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## Restraint, Seclusion Must End For Developmentally Disabled

By ASSEMBLYMAN ERIC MUNOZ, M.D.

Any parent or guardian of a developmentally disabled or traumatic brain injured child will tell you that caring for them is an extremely challenging, yet rewarding experience. One of the most difficult decisions parents face, however, is when they come to the realization that they can no longer care for their son or daughter. Placing them in a private or state-run facility is a painful decision. They constantly ask themselves, "Did we do the right thing?"

We, as their state representatives, owe it to them to ensure that they did; that their children will be safe in facilities for the developmentally disabled and traumatic brain injured in our state. Unfortunately that was not the case for one family.

Earlier this year, Matthew Goodman, a 14-year-old autistic child from Buckingham, Pa., died suddenly of pneumonia, respiratory distress and a blood infection. Prior to his death the youngster had been placed in restraints and given heavy medication to sedate him by staff of a facility operated by Bancroft Neurohealth Inc. in Haddonfield.

The New Jersey Division of Developmental Disabilities has concluded that Matthew, who was forced to wear a helmet and arm splints for periods of time far beyond what was included in his individualized program, had been abused and neglected by Bancroft staff. Matthew's mother had found her son left alone and over medicated on the floor wearing restraints to control his behavior. Mrs. Goodman filed an abuse complaint in March 2001, but the Department of Human Services did not investigate the report for 10 months.

This method of care for the developmentally disabled and traumatic brain injured must be outlawed in our state. Restraints and medication must only be used in cases of emergencies and only then for a limited period of time. And if such an emergency arises, it must be documented

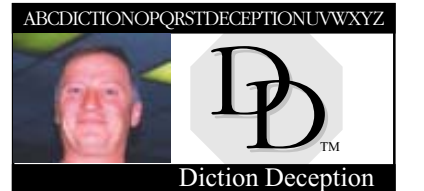
and reported to the parent or guardian.

As a trauma surgeon and professor of surgery, I know the importance of direct care in the quality of one's life. That is why I am drafting legislation named in remembrance of Matthew Goodman, which will bring Pennsylvania's nationally recognized Restraint Reduction Initiative program to New Jersey. The program, only in its fourth year, has reduced the number of incidents of seclusion and restraint in Pennsylvania's mental hospitals by 95 percent. Under this program, patients cannot be left alone nor can chemical restraints be used on them.

Matthew's Law will be a step in the right direction in ending the abuse and neglect for the disabled in state-funded facilities. The developmentally disabled and traumatic brain injured, which often cannot speak for themselves, should always be treated with the best care possible.

My legislation will enable New Jersey families to have confidence when placing a family member in a state-funded facility. We need to focus on providing treatments in the least restrictive settings as possible. This can be accomplished through intensive training, monitoring systems and strictly adhered to standards. To launch this major piece of legislation we will be holding a candlelight vigil and rally for Matthew on the steps of the Statehouse in Trenton beginning at 10 a.m. on Monday, October 7, 2002. I invite all family members of the disabled to attend this vigil. Please contact my Summit legislative office at (908) 918-0414 if you would like to attend. What happened to Matthew must never again occur in our state. With the proper legislation enacted, it won't.

*Assemblyman Eric Munoz, M.D. is a Professor of Surgery and a trauma surgeon at University of Medicine and Dentistry of New Jersey. He serves on the Assembly Commerce and Economic Development Committee.*



Below are four arcane words, each with four definitions - only one is correct. The others are made up. Are you sharp enough to discern this deception of diction?

If you can guess one correctly - good guess. If you get two - well-read individual. If you get three - word expert. If you get all four - You must have a lot of free time!

