

FROM THE FRONT PAGE

ADULT HOME

Continued from A1

August 2004. With help from her husband and a third caregiver – both of whom worked outside the home – Downing was responsible for caring for five developmentally disabled residents around the clock. They would help the residents with medication, meal preparation, bathing, dressing and transportation. The state paid \$1,235 to \$2,025 a month per person last November. Typically, much of a resident's \$500 to \$600 federal monthly check also goes to such facilities.

Within months, state investigators received their first complaint: Downing had improperly left a resident alone. They couldn't verify that.

Some other checks turned up no problems at the home. After another anonymous call about Downing "screaming, yelling and shouting" during a phone call about a resident's finances, the residents all said things were fine.

"We are loved at that home," one said. But the records show that investigators – based largely on allegations of complainants from outside the home – came to believe residents were too scared to talk openly.

By 2005, according to the records, Downing and her husband, Troy, had adopted an 18-month-old. That October, the couple filed a bankruptcy petition in federal court with the couple's debts listed at nearly \$334,000.

In her notes to DSHS, Downing sounded exhausted and overwhelmed, at one point saying that she "is human and had the last straw."

"The sewer pump broke, the sprinkler system broke, and oh boy does the list go on," she wrote. "I will not cower down as though I am a despicable person because I had one overwhelming day."

One 2005 complaint involved a 46-year-old blind, developmentally disabled woman who had lived with her parents most of her life. Shortly after her father died, the woman – who would sometimes scream or cry spontaneously – moved into Downing's home.

Downing, according to investigator Linda Harrison's notes, described the grieving woman as "psycho" and her incontinence as "disgusting."

A favorite toy – a 4-foot-tall stuffed Barney doll given to the woman as a gift – went missing shortly after Downing allegedly called the woman's family and asked if she could give it away. Downing told Harrison she had nothing to do with it.

When a person bit the same woman on the arm at an adult

day program, a staffer there reportedly called Downing to convey concern about possible HIV or hepatitis infection. Downing's reaction, the staffer later told investigators, was that the victim had probably experienced "worse things" in her life. There was no evidence of any medical follow-up. Downing denied ever being told about any bite. The woman moved out after 2 1/2 months.

In August 2005, the state ordered her to replace the missing Barney. In October of that year, she was ordered to have an additional staffer on duty. In January 2006, she and her staff were told to undergo training "regarding residents' rights."

The final complaints came shortly before Thanksgiving 2006. A "credible anonymous contact" familiar with the home said she'd seen Downing push two residents up against the wall, yelling and cursing at them. She also said a former resident had been taped to a chair and had her mouth taped shut. She said Downing had forced a reluctant resident to drink a glass of water to the point that the person was coughing and choking.

Based on interviews, similar past complaints and the caller, state investigators concluded that Downing had abused six residents. Deciding that the residents were "in imminent danger," the state yanked her adult family home license in December. The four residents were relocated to other homes.

Normally, DSHS announces such actions. For reasons state officials cannot explain, that didn't happen in this case.

"I'm not sure what happened," said Steiner. "This isn't anything we want to hide."

In late June, the Department of Health revoked Downing's nursing-assistant license, based on the abuse findings by DSHS. Downing didn't contest the revocation but wrote that she was innocent on one of the forms. She says she "relinquished" her license, due partly to "a lack of desire to battle against the allegations" of a developmentally disabled resident.

In the same late-May note, Downing said that since December she has worked for a home remodeling company.

Under state law, she could re-apply to become an adult family home provider after five years. But Steiner said such applications are subject to strict screening, including checks for past problems.

"In all likelihood," Steiner said, "this probably wouldn't be approved."

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APA RULING

Continued from A1

U.S. Air Force's survival school near Spokane. Congress is investigating as well, and reportedly is focusing on the role two Spokane psychologists, James E. Mitchell and John Bruce Jessen, may have played in development of the harsh interrogation tactics.

Also ruled out of bounds by the APA are the exploitation of prisoners' phobias, the use of mind-altering drugs, hooding, forced nakedness, the use of dogs to frighten detainees, exposing prisoners to extreme heat and cold, physical assault and threatening the use of such techniques against a prisoner or a prisoner's family.

Several psychologists declared that these methods are not only physically and psychologically damaging to both detainees and captors, but also counterproductive for obtaining useful intelligence. Data from several wars and from a range of criminal justice settings show that once prisoners fear for their lives and safety, they start trying to guess what captors want to hear, and the resulting bad information is often worse than having no information at all, several psychologists said.

The move follows similar

decisions by other professional associations, such as the American Medical Association and the American Psychiatric Association. But psychologists play an unusual role in that they widely serve both in a clinical role – involving the treatment of sick prisoners – and as researchers of human behavior.

The decision came after days of heated protests at the 115th annual meeting of the psychologists' association, in which protesters wearing orange jumpsuits urged the experts to disassociate themselves entirely from the Bush administration's detention facilities.

