

Island news

McNulty's care rapped after arrest

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SYRACUSE — The arrest of a deaf man who was awarded \$1.5 million in 1988 after being misdiagnosed as mentally retarded as a child at the former Willowbrook State School signals a problem with his rehabilitation program, say two psychologists familiar with his case.

Joseph McNulty was charged with trespassing July 26 after entering a barn in Manlius, N.Y., owned by Paul Shapero. Shapero told police he found the 27-year-old McNulty throwing calves to the ground and punching them.

"It's a signal that he's not being provided with what he needs to be provided with," said Dr. Allan Yozawitz, a neuropsychologist who testified at McNulty's trial against the state. "It's a barometer of what's lacking."

"It certainly means something to me," added Dr. Jerome Schein, a deaf rehabilitation expert from Canada, who also examined McNulty.

"What he did was express a frustration. It was his way of exhibiting, perhaps, that things have come to a very, very unhappy place in his life," Schein said.

McNulty has been living in a group home with developmentally disabled adults since shortly after winning a \$1.5 million judgment from the state Court of Claims in 1988.

McNulty was 3 when he was diagnosed an imbecile after being transferred in 1966 from a Brooklyn orphanage to the former Willowbrook State School. Willowbrook, later renamed Staten Island Developmental Center, has since closed. It is currently being refurbished and will become the main campus for the College of Staten Island.

In the seven years he was in Willowbrook, McNulty did not learn sign language or any other means of communication. He did not learn to read. He did not even learn his name.

During that span, McNulty was isolated, drugged and abused, his lawyers contended.

McNulty was 16 when audiologist Daniel Geller discovered him at the Sunmount Developmental Center in Tupper Lake, N.Y., and determined he was not retarded.

A state judge found the state and its doctors committed medical malpractice in misdiagnosing McNulty's deafness as mental retardation.

Geller, McNulty's legal guardian, selected the rehabilitation plan over the objections of Schein and Yozawitz, who said it aimed too low. Geller's less expensive plan was designed by another psychologist and approved by a judge.

Yozawitz said McNulty needed a "Helen Keller-type program" that provided him with supervisory companionship during his waking hours.

"It's simple logic. He needs a role model. If he had one, this kind of trouble could have been prevented," he said.

Yozawitz also said while McNulty's current rehabilitation program is set up to teach him academic skills, it is not teaching him how to adjust emotionally and psychologically to deal with the problems that can develop with his new skills.

"It needs to be comprehensive. Not only address a small part of his cognitive deficiency, but to address his emotional frailty, and the emotional changes he's going through," said Yozawitz.

Joseph Davoli, a lawyer who represented McNulty in his case against the state, also said McNulty's arrest shows he's not getting the right kind of help.