

custody battle ensues. In the book, a successful Asian attorney takes on her case *pro bono*. In the miniseries, Mia sells a coveted photograph to obtain the money to help her friend find a lawyer. There were many differences, such as this one, between the book and the miniseries that served to have a more powerful, suspenseful, dramatic effect for the viewer.

Safe Haven laws originated in Mobile, Alabama, in 1998, and currently exist in all states in an effort to decrease rates of neonaticide.³ Under the patchwork of Safe Haven laws, mothers may relinquish their unwanted infant in a safe location. They remain anonymous and are not prosecuted if the baby is given up to staff at the appropriate location. Ages of the infant, as well as allowed locations for infant handoffs, vary by state.³ In Ohio, where the novel takes place, the law currently provides for leaving an infant up to 30 days old with a medical professional in the fire department such as emergency medical services, as well as hospitals or police stations.⁴

Both sides make arguments about custody. Bebe is much stronger psychologically a year later than when she abandoned her newborn. She believes the baby is not being properly exposed to her culture of origin. The McCulloughs have been caring for the infant as their own. But if these events had occurred in real life, Bebe could have been charged for abandoning her infant in a box in the snow on the steps of the fire station rather than safely relinquishing the infant. Even if Safe Haven laws had already been in place in Ohio at the time the novel was set, and even if Bebe had safely given her daughter to a medical professional in a Safe Haven, the right of that child to adoption and a family life would have been in question.

The theme of arson is only touched on by the title and by the beginning and ending scenes in the story. Mrs. Richardson's relationship with Izzy had always been complicated and was not helped by Izzy's unclear sexual orientation, choice of dress, and other behaviors seen as defiant. Izzy's artistic ability drew her to find solace in Mia Warren, who is forced to flee from Shaker. After the fire in the Richardson home, which was determined to have been caused by "little fires everywhere," Izzy disappeared.

Gannon noted that most arsonists are men; women who commit arson are similar to other female offenders and tend to be of Caucasian ethnicity, have poor education, low socioeconomic status, and range in age from the mid-20s to the late 30s.⁵

Pyromania⁶ is the principal diagnosis given to both male and female fire setters.

Arson is a general intent crime, so it is difficult to lower criminal responsibility for arson. Izzy is not demonstrated in the novel to meet criteria for pyromania; rather she wanted revenge for her perception that her mother drove Mia and Pearl Warren away.

Although there were some differences between the novel and the miniseries, both stories were compelling, and the miniseries was well directed and acted. Several themes are portrayed that may be of interest to forensic psychiatrists, including arson, Safe Haven laws, surrogacy, and custody battles.

Note: Lynn Shelton, who directed this and many acclaimed films, including *Your Sister's Sister*, died of a medical condition at age 54, right after this review was written. The authors would like to dedicate this review to her memory.

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A Cowboy, a Mystic, and Their Special Sauce: Amazon's *The Report*

Directed and written by Scott Z. Burns. Available at Amazon.com. Released November 15, 2019.

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Americans hate government reports. Even our lawmakers disregard them, and the majority remain

unread.^{1,2} With this in mind, one might wonder how a movie about a report would engage the same public's interest. Yet, despite our apathy and ever-shortening attention spans, Scott Z. Burns is able to do exactly that.

The Report chronicles the Senate Select Intelligence Committee's (SSCI) six-year investigation into the CIA's use of torture between 2002 and 2006, focusing on its chief investigator, Daniel Jones (Adam Driver), then aide to SSCI Chair, Diane Feinstein (Annette Benning). Initially an inquiry into the CIA's destruction of videotapes of the interrogation of al-Qaeda suspects, the SSCI expands its scope to investigate the entire program of enhanced interrogation techniques (EITs), the CIA's euphemism for torture. Split evenly between Republican and Democratic staffers, the team is confined to a small, secure, windowless room with desks and computer terminals. The first scene in this room shows a CIA staff member giving Jones the tour and commenting that the documents need to be "vetted" before the committee would be able to view them, leaving an open question as to whether they will end up with the full access they need. Not long after, the Justice Department opens a criminal inquiry into the CIA, causing the latter to then prohibit anyone from the agency from speaking with Jones or the other investigators. This decision leads to the Republican staffers quitting, leaving Jones with a skeleton crew and the first of many setbacks.

Those who only know Driver from his role as Kylo Ren in the recent *Star Wars* films will be pleasantly surprised to see that he not only can act, but does so quite well. His telling of Jones shows a man obsessed with discovering the truth, no matter the cost. Thwarted from interviewing anyone from the CIA, he and his team proceed to dive into countless Agency documents in their quest. While far beyond the typical work of a forensic psychiatrist, those in our field will appreciate the importance of examining every document available in the search for the truth, as well as the frustration at having evidence withheld.