**All words and correct definitions come from the board game Diction Deception.**

**Answers to last week's arcane words.**

1. Perse - Grayish blue
2. Orgulous - Proud; haughty
3. Poltroon - Cowardly; contemptible
4. Panegyris - A public meeting or festival

**CUNCTATIVE**

1. Slow-moving; sluggish
2. Perceptive; discerning
3. Tending to solidify or gel
4. Shaped like the seed of a gourd

**RHIPIDATE**

1. Nature of having a rattling in the chest due to an obstruction
2. Formed like a fan
3. Having perennial roots but annual stems and leaves
4. In botany and zoology, having very small crevices or cracks

**TELESTIC**

1. Artistically suited for show or display
2. A mind reader; telepath
3. Discharging electrical impulses, such as with an electric eel
4. Pertaining to the final end or purpose

**ZYTUM**

1. A malt beverage brewed by the ancient Egyptians
2. Any poison derived from a decaying tissue
3. A nerve cell connected with other nerve cells
4. A kind of biscuit which is baked and then sliced and toasted

## Celebrate the Constitution This Week, Protect It and the Country Each Day

This week, September 17 to September 23, is Constitution Week, as proclaimed on August 28, 1990 by then President George Bush.

At a convention on Monday, September 17, 1787, 55 representatives of the states of New Hampshire, Massachusetts, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia met in Philadelphia and framed the Constitution. It was ratified in 1788. New Jersey was represented by William Livingston, David Brearley, William Paterson and Jonathan Dayton - men who we still honor today.

The Preamble - *We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.*

From this, the longest-lived written constitution in world history came to pass. It is the most revered of our documents - guidance from which the greatest of all nations arose.

Since then, our nation has faced turmoil, enjoyed peace. We savored liberty, suffered oppression. Yet the promise of freedom and democracy, buoyed by our faith in the Constitution, kept us steadfast against raging fears and perceived threats.

The most ominous and dangerous threats to our nation came from fears within - not from the enemy afar. Whether it was slavery, McCarthyism, The Great Depression, Tea Pot Dome, Watergate or Whitewater, America survived and flourished through faith in our forefathers' gift to us - The Constitution. President Franklin D. Roosevelt reminded the nation at a dark moment: "We have nothing to fear but fear itself."

And now we have Terrorism, Global Crossing, WorldCom, Enron, special interests, corporate fraud and campaign finance abuse, with all the fear and depression bred from within. Do we need to be reminded that: "We have nothing to fear but fear itself"? Let's stand up, hunt them down, as the President says, one by one, until justice conquers fear, goodwill prevails over greed. Surely, that's the point we must remember from the patriots who sacrificed so supremely for us; who wrote so eloquently in the succinct document that guides us - the Constitution.

The framers of the Constitution recognized the dangers inherent in concentrating too much power in one person, branch, or institution. They granted citizens the right to vote, not just as an exercise in

procedure, but in a manner with the power to peacefully effect change in the government.

The Constitution provides for six basic principles: A government created by and for the people; Rule of Law, whereby the government is guided by a set of laws, rather than by any individual or group entity; Separation of Powers and a system of checks and balances; A federalist system whereby governing power is shared between the national government and the individual state governments; The establishment of the Supreme Court as the judicial branch's authoritative institution, and protection of individual rights and liberties against government encroachment.

The Constitution is written in parts: Preamble, Text, Bill of Rights (Amendments 1-10), Amendments 11-12, Civil War Amendments 13-15, and Amendments 16-27. We urge everyone to read it. We call for study of the Constitution and of civics to be an everyday part of all school curriculums.

On July 4, 2003, the National Constitution Center - an independent, nonpartisan, nonprofit organization - will open in Philadelphia near the Liberty Bell and Independence Hall. We believe that this would make a great class trip or a family weekend.

There are those that believe that the Constitution is under attack, is being skirted or is being diluted from many directions by those seeking special privilege, power and wealth. As example, on the six points of the Constitution:

Is it still a government created by and for the people - or does government exist solely to perpetuate and expand itself?

On the Rule of Law, can this be the case today when there are so many laws that no one understands them; where cadres of lawyers abound - exploiting and expanding fee generation rather than pursuing justice?

