

## Lawyer for Whiting abuse defendant wants mentally and physically ill patient brought into courtroom for questioning

By JOSH KOVNER

The lawyer for a key defendant in the patient-abuse scandal at Whiting Forensic Hospital is expected to argue Tuesday that the profoundly mentally and physically ill victim should be brought into the courtroom for questioning — a move prosecutors and lawyers for the patient are expected to vigorously oppose.

Attorney Norman Pattis, who represents Mark Cusson, a former forensic nursing supervisor at the maximum-security psychiatric hospital, has issued a subpoena for patient William Shehadi.

Pattis has indicated that Cusson, charged with multiple counts of cruelty to persons, a felony, should be able to cross-examine all witnesses against him.

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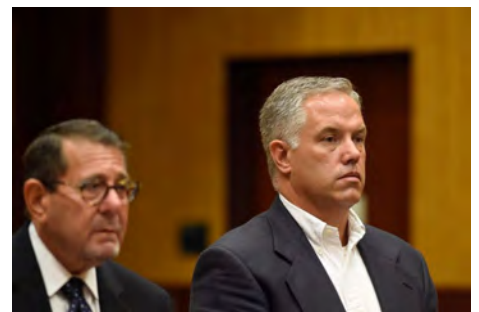
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Mark Cusson (right) stands before a judge during his arraignment on patient abuse charges at Middletown Superior Court in September 2017.

Health and Addiction Services, Cusson is the only defendant to plead innocent and hold out for a trial. The primary evidence in the case is hours of video surveillance tape from a camera in Shehadi's room.

Pattis has also suggested that if Shehadi can't be brought to court, then a court proceeding should be held at Whiting itself, on the grounds of Connecticut Valley Hospital in Middletown.

Attorney Antonio Ponvert III is

expected to be at the Tuesday morning hearing in Superior Court in Middletown protecting Shehadi's interests. Ponvert represents the patient's brother, Albert Shehadi of Greenwich, in twin state and federal lawsuits against state mental health officials and the workers who were arrested. In all, more than 35 Whiting employees were dismissed for their varying roles in the protracted abuse of Shehadi.

Shehadi was acquitted by reason of insanity in the 1995 homicide of his father. He 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 Shehadi's 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, has testified that the number of times Shehadi has had to be restrained or placed in seclusion has decreased significantly since the abuse stopped. State Sen. Heather Somers, R-Groton, has successfully pressed for a series of reforms in the wake of the abuse scandal, including heightened inspections at the forensic hospital.

Supervisory Assistant State's Attorney Jeffrey Doskos has

argued in the arraignments and hearings of the other Whiting defendants that the video surveillance tape captured the misconduct, and that the video speaks for itself.

Judge Maureen M. Keegan, in denying applications from the Whiting defendants for a form of pre-trial probation, noted that the video camera had been present in Shehadi's room at the maximum-security Whiting facility for years.

Keegan had ruled that the treatment directed at a single psychiatric patient over a period of weeks in the spring of 2017 "cannot be described as care." Rather, she said, it amounts to "intentional conduct perpetrated on a mentally ill person."

Cusson, the supervisory forensic nurse on third shift at Whiting, seemed to lead by example, with other workers either joining him as he rained abuse on Shehadi in the early morning hours, or watching mutely as it happened, according to arrest warrant affidavits prepared by state police detectives.

Cusson was observed on video kicking Shehadi repeatedly, dousing him with an unspecified liquid, straddling him in bed and placing his groin and then his butt on the patient's face, the warrant states. Most of the time, Shehadi was in bed when the early morning abuse began, the arrest warrant states. ■