

TUCCILLO FREED ON ASSAULT CHARGES

Boys' Stories of School Beatings Differ; Ex-Con Still Faces Perjury Trial

A felonious assault charge which led to a perjury indictment against a Tompkinsville ex-convict who obtained a job in Willowbrook State School was dismissed yesterday in Magistrate's Court.

The assault count accused Ralph Tuccillo, 47, of 298 Bay street, of beating two boy patients, aged 14 and 15, with a broom handle. His arrest Aug. 20 prompted an investigation by the district attorney's office which showed several discrepancies in Tuccillo's application for an attendant's job.

Upon being released in Magistrate's Court, Tuccillo was brought before Judge Thomas J. Walsh in County Court by his attorney Louis Baron, to arrange bail on the perjury indictment.

Bail Set at \$2,500

While under bail from Magistrate's Court, Judge Walsh had released Tuccillo without additional bail in his counsel's custody, but he placed yesterday as a time limit. It had been agreed between Baron and District Attorney Sidney O. Simonson that County Court bail would be \$2,500.

Judge Walsh formally placed bail in that sum and Baron produced a bond for his client. Tuccillo then was released under bail to await trial.

Magistrate Augustine B. Casey conducted the assault hearing yesterday in chambers, not in open court. Principal witnesses against Tuccillo were two older boy patients who had notified school authorities of the alleged beatings; and Dr. Frank Glasser, assistant superintendent of the school.

D. A. Checks Records At Willowbrook

District Attorney Sidney O. Simonson, it was learned today, is making a check of employment records from Willowbrook State School, not, he said, that he has reason at present to believe that anything is wrong but merely to become assured that the interests of the children in the institution are being protected.

This is part of District Attorney Simonson's checkup which opened when his assistants questioned at his office on Sept. 10 officials and employes of the school, including Dr. Harold H. Berman, Willowbrook director.

In the meantime, Ralph J. Tuccillo, 47, of 298 Bay street, Tompkinsville, who obtained employment at the state school by concealing that he had been in state prison and also in a mental hospital, has been indicted for perjury for alleged false statements he made in his employment application.

"I have no reason to believe at

present," the district attorney said, "that Tuccillo's employment was anything but an isolated incident. The primary object of my investigation is to make sure that the personnel system at Willowbrook State School is or will be such as to protect the interests and welfare of the children in the institution."

Simonson said that necessary records had been placed at his disposal by Dr. Berman. It was his feeling also that Dr. Berman was taking all possible precaution to see that the children are properly cared for.

To be certain of the conditions at the school, however, Simonson said he is making a check of the records given him. He had requested this information, he said, to be assured against any possibility that undesirable employes hold jobs in Willowbrook.

He needed the information he obtained, he said, to carry on an independent check.

Boys' Stories Differ

Testimony given by the boys under direct examination by Assistant District Attorney Kermit J. Casscells and under cross-examination by Tuccillo's lawyer, differed in many respects, it was said. Dr. Glasser, who made the complaint against Tuccillo, described the bruises found on the younger boys.

With the dismissal of the assault charge, Tuccillo's next legal fight looms in County Court. He denied the perjury indictment when arraigned last Friday, but no trial date was set.

Some discussion as to a trial date took place yesterday in County Court, but this was not definitely set. It finally was agreed that the perjury charge would be placed tentatively on the Oct. 6 calendar for trial.

The indictment charges Tuccillo with making false statements while under oath when he applied for the attendant's job last Jan. 30 and that these statements violated the State Civil Service Law. He is accused of using a fictitious name, John J. Martini, on the application, of concealing a past criminal record of ten arrests and two convictions and of hiding the fact that he was an inmate of Matewan State Hospital.

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NURSE CONFERENCE
Members of the nursing staff of five institutions of the state Department of Mental Hygiene will join with nurses of Willowbrook State School in a third work conference for nursing personnel Monday at Willowbrook.