Regarding the federalist system whereby governing power is to be shared - is federal taxation with redistribution to the states based on political power and favors today, skirting the concept?

Are appointments to the Supreme Court thwarted and awarded by party power grabs, and do judges rule on issues outside of the will of the people?

Is the protection of individual rights and liberties against government encroachment now passé?

Does - *We the People of the United States, in Order to form a more perfect Union, establish Justice, -* succeed today when the only measures are money and power?

Let's keep our country great, our freedom in place and our spirits high. Celebrate the Constitution this week, protect it and the country each day.

## Westfield Should Not Let "Mom and Pop" Stores Close

I recently moved from New York City to Westfield. One of the things that attracted me most was the downtown area and its rare combination of chain retailers and "mom-and-pop shops." The combination of the quaint and the convenient in the downtown area was unlike any of the other places we considered living.

However, this uniqueness seems under siege, and I think Westfield's downtown area is in danger of soon becoming a mini-mall. I'm sure this is not new news to long-time residents, but as a new resident I can tell you it is one that is disconcerting for new residents as well.

Your recent brief article about Gleeck and Rust Opticians is certainly a reminder of this disturbing trend, but a recent visit to another small service provider on East Broad Street brought it closer to home for me. Having seen the store on many trips through town, I was pleased to have the option of repairing an item in need of repair at a place that looked like it would provide quality workmanship rather than a mere quick fix. I was not disappointed. The owner provided a great service at a fair price.

Unfortunately, he informed me that he was going to have to shut his doors soon because of the lack of business and ever-increasing rents.

The charm as well as the number of quality, personal services in the downtown area will clearly be diminished by this closure. The trend is alarming. I certainly support having some chain retailers in town and avail myself of some of their services, but these "mom-and-

pop" also have something to offer. Is there anything we can do as residents to stem the tide? Clearly, patronizing these establishments is one thing we all can do personally, but is there anything else?

Joe Gawronski  
Westfield

## Reader Upset That The Times Doesn't Include Blotter and Home Sales

I am enclosing my check for our subscription renewal. I thought long and hard about renewing my subscription.

We live in Scotch Plains. The "Police Blotter" and "Recent Home Sales" for Scotch Plains-Fanwood were deleted from your newspaper quite some time ago. I previously sent an e-mail asking why these were discontinued and received a reply that your advertising comes mostly from Westfield and that's why you show the Police Blotter and Recent Home Sales for Westfield only.

I think this is ludicrous. The newspaper's name is *The Times of Scotch Plains-Fanwood*. You should care about your subscribers and show columns that are of interest to the residents of the Scotch Plains-Fanwood area. These two columns should not be based on the actual advertisements you receive, but should be printed in the public's interest since your newspaper is considered a "community" newspaper (your exact words on your renewal notice). We care about what happens in Westfield, but not

## SP Land Sales Should Be Listed In The Times

I am a resident of Scotch Plains and notice that the Land Sale information for my community is not listed in *The Times*.

Can you have that information added to the other communities that appear currently?

James Pate  
Scotch Plains

## Publishing Policy Noted For Campaign Releases

*The Westfield Leader and The Times of Scotch Plains-Fanwood* provide a forum (each week, two months prior and to the week before election) for candidates of the region to express their views to our readers, in print and on the Internet. We provide equal space opportunity each week to all candidates at no charge.

On the last Thursday edition prior to the election, no releases will be accepted as the space is dedicated for our editors to summarize the campaign/election.

Paid Political advertisements are accepted from all candidates for all elections; space and placement reservations are on a first come, first serve basis. Call Advertising Director, Fred Lecomte at (908) 232-4407 or e-mail [sales@goleader.com](mailto:sales@goleader.com)

**Criteria for Campaign Releases:**

- (1) The forum is for issue messages to our readers. Discussions of local issues are encouraged. Personal attacks on opponents will not be accepted; generic releases, not exclusive for our newspapers are discouraged. Our Editors sole judgment shall apply and submissions may be rejected if criteria are deemed out of policy.
- (2) Submissions shall be limited to a maximum of 400 words. If a photo is sent, then the text shall be limited to 150 words, plus a caption. Submissions shall be by e-mail (paste text in body of e-mail, no document attachments please). Digital photos should be e-mailed as attachments and are preferred over film. Please include caption information.
- (3) Submissions must be received by Friday evening of the week prior to publication. E-mail to [editor@goleader.com](mailto:editor@goleader.com).