As the investigators read and review the documents, the audience is transported to multiple scenes at various secret overseas detention centers (i.e., black sites), where interrogations occur without oversight. Many involve what likely represents site "Green" in Thailand, where Abu Zubaydah and other suspects had been held by the CIA during the EIT program, a

supposedly scientific method of using torture for intelligence gathering.

Of particular interest to those in the forensic field is the portrayal of the two psychologists who designed the torture program, James Mitchell and J. Bruce Jessen. Contracted by the CIA in early 2002, Mitchell and Jessen came up with the idea to use torture to "reverse engineer" Siegelman's Learned Helplessness theory of depression. They proposed using techniques developed in the military's SERE (Survival, Evasion, Resistance, Escape) program, designed to train military personnel to resist interrogation in case of capture (sometimes including simulated drowning or waterboarding). They theorized that using these techniques to traumatize detainees would eventually make them feel wholly dependent on their captors, and therefore cooperate (Ref. 3, p. 35).

Mitchell and Jessen are played by Douglas Hodge and T. Ryder Smith, respectively. The former is depicted as a gung-ho cowboy-type simpleton, and the latter as his mystic (with a touch of autistic) sidekick. We are introduced to them giving a presentation to CIA operatives, demonstrating their proposed methods with slides in the style of stick-figure bathroom placards. Their methods include such things as sleep deprivation, walling (i.e., slamming the suspect against a makeshift wall), facial slap, and waterboarding. It is here that Mitchell states, with what appears to be a proud grin, that these methods will be the "special sauce" that will hand interrogators all they need. In a later scene, they are confronted by Bernadette, a composite character based largely on then-Base Chief Gina Haspel (Maura Tierney). Clearly frustrated at the two psychologists and their lack of results, she asks, in the tone of a whining teenager, "Why are so many of these guys still lying to us after you work on them? Where's the *special sauce*?" After a pause she adds, "You have to make this work. It's only legal if it works."

Those who have read the roughly 500-page redacted summary (about seven percent of the full, classified report) understand, of course, that there was never any "special sauce," nor did Mitchell or Jessen have any interrogation expertise (Ref. 3, p. 15). In fact, the CIA had concluded that torture did not work as a means of intelligence gathering long before the EIT program began (Ref. 3, p. 32). Despite the many CIA assertions to the contrary, retrospective analyses of the EIT torture program itself showed that it did not bring forth information that

saved lives (Ref. 3, p. 159). This point is emphasized further in the film when Jones prints out a copy of the CIA's own internal investigation (i.e., the Panetta Review), securing it in a safe at the Senate office. In it, they come to the same conclusion as the SSCI: torture did not work, nor did the CIA have any reliable method for identifying terrorists. The Panetta Review, classified to this day, is the subject of multiple subplots in the film, from a proposed prosecution of Jones for possessing it to the downfall of Senator Mark Udall for acknowledging its existence during a public hearing.

The Report diligently reminds us of many facts we know but may have forgotten. The most significant of these may be regarding the killing of Osama Bin Laden. There is a scene where Jones becomes understandably irritated at the buzz behind the fictional *Zero Dark Thirty* theatrical release and the way the press appeared to prefer its fiction over the truth. Flashing back to a year prior, Jones methodically explains to the Senator what he's learned from the documents, regarding the raid on Abbottabad, including the fact that they had found their main lead before the EIT program even started. Worse than that, he informs the Senator about an internal cable that spelled out the deliberate disinformation strategy by the CIA to make false connections between the raid and intelligence gathering via torture. Of course, at the time, Jones is not able to speak publicly about this classified information. Driver does an excellent job demonstrating the disdain and frustration Jones must have experienced during this period while watching multiple politicians lie about what had occurred yet being powerless to say anything about it. As the film progresses, we can almost feel the torture he, himself, is enduring.

Ted Levine is probably best known as "Buffalo Bill" in *Silence of the Lambs*, murdering and carving up women so he can stitch together a bodysuit with their skins. Levine may be even less likeable in this film, playing newly minted CIA Director John Brennan. While the recent press has been kind to Brennan, *The Report* holds little, if anything, back. Levine's Brennan is smug, standoffish, and utterly unapologetic in his attempts to suppress the truth and prevent the torture report from seeing the light of day. In an exchange between him, Jones, and Senator Feinstein, he brings up a retort that many in the forensic field will find familiar. After Brennan attempts to claim that EITs provided valuable

information that prevented future attacks, Jones interrupts, reminding him that the CIA's own officers are documented stating otherwise. Brennan counters with, "Well, you didn't speak to any CIA officers in the program, did you, Dan?" Feinstein immediately retorts that the CIA refused to allow any of them to speak with the investigators, which Brennan, of course, had known before making the comment.

