

## State and Federal Suits Allege Decade of Abuse of Middletown Psych Patient

By Robert Storage

Mar 06, 2018



Antonio Ponvert III of Bridgeport-based Koskoff Koskoff & Bieder. Courtesy of Koskoff Koskoff & Bieder.

The brother of a psychiatric patient who claims he underwent a decade of physical and psychological abuse while in state care has launched lawsuits in state and federal court.

Plaintiff Albert Shehadi's brother William Shehadi, 59, has been institutionalized since being found not guilty by reason of insanity for killing their father in 1995. In testimony that has shocked the state, it is alleged staff members at Connecticut Valley Hospital repeatedly kicked, hit

and taunted William Shehadi, resulting in the arrests of 10 staff members and calls for reforms to state policies.

The lawsuits, filed in [Bridgeport Superior Court](#) and [U.S. District Court](#) in Bridgeport, allege Shehadi was repeatedly abused by dozens of employees in psychiatric care at the CVH while others failed to take steps to prevent the abuse. Antonio Ponvert III led a 30-minute press conference at the law offices of Koskoff Koskoff & Bieder in Bridgeport Thursday, attended by Albert Shehadi.

The lawsuits allege more than 200 acts of abuse, many of which were videotaped. Those acts were described in detail in the lawsuits, during the press conference and during testimony in the Legislature last November. In total, 33 staff members testified at hearings in the Legislature.

Allegations of abuse are supported by a videotape recording of a male nurse gyrating his groin in Shehadi's face and individuals dousing him with liquids, throwing food at him, and forcing him to wear a diaper on his head. Other examples of alleged abuse included one treatment specialist who allegedly repeatedly threw food at Shehadi and spit food on his shirt, bed and pants while other staff watched and did nothing. Another employee allegedly replaced Shehadi's lotion and shampoo with hand sanitizer, dumped salt in his coffee and contaminated his food with hot sauce, according to the complaint.

The scandal led to the suspension of about 35 workers. In addition, 10 were arrested and charged with cruelty and disorderly conduct.

The alleged abuse was denounced soon after it came out by Gov. Dannel P. Malloy, state politicians from both parties and Department of Mental Health and Addiction Services Commissioner Miriam Delphin-Rittmon. Malloy told

news outlets he was “very disappointed” that “no one brought” the abuse to the commissioner’s attention. The governor has repeatedly stood by the commissioner.

“I think, quite frankly, the commissioner is doing a good job and brought this to light and has cooperated in what has been the prosecution of people who were clearly breaking the law and they should be held accountable,” Malloy said at the time.

In public statements, the federal suit continues, Delphin-Rittmon called the apparent abuse “reprehensible” and “appalling.”

“We never thought the people arrested would be capable of doing what they did,” DMHAS Chief Operating Officer Paul Dileo told the Hartford Courant.

“After seeing that, we took these other, extraordinary steps. We view [cameras] as one tool to ensure patient safety and to try to change the culture at Whiting.”

Ponvert said Friday the case is being followed by authorities, mental health specialists and the federal government. “The public health commission of the Legislature is interested in the outcome of this case, as is the State’s Attorney’s Office, the State Police and the federal government,” he said, noting that the 247-bed facility receives federal funding.

“My clients have a unique power to obtain justice and make changes.” Ponvert said, adding, “We have subpoena power and the force of the U.S. Constitution and Connecticut law behind us.”

**The cases** claim violations of the U.S. Constitution and the Connecticut Patients’ Bill of Rights and seek a financial settlement and injunctive relief. The injunctive relief, Ponvert said, in essence will compel the hospital and the

DMHAS to comply with state law to keep William Shehadi safe from harm and ensure he receives proper medical care.

Ponvert said Shehadi has the right under the Fourteenth Amendment of the U.S. Constitution to liberty. "He has the liberty to be free from excessive force," he said. The psychiatric section of the Patients' Bill of Rights states that those with mental illness in state institutions are entitled to basic rights of confinement. "It calls for every mentally ill person to get humane and dignified treatment and to be protected from harm," Ponvert noted.

Ponvert said the lawsuit filed in state court, which has to be assigned a judge, had to be heard there because the Connecticut Patients' Bill of Rights was at play. The federal lawsuit, to be heard by Judge Warren Eginton, was filed in that court, Ponvert said, "because there are particular constitutional claims."

Constitutional claims outlined in the federal suit include violation of the Fourteenth Amendment's guarantee of safe conditions of confinement and the right to be free from the use of excessive force by agents and employees of the state, pursuant to 42 U.S.C. §1983. The lawsuits claim William Shehadi's Fourteenth Amendment right to reasonable medical and mental health care and protection from harm were violated.

The case was brought to light last year by a whistleblower who worked at the facility. Ponvert said he does not know the name of the whistleblower, adding that Shehadi's brother approached him soon after the accusations came to light.

Attorneys from the Office of the Connecticut Attorney General will represent the state and the facility. Jaclyn Severance, director of communications for the Attorney General's Office, said Friday that the complaints are under review.

In January, Malloy signed an executive order that separates the maximum security Whiting Forensic Division from the CVH.

In a statement at the time, Malloy said, “Having these two facilities as distinct entities governed by their own policies, procedures, and staff will ensure that we can focus more directly on the changes needed to continue to improve the quality of care at Whiting.”