

Cynthia de las Fuentes, PhD

1. The mission of AP-LS/Division 41 is to “enhance well-being, justice, and human rights through the science and practice of psychology in legal contexts.” In what ways, if any, do your plans for your presidency intersect with this mission?

In my recent APA governance roles, I have had the privilege of working with Division 41 Council Reps to further “Ban the Box” APA legislation, ensure that justice-involved populations were included in APA resolutions related to health equity, and supported the efforts to update the Resolution on Interrogations of Criminal Suspects. I believe in these endeavors because as a social-justice informed psychologist, I pay particular attention to how our decision-making, as reflected in our advocacy, policies, science, practice, and education and training, can be used to eliminate the root causes of health disparities and social inequities. We must not ignore the influence that these difficult contexts have on mental and physical health because when we do, we become accomplices to the very injustices we, as psychologists, are intent to prevent.

As recently confirmed, our discipline has an origin story complicit with white supremacy. Racial hierarchy and colonialism structured the very foundations of the research and practices that contributed to the perpetuation of subordination of people of color in all our society’s institutions. While we must continue to examine many of the unjust foundations of our field, we must also make amends by putting our attention to using our psychological science and practices to respond to a wide set of contemporary political, economic, and social crises that mark our lives today. Within the context of psychology and law, I will advocate for efforts that dismantle the barriers to equity created by prejudicial laws, policies, and practices especially those that treat mental illness with criminal justice solutions.

2. Vastly disproportionate numbers of those in the criminal legal system have substance use and mental health issues, and minoritized identities. How do you think APA should address those needs within forensic settings generally?

In my first practicum in the mid 1980s, I was placed at a non-profit community agency that offered sliding fee services to the greater Austin, TX area. One of my “other duties as assigned” tasks was to write grants to conduct psychological assessment services for Travis County Adult Probation. As practicum students, we were struck by the incredibly high rates of serious mental illness, substance use disorders, borderline intellectual functioning, and homelessness in the justice involved people with whom we worked. It is my impression that characteristics of the current justice involved individuals has not changed.

APA’s role is not limited to population-level prevention/intervention efforts and redressing its own complicit past, it also has a place at the intersection of mental health and the law. For example, we can advance justice and mental health collaborations by employing our science-based strategies that improve the outcomes of encounters between law enforcement and BIPOC and law enforcement and people who have mental health conditions. We can offer anti-bias education and training to courts with the goal of advancing non-racist decision-making in adjudication. And we certainly need more mental health and substance abuse treatment programming within the prison systems.

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As individuals, we can make a difference, too. For example, as an unapologetic bibliophile I have supported the Harris County (Houston) Jail for Women's (a maximum-security unit) book club and the Inside Books Project. These projects are inspired by the recognition that education programs make jails safer and reduce rates of recidivism when people reenter society.

3. APA has recently recommitted itself to giving psychology away through its amicus brief program. How might you help nurture this recommitment and what issues before the courts do you believe APA should consider addressing? Apart from submitting amici briefs to appellate courts, what would you like to see APA undertake to foster the adoption of practices in the legal system which benefit from psychological science?

In the nearly forty years since my first practicum, our Black and Brown communities are still dealing with the consequences of the federal policies that reduced funding to states for mental health and increased funding to the incarceration part of the "war on drugs." Unfortunately, it is likely those same communities that will be most impacted by the recent SCOTUS decisions involving Dobbs, the weakening enforcement of Miranda rights, denying detained immigrants access to bond hearings, threatening the legality of DACA, among others. Furthermore, we have the science that can address the inhumanity of solitary confinement, life sentences for juveniles, and our prison buildings. Regarding the latter, as I write this on July 10th, I am living in Central Texas and the temperature right now is 109 degrees. 75% of Texas prisons do not have air conditioning and people who are not sentenced to death are dying because of hyperthermia (<https://theintercept.com/2022/02/12/prisons-texas-heat-air-conditioning-climate-crisis>). I love APA's amicus brief program and it is needed now more than ever.

Behavioral health issues remain highly stigmatized, which means they are often hidden until there is a crisis. Court involvement is frequently the point of entry to identifying needs and connecting individuals with care. That opportunity must be capitalized upon, and APA and our psychology-law colleagues have a role in working with mental health courts and mental health public defenders and private court-appointed attorneys by advocating for our science whether on identifying mitigating circumstances that can impact adjudication decisions or recommending evidence-based and trauma-informed treatments and other diversion programs for mental illnesses and substance use disorders in reducing recidivism and homelessness and improving reentry outcomes.

Drs. Levett and Cantone, I believe that your invitation to share my thoughts and plans and my response is the beginning of an ongoing conversation and relationship that I welcome. As such, if you and/or any of our friends and colleagues have any feedback or opportunities for engagement, please know it will be gladly received.

Sincerely,

Cynthia de las Fuentes