

# Investigation uncovers little on SIDC rape

By RON DesJARLAIS  
Advance Staff Writer

The Staten Island Developmental Center (SIDC) has wrapped up its investigation into the rape of a severely retarded patient without solving the crime, the Advance has learned.

A state investigator's terse two-page report, obtained under the Freedom of Information Act, offers no explanation of how the 31-year-old quadraplegic woman was attacked or who was responsible. The woman gave birth in January.

"No solid leads as to the identity of the rapist were developed," according to the report, which was filed by Hubert A. Clark, an investigator from SIDC's Legal Adviser Program.

"Every investigative resource at our disposal was utilized, every avenue of inquiry explored, without success," the report said. "The identity of the rapist remains unknown."

The report also did not address the seven-month lapse between the time the woman is believed to have been raped and the time SIDC officials learned of her pregnancy.

The report was obtained from the state Office of Mental Retardation and Developmental Disabilities (OMRDD), which administers the state institution.

Included with the report were three confidential memos sent to OMRDD Commissioner Arthur Y. Webb by Leonard Postiglione, assistant director of the Legal Adviser Program.

The woman, whose name was deleted from the report, is believed to have been raped last May. Her pregnancy was not discovered until Nov. 30.

The report said she has a history of irregular menstrual cycles and a distended stomach.

The 78-pound woman gave birth to a healthy 6-pound 5-ounce boy Jan. 10 in St. Vincent's Medical Center and now lives in an undisclosed state-run home in the city. The baby is up for adoption.

SIDC Director James Walsh said he still wants to determine the cause of the delay in discovering the pregnancy, a lapse he called "difficult to comprehend."

He has asked the state to send a medical team to determine whether the failure to discover the pregnancy was caused by the woman's condition or negligent medical supervision.

When asked whether a lack of supervision contributed to the rape, Walsh said, "Something had to be remiss for the incident to occur."

The ward where the woman lived, in Building 25, was sup-

posed to have at least one supervisor 24 hours a day, Walsh said. There were 18 or 19 residents living in the ward at the time, he said.

"She should have been visible to the staff practically 24 hours a day," Walsh said.

He speculated that one of three things could have happened: Either there was no supervision when the incident occurred, the supervisor did not report the incident or a supervisor committed the crime.

Because doctors could not pin down the date of the rape — it is believed to have occurred sometime during the first two weeks in May — the supervisor on duty could not be identified, Walsh said. During those two weeks, he said, "quite a number of staff" were on duty in the ward.

He said investigators interviewed all possible staff members and have "probably thrown out" the possibility that a staff member raped the woman.

Staff who had resigned or retired during the interim were tracked down and interviewed, according to the report.

Walsh said no new policies were instituted as a result of the rape. The supervision policies were "proper," he said, adding, however, that "implementation and follow-up" were lacking.

As a result, Walsh said, man-