The association decided against a blanket measure that would have kept psychologists from participating in interrogation facilities altogether. Many critics of that measure, including several government experts, said psychologists play an essential role in these settings, both in terms of safeguarding detainees and in helping to debunk the belief that coercion and humiliation are effective interrogation tactics.

"If we lose psychologists from these facilities, people are going to die," said U.S. Army Col. Larry James, chief of the department of psychology

at the Tripler Army Medical Center in Honolulu, just before the APA's Council of Representatives took a vote.

Several references in the psychologists' debate centered around the hit television show "24." It routinely depicts abusive techniques used to elicit information from prisoners, usually in "ticking time bomb" scenarios.

Several experts at the psychologists' convention, including Stephen Behnke, director of the APA's ethics office, said successful interrogations were almost always about building a relationship with a prisoner – a relationship that is impossible when the prisoner is being subjected to stress, humiliation or abuse.

Interrogation policies at U.S. detention facilities went astray when officials decided to apply techniques developed to train U.S. troops to deal with torture if they were captured, said Air Force Reserve Col. Steven Kleinman.

Such techniques, developed under the military's SERE program, were meant to toughen

soldiers against abuse. The techniques were never designed to help interrogators elicit useful information, added Eric Anders, a psychoanalyst at the convention who is a graduate of the SERE program.

Neil Altman, a clinical psychologist at New York University, who had pushed to get psychologists out of detention facilities altogether, praised the APA for laying out what was prohibited. But he said the measure still allows psychologists to remain in facilities that are inherently "cruel, inhumane and degrading."

Leonard Rubenstein, executive director of the group Physicians for Human Rights, said the psychologists had fooled themselves into thinking their continued presence at detention facilities would make a difference, when they were really only playing a support role.

"It is unfortunate the APA did not recognize you cannot practice ethical psychology in interrogation settings in the context of pervasive violation of human rights," he said.

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HACKER

Continued from A1

nology, Voice over Internet Protocol, or VoIP.

About a year later, FBI agents showed up at Moore's north Spokane home and arrested him, charging him with federal wire fraud and computer hacking. They also arrested Pena in Miami. Pena, 25, jumped bail and fled the country and is believed to be living in South America.

Moore, now 23, was nabbed because he designed the software tools Pena used to bilk Internet phone companies of more than \$1 million in unpaid VoIP phone charges.

Next month, Moore will begin serving two years in a federal prison at a site not yet revealed. The New Jersey federal judge who sentenced him also ordered Moore to pay \$152,000 in restitution to victims of the scheme.

The case created international attention. It marked the first large-scale hacking of the VoIP system. Moore used his 12 home computers to find vulnerable network doorways, called ports.

He pleaded guilty to the charges, acknowledging his role but saying he was just a provider of information that Pena misused for personal gain.

"What I did was totally wrong, and I have to pay for it," Moore said. "But Edwin was the guy who stole the minutes and resold them. All I did was find passwords for (network computers) that he wanted to use."

Many who wrote about or discussed the VoIP break-in said Moore's use of fairly unsophisticated tools, coupled with some special software he designed, pointed out major security holes in many corporate networks.

In most of the cases when he spotted vulnerable ports, the login password was an easy-to-guess word like "Cisco" or "password." Security experts say network managers should never leave those default passwords in place.

After his arrest, friends of Moore started a site called Free-Robert.com, calling attention to what they felt was heavy-handed federal prosecution.

But federal prosecutors said

Moore knew all along that what he was doing constituted theft.

"This is a very serious crime, the first major attack on a new telecommunications infrastructure," said Erez Liebermann, the New Jersey assistant U.S. attorney who handled the case.

"He was a cooperative defendant," said Liebermann. "But apart from telling us how they worked (the plan), nothing he told us led to any other arrests." Moore and others believe at least one other hacker helped Pena but has not been caught.

Moore never attended college and gained most of his skills from Internet discussion groups. His goal, once released from prison, is to earn a certificate in network security and work as a consultant, helping ensure other companies can guard against hackers.

Before being contacted by Pena – whom he only communicated with by e-mail or phone – Moore made a modest amount of money doing odd programming jobs. When Pena offered him money, Moore said, he didn't resist.

He said it took three or four weeks before he was sure the work was illegal. "I wasn't thinking straight. I knew it was wrong, and I knew I would get caught eventually," he said.

Pena paid him \$20,000. Part of the reason Moore took the job, he said, was to help pay some of his parents' bills. His father, David, is disabled and suffers from a chronic disease.

"The only big thing I bought for myself was a \$2,600 Bowflex home gym. I didn't spend a lot. I kept it in case it was needed," Moore said.

At the time he was arrested, he still had \$8,000 from Pena in his bank account, he said.

Since his arrest, Moore has been ordered to stay away from computers. He communicates with his friends by phone. What kept him going during the past year, he added, was the support friends and the hacker community.

"It really helped to have people call me, from all over, telling me they had my back. They say they'll send money to the (prison) commissary in my account. They really give me the confidence to keep on," he said.

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