

Ex-Willowbrook patient's wedding raises immigration questions

By ANEMONA HARTOCOLLIS

Wisdom of the ages says love is blind. It also has been said that America is the land of opportunity. Both adages are tried and true. But which one is being tested in the strange case of Joan Winter?

Miss Winter is a 35-year-old mentally retarded woman, incarcerated in the Willowbrook State School for the Retarded, now Staten Island Developmental Center, as an infant.

On Feb. 1 she married a 24-year-old Egyptian visiting the United States on a tourist visa; 10 days later, at her request, she was discharged from the state's care and responsibility, into the arms of her husband.

In the eyes of Miss Winter's former supervisors with the state, they make an unlikely couple: The poised young foreigner from an apparently privileged family; and the awkward woman, consigned after her illegitimate birth to a stunted, institutional background.

Interviews with Miss Winter and her husband, and with state authorities, have produced sharply divergent pictures of the circumstances surrounding Miss Winter's marriage. All sides profess that their first concern is for her well-being and integrity. And that, they concur, pivots on whether she has been married in good faith or duped.

Because motives behind the marriage are a matter of speculation and no formal charges have been lodged, three

names in this article have been changed. Joan Winter, Ahmed and Tina Rigas are pseudonyms.

As an alien, Ahmed stood to gain considerably more than a spouse from his union with Miss Winter. As a student of business management in Cairo, with a year to go toward his degree, it would not be simple for Ahmed to persuade immigration authorities to let him stay long in this country. He possessed neither essential job skills nor a close relative with established residency — the basic requirements for non-tourist status.

According to Ahmed, he married for love. According to immigration officials, it is "very common" for "aliens to
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marry for a "green card," the ticket to legal employment and opportunity on American shores.

Authorities at the Brooklyn Developmental Center were immediately suspicious. That had become Miss Winter's backup institution in 1978, when she was transferred from Willowbrook to a small community-based facility in Brooklyn. Perhaps ironically, the transfer was part of a federal court-ordered program to normalize the lives of retarded persons confined in overcrowded and wretched state institutions.

"We felt so uneasy about the whole thing," Thomas J. Schurtz, director of the Brooklyn Developmental Center, said.

The fact that Ahmed is an alien threw a shadow over his motivation. But that wasn't all. State authorities' fear of a scam was fueled by their assessment of Miss Winter's personality.

She wasn't considered a natural candidate for marriage, and her supervisors had trouble imagining why any man would sincerely want to take the plunge.

The record shows Miss Winter was not well-adjusted at Willowbrook or, subsequently, at two consecutive Brooklyn community facilities. Consulting her file, officials described her behavior as late as October 1979 as "continually anti-social and inappropriate . . . verbally abusive . . . temper tantrums." In the 1950s, clinicians treated Miss Winter with Thorazine, among other powerful anti-psychotic agents, and in the presumably more enlightened past decade they prescribed the tranquilizer Valium, as well as suspension from a work program in Manhattan for unruly behavior.

Weighing against marriage was "a feeling she wouldn't be able to sustain that much organization in life," Jean Cincotta, Miss Winter's case manager for the last six months, related.

Curiously, a visitor to the house where Miss Winter lives with her husband found a completely unanticipated personality. Wearing nylon pajamas, the woman who answered the door was calm and polite. Alone in the house, she was washing a sink full of dishes and proceeded to make two double beds. She displayed the clothes she had laundered and the food she had cooked. In short, Miss Winter appeared transformed into a model housewife.

Apprised of Miss Winter's new skills, Ms. Cincotta observed, "Maybe the last laugh is on all of us who were trying to bring her along in this way for so long."

The couple is staying in the Stapleton home of Tina Rigas, an Egyptian immigrant and a low-level employee for nearly 11 years at Willowbrook, where she apparently took Miss Winter under her wing. Mrs. Rigas was instrumental in the meeting of the retarded woman and Ahmed shortly after his arrival in the United States July 5.

Mrs. Rigas' role in the marriage has increased state officials' anxiety. "What may be starting," Schurtz fretted, "is a citizenship mill using our residents."

Mental retardation officials, however, have turned up no evidence of marriage-brokering. Miss Winter's wedding to a foreigner appears to be an isolated occurrence.

A second visit found all protagonists in the marriage at home. One arm circling Miss Winter's waist, Ahmed offered his version of events. His English was rudimentary, and Mrs. Rigas sometimes functioned as an interpreter.

Tall and slender, Ahmed has curly black hair and a mustache. He described himself as a devout Moslem, the son of a wealthy Cairo banker.

The ideal wife, in his opinion, would be loyal and obedient, satisfied with keeping house. He said Miss Winter, retarded and with no cause for vanity, struck him as fitting. An American's difficulty in understanding his love, he added, might stem from a cultural gap.