Horace Corbin  
Publisher

## Former Resident Sends September 11 Message

I used to live in Westfield in the mid 1970's and taught chemistry at Westfield High School. I lived on Mountain Avenue, first in Mountaintop and then in Westfield. I feel a strong attachment still to the people I knew there. Although I have been back in Texas since 1976, my daughter worked in NYC for Price Waterhouse Coopers until last year, so the common threads to that area just seemed to continue over the years.

Today, as I was reflecting on last year's tragedy, I went to a CNN website to view the names of the victims and realized how many were from beautiful Westfield. I don't know any of the victims but I just want you all to know that even though most people live in areas of the country you might consider "untouched" by this tragedy, there has not been one day that I haven't cried over this awful ordeal and can't imagine what you are going through. Many of my friends here in Texas are grieving daily, too, and praying for you all. This is of course a national tragedy but we realize that towns like Westfield are the heart of the tragedy. You have friends and partners in grief in Texas. God Bless You All!

Sheila Allen (formerly Sheila Fay)  
Texas

## Leader Should Sponsor Public Forum on Parking Deck Proposal

This letter was written as an addition to Bruce Long's letter of September 6, 2002.

As a private, tax-paying citizen, I would like to suggest and challenge *The Westfield Leader* to sponsor public forums to give the people of Westfield an accurate accounting of the parking situation and proposed solutions. Six forums held at the town's six elementary schools would cover the territory. The 22 members of the Westfield Parking Advisory Committee could be asked to come out and explain their report as they have done once before in a public forum. The committee could take written questions from the public and all data would be available for review (th report has been available for viewing in the Municipal Building, Downtown Westfield Corporation Office, at the town Library and at [www.ataclick.com/westfield](http://www.ataclick.com/westfield)). Public Education will eliminate misinformation. It would show how a three part solution is needed for the parking problems that have plagued Westfield for decades. Commuter, shopper and employees (2,000 in our downtown area, five days a week) need a place to put the vehicles in a reasonable distance from their destination.

Westfield is currently short over 900 parking spaces. The town council is proposing to remedy two-thirds of this problem. What about the balance? It won't go away by talking about "appetites" or wishing it away. This town deserves a whole solution, not just part of one. Nothing less should be acceptable. The town simply has to do what it has to do to get there.

The Committee's recommendations illustrate need, why adequate parking is important to all residents, economics, design, the risk to all of Westfield's

property owners if the parking supply is not increased and more. To quote the report "safe, affordable and convenient parking is critical to enabling access to transportation, the downtown, and the use of services by residents, employees, and visitors."

Please let me know what could be possible. I truly feel that education is key to the solution for Westfield. Thank you for your time.

Debby Burslem  
Westfield

## Mom Upset Over Child Left Alone After Practice

To all of us out there who are dealing with our children's fall sports arenas, perhaps a few comments should be noted. My six year-old, 47-pound, daughter was left alone at a soccer field playground recently after practice concluded.

She was left alone with no call to my cell phone or home phone by any of her coaches. Upon my arrival - I thought, based on her crying and position, that she had fallen off the playground apparatus. I was very wrong.

My daughter was upset because she had been left isolated by all four of her soccer coaches, with no regard for what had happened to her mother or her ride home. She was cold and frightened.

We all run late. We all have other commitments. My question is, do we ever, ever, place a child in a contentious situation alone above anything else?

I cannot think of anything more important than the safety of any child, no matter what their age - can you?

Kathleen Anne Elizabeth Hopkins  
Scotch Plains

