

Decision to reinstate guards to be appealed

By TERENCE J. KIVLAN

Officials at Willowbrook Developmental Center yesterday announced that they will appeal a State Human Rights Commission decision ordering them to reinstate five security guards who were fired last April.

In the decision, issued Aug. 30, the commission charged three white supervisors with harassing a black guard, Elijah Beaufort, and then causing him and four of his white friends on the guard force to lose their jobs.

"We feel that the order would have never been given if we had presented our side of the case," said Dr. Miodrag Ristich, the director of Willowbrook, in an interview. "We can supply witnesses to rebutt the story given by the guards."

Ristich explained that the supervisors, Anthony Ragucci, Matthew Quintavalli, and John Aduitory happened to be on vacation during August when hearings on the case were held.

Willowbrook was not represented by counsel and the guards were not cross-examin-

ed, he added.

Ristich also explained that the guards were abruptly fired rather than merely reprimanded because, since they had all been hired in January and February, they were still provisional employees at the time.

"The only discipline you can take against provisional employees for insubordination is to terminate them," he said.

Ristich informed Beaufort and the four white guards, Joseph O'Brien, William Seery, Robert Lentz, and Norman Johansen of his intention to appeal the Commission order at a sometimes stormy meeting in his office yesterday morning.

At the meeting, the guards contended that the supervisors had decided to go on vacation only after they had been subpoenaed to appear at the hearing. But Donald E. Fleming, the deputy administrator of Willowbrook, replied that the vacations had already been scheduled and that the Human Rights Commission had denied a request for postponement.

Accompanying the guards at the meeting were David Smith of the Staten Island Urban League, George Felton of the Island National Association for the Advancement of Colored People, and Rev. William A. Epps, pastor of the St. Philip's Baptist Church.

Lawyers for the state Department of Mental Hygiene, the parent agency of Willowbrook, have 15 days from the arrival of the order in the mail, Sept. 9, to file on appeal. Officials at Willowbrook would not comment on the specific grounds of the appeal.

According to the text of the Commission's order, the chain of events leading to the firings began when Ragucci unsuccessfully urged O'Brien and Seery to make a false report that Beaufort had raped a Willowbrook resident. Beaufort, who was then forced to patrol alone in a car against Willowbrook policy, was vulnerable to such a charge because he would not have had any witnesses to back up his denial.

After the incident, the order says, Beaufort refused to patrol

alone again and, when he defied direct orders to do so from Quintavalli and Ragucci, he was fired as of April 2. The four white guards lost their jobs a short time later when they refused to take Beaufort's place and complained about the discrimination against him.