Both he and Mrs. Rigas voiced indignation at the suggestion of Miss Winter's lack of domestic, basic writing and counting skills.

Miss Winter joined in, complaining repeatedly, "Why did they say I have a low IQ?"

In her institutional file, a caseworker noted that Miss Winter had a "superiority complex in relation to other residents." Whether such a complex might be justified was not broached. One official compared her intellect to that of a child "five years and two months old."

She was, however, fairly articulate. Her husband, she observed, "speaks my language."

A short, sallow-complexioned woman, Miss Winter offered glimmers of a forceful and stubborn personality. "This wedding," one state official who knew her well suggested, "might be a way for her to find a family and a way of getting the state out of her hair."

The scene at the kitchen table brought to mind Ms. Cincotta's account of an interview with Ahmed and Mrs. Rigas conducted by a team of Brooklyn Developmental Center clinicians: "They presented themselves well. It was maybe even a little disconcerting to all of us."

We might have preferred for them to sound crazy."

But possible inconsistencies arose.

Overall, Ahmed denied any desire for a green card. He asserted that he had come strictly as a tourist, with no plan to settle. Yet he confided that he was working as a "systems manager" for a Manhattan firm — unlawful without a green card. He was unable to produce a tourist visa, mentioning that it needed "paperwork."

For a marriage of convenience, he argued, he could have culled a prostitute from "42nd St." In another context, discussing sex, Mrs. Rigas had characterized Miss Winter as "clean," a point in her favor.

In the absence of her husband and Mrs. Rigas, Miss Winter brought up the subject of "citizenship," a theme in her conversation as insistent as a broken record. From an envelope she took a bundle of Immigration and Naturalization Service forms, still blank. The hitch, she explained, was her birth certificate.

To petition in her husband's behalf for permanent residency, the prelude to citizenship, Miss Winter must submit her own birth certificate to immigration officials. Brooklyn Developmental Center authorities confirmed that she had inquired about it. They had steered her to City Hospital, on Welfare Island.

The city clerk who married them in Brooklyn confirmed that he had not requested Miss Winter's birth certificate for the ceremony.

The immigration process does not stop at paperwork. The couple is interviewed, their histories and authenticity checked, according to authorities. But John Drastal, deputy New York district director, viewed the case of Mr. and Mrs. Ahmed, briefly described, as extraordinary. "That's a toughie," Drastal mused. "Try to prove fraudulent intent with this one."

A private immigration attorney retained by Ahmed has taken a more skeptical position. Reached in her Park Pl., Manhattan, office, Minerva Salzman said she was severing her client.

"I am going to give (Ahmed) the proper legal advice, for his own benefit, Miss Salzman said. "I have a very strong suspicion that money has been exchanged here. Technically, the marriage is legal, but practically, based on 50 years of experience, I don't think the marriage will hold."

Told of Miss Salzman's opinion, Ahmed said he no longer needed a lawyer.

In an official review of the marriage, Brooklyn Developmental Center authorities, for their part, adopted a policy of non-intervention.

Although aware of Miss Winter's intentions before the knot was tied, they did not confer with the couple until 10 days later, on Feb. 11. Acting within 72 hours of her discharge request, as per New York state law, state officials could have asked a state Supreme Court judge to declare Miss Winter incompetent, thereby committing her involuntarily to institutional care. Annulment of the marriage would have been the next step.

A committee of seven recommended annulment. Brooklyn Developmental Center director Schurtz overrode them, discharging Miss Winter.

"It seemed to me one in a hundred that this was an honest marriage, but retaining her against her will seemed a violation of her civil rights," Schurtz explained.

"For once, I think the state acted appropriately, and that's an attitude I rarely take," said Miss Winter's state-appointed lawyer, Ron Karben. "The only viable issue I see in the whole case is whether or not a pattern of such marriages develops.

"It is better, from my perspective, to offer her services if and when she needs them, and to document that offering. At least this way there will be no animosity. (Miss Winter) definitely would have run away," Karben said.

Certain wringing of hands and shaking of fists had accompanied the supervisors' conference. They faced a delicate philosophical issue: Should the state tamper with the right to pursuit of happiness and self-determination of an individual in its charge?

As Karben later framed the question, "Are we playing Big Brother here?"

The Office of Mental Retardation and Developmental Disabilities has not alerted immigration officials of its suspicions regarding Miss Winter's marriage, authorities said. In the view of an American Civil Liberties Union lawyer and advocate of Willowbrook residents, that would be the suitable course for the state in its position of surrogate parent.

Time will tell whether Miss Winter married in her best interest, said Mrs. Rigas, the suspected broker. Mrs. Rigas related that she has taken five husbands. Originally, in her 20s, she married a U.S. Marine stationed in Naples. She since has wed a string of aliens in this country. Now 47, she married her current husband, an Egyptian alien, last fall.

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