

PUBLIC DEFENDER DEFENDS HOSPITAL

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Following are excerpts from the Public Defender, Mr. William Halligan's 3/13/79 letter to Ms. Sheryl Dicker, Project Attorney at Haverford State Hospital. After each excerpt is our commentary on the various issues.

"... 'Finally, the proposed Project would affirmatively strive to create a positive climate and relationship with mental health service providers, courts, sister legal offices and law firms and the community'..."

Mr. Halligan drew this quote from the proposed summary of goals for the ABA Advocacy Project. Noticeably absent are relationships with the "patients", whom the project is supposed to serve. It's like saying a prison law project should have "a positive climate and relationship" with the warden, the guards, etc.

"...my area of chief complaint concerns the commitment hearings...One occasion.. involved the commitment of (X)(name withheld-ed.)...Mr. Lapon used that occasion to expound his philosophy that no state mental hospital could competently and effectively deal with mental patients..."

The above incident occurred on Feb. 16, 1979 nearly one month prior to Mr. Halligan's letter. Why did he wait so long to complain? He also neglects to mention that Lenny Lapon's comments were direct replies to questions asked by him and by the hearing review officer. Lenny was testifying under oath at the time.

"Additionally, I am in receipt of the Winter-Spring 1979 Newsletter published by the Alliance for the Liberation of Mental Patients, wherein an article appears on page 3, entitled "The Haverford Railroad" authored by Mr. Lapon. In this article, he refers to the hearings at Haverford State as "an utter outrage". Mr. Lapon concludes that the patient has been "de-humanized", "railroaded" and finally implies that counsel for the patient is derelict in deferring to the treating physicians' expertise in the area of chemotherapy. Mr. Lapon concludes that chemotherapy is not an area of medical expertise, but rather an attempt by physicians to evoke "social and political thought control."

Even the psychiatrists admit that these drugs control social behavior (allegedly "deviant") and even the drug companies must admit that they control, change and disturb peoples' thinking. The drug companies put out a book called the Physicians' Desk Reference (PDR) which gives the "side effects" of the drugs. Shouldn't any lawyer representing "mental patients" be familiar with such drug effects as "anxiety, agitation, confusion, headache" (PDR, 1978, Page 1083 for drug Haldol which is commonly used at Haverford State Hospital.) What about "patient expertise"? They're the ones who are taking the drugs.

"While I recognize that the comments of Mr. Lapon are his personal belief and I respect his right to make such comments in whatever forum he deems appropriate; however, I do not believe that such a mentality has any place in an American Bar Association sponsored project in a state mental hospital..."

It appears that this statement is self-contradictory. Obviously, Mr. Lapon deemed such a forum as the Newsletter of the Alliance for the Liberation of Mental Patients to be an appropriate place to express his views. If the First Amendment Right to free speech and press isn't applicable here, then where is it applicable?

"I believe that Mr. Lapon is using his position at the hospital, under the banner of the American Bar Association...to advance a personal goal and not a project goal. I believe that further tolerance of such activities by the Project Staff reflects adversely on the effectiveness of the Project in the state mental health system."

It appears rather that the goals of Mr. Lapon, himself an ex-psychiatric inmate/"mental patient", are shared by the inmates of Haverford State Hospital. Why else are inmates so eager to receive, read and discuss literature and information about the drugs, commitment hearings, etc.? Why are they protesting his firing by means of a "patient government" resolution and a petition?