

Willowbrook resident awarded 5G for scars

By PETER HARRIGAN

A young resident at the Willowbrook Developmental Center who was permanently scarred when another patient poured a high-strength cleaning fluid on her has been awarded \$5,000 by State Court of Claims Judge Edward J. Amann Jr.

In addition to the award to 14-year-old Joanne Seals, Amann ordered the state to pay \$1,425 in medical costs and \$350 for personal care rendered by the girl's mother, Henrietta Edwards of Queens. The Randall Manor judge's decision was handed down July 30 and was made public yesterday.

According to court papers, the incident occurred Oct. 19, 1973, shortly after a maintenance crew had scrubbed wards in Building 15 at Willowbrook with a strong, concentrated cleaning solution.

When the crew members left the building, court papers indicate, they neglected to take with them a half-gallon plastic jug of the fluid. The solution was described as "a cleaning substance known...to be highly dangerous."

On the evening of Oct. 19, according to Amann's decl-

sion, another patient on the ward "apparently found the solution and emptied the container, the contents splattering on the infant claimant's (Joanne's) orthopedic cart."

Mrs. Edwards, the court papers said, did not learn of the incident until she visited her daughter at Willowbrook several days later. The woman testified that Joanne's "left side had been burned, her eyes and cheeks were swollen as a result of self-scratching, and she was covered with flies."

"The witness stated that her daughter's diaper ripples were burned into the flesh," Amann noted in his 15-page decision.

Believing her daughter was not receiving proper treatment at Willowbrook, Mrs. Edwards took Joanne home and had her admitted to a Queens hospital, where she remained for 11 days, according to court papers. Joanne's injuries were described in hospital records as second-degree burns over 5 per cent of her body.

Joanne was later returned to Willowbrook, with what Mrs. Edwards testified were permanent "whitish scars on the left side and lower back, there being an outline of the diaper as well."

Amann, in his decision, said the state "breached its duty of reasonable care" for the girl by negligently allowing the jug of cleaning fluid to remain on the ward after the maintenance crew left.

At the same time, the judge set aside Mrs. Edwards' claim for \$50,000 for loss of services of her daughter, noting it is unlikely that Joanne "will return to society as a normal individual...."

"It is most unfortunate that a human being already retarded, blind and crippled has had another of life's indignities thrust upon her," Amann said. "However, the court must be guided by well-founded principles of law."

Mrs. Edwards had also sought \$250,000 for personal injury sustained by her daughter, but that was reduced to \$5,000 by Amann.