Whiting Abuse Defendants Make Case For Accelerated Rehabilitation

Robert Larned is one of the former Whiting Forensic employees accused of abusing a patient who is seeking accelerated rehabilitation. (Cloe Poisson / Hartford Courant)

By **Josh Kovner**
jkovner@courant.com

JUNE 12, 2018, 5:10 PM

Lawyers for three of the former Whiting Forensic Hospital workers charged in a patient abuse scandal made their case in court Tuesday for accelerated rehabilitation, portraying the men as upstanding fathers and husbands who were actually devoted to the patient and deserving of the pretrial program, which, if granted by the judge and successfully completed, would result in the dismissal of the felony cruelty charges and a clean police record for the former Whiting workers.

In any case, the lawyers argued, the surveillance video that led to the cruelty charges, was dark, grainy, inconclusive, and open to interpretation. Prosecutor Jeffrey Doskos, who opposed the applications for the pretrial program on behalf of the state, countered that the tape was good enough

to see the unprovoked kicks, slaps, hits, prodding, and taunting of the patient, William Shehadi, who was often sleeping in his metal-framed bed bolted to the floor of his small room when many of the 50 separate incidents of alleged abuse over 24 days occurred.

The victim's brother, Al Shehadi of Greenwich, told Judge Maureen Keegan on Tuesday that the workers lost sight of his brother as a human being and tortured him, with no one lifting a finger to stop it or report it. He also said that the daily reports and logs about patient care had to have been falsified because they don't reflect any of the behavior seen on the videotape. The footage was not routinely monitored and it took a whistleblower to prod mental health officials to view the tapes and call in state police detectives.

At least seven of the 10 Whiting defendants have applied for accelerated rehabilitation. The first three, Willie Bethea, Bruce Holt, and Robert Larned, all of whom were seasoned forensic treatment specialists within the locked wards of maximum-security Whiting, appeared before Keegan in Middletown Tuesday afternoon, a couple of miles from the Connecticut Valley Hospital campus and the Whiting facility. Thirty-five workers were fired in the largest abuse scandal ever to hit the state's mental health system. In twin federal and state lawsuits seeking money damages, Al Shehadi is alleging torture, a massive management breakdown and a culture of indifference at Whiting.

Many of the patients at Whiting have been acquitted of crimes by reason of insanity.

Keegan must consider two questions as she decides whether to grant accelerated rehabilitation: are the charges serious, and would these defendants be likely to offend again?

The program is generally an option for first-time offenders, charged with a Class D felony or less. The cruelty-to-persons charge lodged against the 10 former Whiting workers is a Class D felony.

Anyone charged with a Class A or B felony is disqualified. A person charged with a C felony can receive the program "for cause," as determined by a judge.

Lawyers Nate Baber, Robert Muchinsky, and Jon Golas, representing Bethea, Holt, and Larned, respectively, all mentioned their clients' unblemished work records and strong standing in the community. They said the arrests have exacted a tremendous toll on the men and has served as punishment enough. Golas, for instance, said he was submitting several dozen positive letters and heart-felt testimonials about Larned to the judge for her consideration.

And the lawyers, to varying degrees, all said that certain movements seen on the videotape and perceived by the prosecution as abuse, were in some cases only efforts by the men to control Shehadi as he became agitated, and to keep him in his bed or calm him down.

But Al Shehadi, who was permitted by Keegan to make remarks at several junctures during the hearing, indicated that it was preposterous to try to ascribe an innocent motivation to "tag-team, take-your-turn abuse" of a patient who wasn't posing a threat to the workers.

William Shehadi was acquitted by reason of insanity in the 1995 homicide of his father. Shehadi, who had been charged with second-degree manslaughter, was given a 10-year commitment, and arrived at Whiting in November 1995. The commitment expired on Oct. 31, 2005, but has been extended, in one- and two-year increments, ever since because of his profound psychiatric illnesses, according to state records.

For now, Shehadi is living in an area all to himself and is watched by treatment workers around the clock. The head of his treatment team, Dr. Shana Berger, testified recently at a hearing at the hospital that the number of times Shehadi has had to be restrained or placed in seclusion has decreased significantly since the abuse stopped. The legislature, during its last session, passed a series of reforms, including heightened inspections at the forensic hospital.

Copyright © 2018, Hartford Courant