

Middletown, N.Y. 10940

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# School officials charged in assaults on retarded

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LAKE HUNTINGTON — The co-owners of the Cohecton school for the mentally retarded and their residence director were arrested by state police here Thursday on charges they sexually abused an assaulted with electric cattle prods a number of the school's residents.

Meanwhile, it was learned that the state Dept. of Mental Hygiene ordered the school closed for 30 days beginning Tuesday. The department plans to conduct a hearing within the next month to determine if the school's license should be revoked. Revocation was called "very likely," by a department spokesman.

Arrested were owners Dr. Edward Kurtzer, 41, and Harold Levine, 49, both of Brooklyn, and Charles Trotti, the 27-year-old residence director who reportedly lives on the school grounds.

Kurtzer, who reportedly holds a PhD in school psychology, was charged with sexual abuse in connection with "physically touching" a 27-year-old female resident, and with one count of third degree assault. Levine was charged with two counts of third degree assault in applying electric cattle prods on two residents.

Trotti was charged with four counts of third degree assault. Ronald Heppes, state police Bureau of Criminal Investigation Agent, said two of the assault counts against Trotti concern use of a cattle prod. The other two charge him with beating residents with his hands.

The three were arraigned before Cohecton Justice Maurice Gilbert. Kurtzer and Levine, who are brothers-in-law, were each released in \$500 bail. Trotti was remanded to the Sullivan County Jail in lieu of \$1,000 bail. A hearing was set July 11.

Each of the charges is a Class A misdemeanor and carries a maximum sentence of one year in

the county jail and a \$1,000 fine.

Use of cattle prods on retarded people is strictly forbidden" under mental hygiene rules and regulations, according to Asst. Dist. Atty. Marvin A. Newman.

The prods, which are known as Hot Shots carry about a half dozen size D flashlight batteries and a capacitor. The instruments are designed to deliver an electrical jolt strong enough to get a cow or bull to move. Newman said they were used for routine punishment.

An instruction decal on one of the prods seized by state police advises the user how to place the instrument on the "animal."

Page 1 of 2 pages

The mental hygiene spokesman said Thursday that similar devices that deliver very slight shocks are permitted for use with retarded patients in a self-destructive situation. "And then it can only be used in a medically supervised behavior modification program," the spokesman said. "But the devices that are commonly known as cattle prods are strictly forbidden."

The Cochection school houses 77 residents, all but four being adults. The four are in their late teens, Newman said. The school's staff consisted of 8 teachers and from 12 to 15 "house parents."

The house parents, according to fired teacher Robert Rubin, who originally called authorities to check out the conditions at the school, care for the residents for two hours in the mornings and between 5 p.m. and 10 p.m. The house parents are required to live on the school grounds. The teachers, who work with the residents between 9 a.m. and 6 p.m. may live off the grounds.

Kurtzer and Levine both of Brooklyn, ordinarily spend their summers at the school. Levine is a teacher and assistant principal in a Brooklyn high school, according to police. Kurtzer reportedly is employed as a school psychologist by the New York City school board.

At the time that Newman, Heppes and state police Sgt. Anthony Zaccari arrived at the school to arrest Kurtzer and Trotti, Levine was in Ellenville preparing for the opening of Camp Omega, which he and Kurtzer planned to open for retarded children.

Levine was called at the camp and he voluntarily drove to the state police barracks at Ferndale where he was arrested.

Rubin, 22, originally of Englewood, N.J., had been working at the Cochection school for about seven months when he approached school officials about the use of cattle prods and about "improper dispensation of drugs."

"I personally never saw any physical abuse of the residents," Rubin said, "but it was common knowledge that it was happening. When I complained, I was told the directors didn't have time to talk about it. So I went to the American Civil Liberties Union and the Association for Retarded Children. That's when I got fired."

Rubin said ACLU contacted the Department of Mental Hygiene.

But the mental hygiene spokesman said a probe of conditions at the school has been going on since Feb. 13 when a routine visit was made on a license renewal. Followup visits were

made on June 10 and 11.

"The school showed serious operational deficiencies," the spokesman said, indicating that the department was especially concerned about poor record keeping, and physical conditions that he called "marginal."

"And there was almost no rehabilitative program there," he said.

The mental hygiene department has the legal power "to close a facility when its operation presents a danger to the health and welfare of the residents," the spokesman said in explaining why the school is to be closed this Tuesday.

Tuesday was selected in order to permit the parents of residents

ample time to remove their children or make arrangements to have them transferred to state facilities.

The spokesman said that one of the primary reasons for the suspension "and likely revocation" of the Cochection school's license "has to do with the prescription and administration of medication."

This, he said, "underlies the suspension." He declined to say if the drugs were narcotics.

But Rubin said that Thorazine, a tranquilizer, and phenobarbital, a barbiturate, were routinely prescribed for residents by the school's nonmedical personnel.

It could not be learned Thursday how much tuition is charged by the school, but the mental hygiene spokesman said that the fees for most residents are paid with supplemental security income funds, which are dispensed by the Social Security Administration.

Heppes said the school was operated solely as a summer camp for retarded children until two years ago.

The mental hygiene spokesman said that his agency had been contacted by the Civil Liberties Union on June 10.

Page 2 of  
2 pages