice psychology in **Louisiana, Ohio and Guam**. These state licenses also allowed him to serve as a psychologist in the military. Now retired from the U.S. Army, he has been Dean of the Wright State University School of Professional Psychology in Dayton, Ohio since 2008.

Was Dr. James Involved in Torture and Abuse at Guantánamo Bay?

According to his own statements, Dr. James was influential in both the policy and day-to-day operations of interrogations and detention at the base. Publicly available information suggests that while Dr. James served in Guantánamo in the spring of 2003, abuse in interrogations was widespread and cruel treatment was official policy. This combination of factors raises serious questions about Dr. James' ethical conduct in the prison camp, questions that warrant immediate investigation.

Detainee and government reports of abuse during the period of Dr. James' first deployment include **beatings, rape threats, religious and sexual humiliation and painful body positions**. The Camp Delta "Behavior Management Plan" that was developed and implemented during Dr. James' tenure, mandated **prolonged solitary confinement** for new detainees so as to "enhance and exploit [their] disorientation and disorganization." Those conditions of isolation can cause serious and potentially permanent damage, including hallucinations, extreme anxiety, weight loss and muscular atrophy.

As a BSCT psychologist, Dr. James had **access to the confidential medical records** of people he was charged with exploiting. Reports issued after his departure allege that BSCTs used information from patient's records to help identify the physical and mental vulnerabilities of detainees and used this information during interrogation. Dr. James denies that claim.

The Case Against Dr. James

In compliance with her **ethical obligation to report abuse** by other psychologists, Dr. Trudy Bond, a Toledo psychologist, filed a complaint against Dr. James before the **LSBEP**, the agency that issued and regulates his psychology license, required by the military for his BSCT position. Dr. Bond alleged that Dr. James committed serious professional misconduct, including that he violated **his duties to avoid harm, protect confidential information and**

obtain informed consent. The Board summarily dismissed the complaint without investigation on the basis that the statute of limitations had run, despite substantial information to the contrary. After attempts to have the decision reconsidered, Dr. Bond **filed suit against the Board** in Louisiana's 19th Judicial District Court for the Parish of East Baton Rouge, asking the court to compel the Board to investigate the allegations. In July 2009, the District Court dismissed the complaint.

On August 6, 2009, Dr. Bond filed a Motion to Appeal the Judge's ruling. In a statement regarding the court's decision, Dr. Bond said: "I don't believe that Louisiana lawmakers intended to create a body with total, unchecked power to arbitrarily dismiss complaints. If the courts won't ensure that the LSBEP fulfills its legal duty to protect the public from harm by psychologists who abuse the privilege of their Louisiana license, then who will?" ■

Timeline

February 29, 2008	Bond files complaint against James with the Board
March 28, 2008	Board decides not to investigate and to close matter
April 15, 2008	Board notifies Bond that it is unable to proceed because complaint was not timely filed
April 23, 2008	Bond files with the Board request for reconsideration of decision to not investigate
June 19, 2008	Bond submits supplemental information to the Board
June 20, 2008	Board reconsiders
June 25, 2008	Board notifies Bond that it reaffirmed its decision to not investigate
July 22, 2008	Bond files petition for judicial review of administrative action and declaratory judgment re: Board's decision in 19th Judicial District Court for the Parish of East Baton Rouge
August 25, 2008	Board files its answer
May 2, 2009	Article on lawsuit published in Baton Rouge paper, "The Advocate"
May 5, 2009	Board moves to dismiss Bond's claims
July 13, 2009	Bond files peremptory exception of no right of action
July 13, 2009	Judge Caldwell rules in favor of the Board following a hearing in the 19th Judicial District Court in East Baton Rouge
August 6, 2009	Bond files Motion to Appeal with the Louisiana First Circuit Court of Appeals

The Center for Constitutional Rights (CCR) is dedicated to advancing and protecting the rights guaranteed by the United States Constitution and the Universal Declaration of Human Rights. Founded in 1966 by attorneys who represented civil rights movements in the South, CCR is a non-profit legal and educational organization committed to the creative use of law as a positive force for social change.