



Brd

August 2, 1978

The Honorable Aldo Colautti
Secretary of the DPW
Commonwealth of Pennsylvania
333 Health and Welfare Building
Harrisburg, PA 17120

Dear Secretary Colautti:

Our office is representing Howard P. [REDACTED], a 21 year old resident of Western Center. On approximately June 3, 1978, Mr. P. [REDACTED] allegedly broke the leg of another resident, Dominic C. [REDACTED]. A complaint of aggravated assault was filed against Mr. P. [REDACTED] with Magistrate Tony Bartkus but he was never arraigned nor was further action taken in the criminal case. At approximately 7:30 a.m. of the day following the alleged incident Howard P. [REDACTED] was placed in a quiet room at Western Center where he remained until 2 p.m. on June 5, 1978. Since June 5, 1978, Mr. P. [REDACTED] has spent his days confined to the back area of the gameroom on Pine III, without contact with other residents and without participation in any educational, or habilitative programs. From 10 p.m. to 8 a.m., each evening he is placed in a quiet room.

More than a month after Mr. P. [REDACTED] was first placed in isolation, he was read his "rights" by Robert Myer, Ph.D., at which time Mr. P. [REDACTED] requested to see a lawyer. On July 24, 1978, a lawyer from an American Civil Liberties Union visited Mr. P. [REDACTED] and agreed on behalf of the ACLU, to represent him in his efforts to obtain an immediate release from his solitary confinement and to obtain a more habilitative program.

Mr. P. [REDACTED]'s medical records reveal that his eight-week isolation is at the direction of the Superintendent of Western Center. When this situation was brought to the Superintendent's attention, she indicated that Mr. P. [REDACTED]'s status would continue unaltered until he is transferred to a more appropriate facility.

The Legal Committee of the Greater Pittsburgh Chapter of the ACLU has authorized that all appropriate steps be taken to vindicate Mr. P. [REDACTED] in this egregious violation of his constitutional and statutory rights. Although we are prepared to take legal action to resolve this matter, we presume that our goal of obtaining a more habilitative environment for Mr. P. [REDACTED] is consistent with

american civil liberties union of pennsylvania

Greater Pittsburgh Chapter • Serving Southwestern Pennsylvania
237 Oakland Avenue • Pittsburgh, Pennsylvania 15213 • (412) 681-7736

The Honorable Aldo Colautti
August 2, 1978
Page 2

that of the Department. We therefore hope that this matter can be promptly resolved without the need to invoke the judicial process. Your failure to respond to this letter by August 14, 1978 will be interpreted to mean that no informal resolution is possible.

Very truly yours,

Ellen M. Doyle

Ellen M. Doyle, Esq.
Executive Director
Greater Pittsburgh Chapter of
the American Civil Liberties
Union

Ilene W. Shane

Ilene W. Shane, Esq., Director
Developmental Disabilities Law
Project
University of Pittsburgh
School of Law

jcm

cc: Annabelle Calloway
Larry Jenkins
Charles A. Peters
Peter P. Polloni
Doug Spencer
Ruth Scott