Brennan represents the argument that acknowledges (to a degree) that what happened was wrong, but that a disclosure would irreparably damage Agency morale. In a later scene with Denis McDonough (Obama's Chief of Staff, played by Jon Hamm), Jones responds to this argument saying, "What about the morale of all the people at the Agency who spoke out against the Program? . . . [who] were disgusted by what was being done?" McDonough has no articulate response to this, focusing only on the optics and politics surrounding the investigation. Hamm's McDonough is a caricature of the sleazy politician, caring nothing about truth, justice, or anything other than retaining power.

The Report includes graphic re-creations of the torture and humiliation of terror suspects. One example is the scene depicting Gul Rahman, naked save for a sweatshirt, shackled to the floor in his cell, covered in bruises and sores. After being asked "Did you say you were cold?" he is then doused with a bucket of ice water. He soon dies of hypothermia, his last memory the sound of Marilyn Manson blaring into his ears. Other scenes involve Abu Zubaydah, naked, covered with bruises and scars, taken from a forced prolonged standing position and thrown into an interrogation cell. These scenes are brutal, disturbing, and difficult to watch. Yet they are vital to the telling of this tale.

The torture scenes are balanced partially by Hodge and Smith's clownish portrayal of the bumbling psychologists. In a scene at a different black site, the composite character Bernadette (Maura Tierney) confronts Mitchell and Jessen with the fact that the only new information that Khalid Sheikh Mohammad has given them has been false. Mitchell responds with a triumphant glimmer in his eye, "Then, *that's* what we're learning. *That's* what the waterboard is giving us. We now know he's lying." Bernadette responds, "I thought it was meant to give us the truth?" Jessen then chimes in, with the tone of a sage Zen master, enlightening us with the line: "And, the truth is: he's lying."

More important than providing comic relief is how the characterizations of Mitchell and Jessen deliver the message of how absurd it was not only for psychologists to come up with these ideas, but for anyone in the CIA to actually listen, and spend \$81 million on these ideas, no less. Of course, it should also be noted that simply because a forensic professional does not necessarily need to adhere to the ethics principle of beneficence in every role, it doesn't give anyone an excuse to harm another intentionally, not to mention to engage actively in torture. The American Psychiatric Association recognized the risk of abuse when participating in national security interrogations, prohibiting members from this work.⁴ While the American Psychological Association was initially hesitant to follow suit, it, along with many other organizations, had prohibited torture long before these events occurred. Thus, Mitchell and Jessen should have been aware of the ethics and moral duties they were supposed to follow.

Despite our knowing the outcome, Burns spins the drama well. In a scene between Jones and a national security reporter, Evan Tanner (a fictional character), Jones considers leaking the report's summary in case the release of the full classified report is blocked. Whether a scene such as this actually occurred, it serves as a vehicle to demonstrate the conflict that Jones must have had. Imagine one dedicating the greater part of six years to an investigation, being one of the few select persons who knows the truth, and facing the prospect of it being buried forever. Played by Matthew Rhys (best known from the FX spy series, *The Americans*), Tanner soberly informs Jones of how the SSCI's investigation started. He tells the story of President Obama asking then White House Counsel, Greg Craig, to gather top-level advisors to decide how to handle the torture program under the prior administration. The group, including Hillary Clinton and Robert Gates, among others, recommends a bipartisan commission be appointed to do a "deep dive" into the program. The president shoots down the idea, however, concerned that it will look too partisan to investigate the prior administration. Tanner continues:

And right then, everyone in that room changed their minds. They sided with the president: no independent commission. Everyone *except* Craig—because he thought it was too important. You couldn't just torture people, lie about it, and then hide it from history.

The last sentence lingers for a moment. It's a statement that you want to be true, and you know it should be. But is it? Jones is then informed, "A few months later, Craig was gone, and this mess wound up with the Senate—and you."

The film demonstrates how remarkable it was that the SSCI was ever able to report their findings. But it also reminds us that the full report has not been released. In fact, systematic efforts to destroy the full classified report are underway.⁵ While President Obama may be rightfully criticized for looking the other way on torture, he may also be the one who ensures the full report's survival, confirming that he is preserving it in his presidential library (it's Freedom of Information Act exemption expires sometime in 2028).⁶

The postscripts provide further items that we keep forgetting but need to remember, including the fact that no one has been held accountable for what happened, even though at least one detainee was murdered and over 20 percent of the detainees ended up having no ties to terrorist groups (Ref. 3, p. 31–32). Yet one person (Gina Haspel) who oversaw a significant portion of torture, and was responsible for destroying the interrogation tapes to begin with, has been rewarded with a promotion to CIA Director (not to mention having done so with bipartisan fanfare).

About eight years after the torture program concluded, the SSCI Summary was released. About five years after that, this film followed. Perhaps this is a sign that, while we seem to forget easily, deep inside our collective psyche may be a little spark that won't let this be buried forever. Eight years from now, it will take a strong effort to demand the full release. Perhaps *The Report* will further that aim.

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