

Supervisor at New York State-run Facility for the Mentally Disabled Charged in Patient's Death, New York Medical Malpractice Lawyer Comments

Jawara Henry died at the South Beach Psychiatric Center while supervisor Erik Stanley was attempting to restrain him

[New York medical malpractice lawyers](#) too often hear of abuse in institutions like nursing homes and facilities for the mentally disabled. Last week there was a death.

As reported by the *New York Post*, an autistic patient died after being held in a wrongful restraint. Erik Stanley, 37, a supervisor for disabled adults at a Staten Island mental health facility was charged with criminally negligent homicide.

As [New York medical malpractice lawyers](#) understand, Stanley allegedly applied excessive pressure to the neck and torso of Jawara Henry, 27, inside the Multiple Disabilities Unit on the grounds of the South Beach Psychiatric Center on Sea View Avenue.

Apparently, this action led to Henry's death. The medical examiner determined Henry died of asphyxiation by neck and chest compression.

According to the *New York Post*, a source said Stanley placed Henry in a "chokehold" and forced him onto his stomach. Stanley then got on top of the struggling patient as he was lying face down. This was considered "excessive force."

"Restraint should only be used as a very last resort and when there is immediate physical danger to the individual or others," said [New York medical malpractice lawyer](#) David Perecman, founder of The Perecman Firm, one of New York's [medical malpractice law firms](#).

According to the *Wall Street Journal*, the investigation found Stanley did "not follow protocol nor use proper techniques while trying to restrain" Henry, who was "agitated and aggressive and was biting staff and other patients."

Stanley, who worked at the facility for eight years, allegedly broke protocol by not waiting for back-up from other staffers at the center.

"Taking care of an adult with mental illness is hard. Both the demands of care giving and the behavior of a patient can create situations in which abuse is more likely to occur. However, under no circumstance is it legal for caregivers to abuse or neglect people under their care," said Perecman, a [New York medical malpractice lawyer](#) with over 30 years of experience helping [institutional abuse and neglect victims](#).

Stanley was arraigned on charges of criminally negligent homicide and endangering the welfare of an incompetent or physically disabled person. He pleaded not guilty and was released without bail.

[New York medical malpractice lawyers](#) understand [institutional abuse and neglect](#) can happen at any public or private institution. Often times there are signs of institutional abuse. However, in this case, the death was not reported by any news outlet to be part of a pattern.

Individuals who experienced or know someone who [suffered from institutional abuse in New York](#) should seek justice and compensation. An [institutional abuse lawsuit](#) may prevent further incidents or neglect or abuse. Mental facilities are held in a position of trust. When they fail to meet expected standards, they should be held liable. The same goes for nursing homes and other institutions.

If an individual suspects institutional abuse or [nursing home abuse in New York](#), he or she should contact a New York personal injury lawyer. Due to complex state legal issues, licensing laws and standard of care, it can be hard to determine who is responsible for institutional abuse, [nursing home abuse](#) or neglectful treatment and the investigation of these [institutional abuse cases](#) can be difficult and complex.

An [expert New York medical malpractice lawyer](#) has experience not only in the New York court systems, but in reviewing evidence, interviewing witnesses, and investigating an institution's practices, procedures and history. A thorough investigation can yield vital information that can aid a victim and/or the victim's family.

About David Perecman and The Perecman Firm, PLLC:

For the past 30 years, the New York institutional abuse, medical malpractice, auto accident, and construction accident lawyers at The Perecman Firm, PLLC have handled all types of cases including slips and falls caused by ice and snow. David Perecman, founder of the Firm, is a Board Director and the past Secretary and Treasurer of the New York State Trial Lawyers Association (NYSTLA) and a chair of its Labor Law Committee. Mr. Perecman's achievements have brought him recognition as an Honoree in the National Law Journal's Hall of Fame, in New York Magazine's "The Best Lawyers in America" and The New York Times Magazine "New York Super Lawyers, Metro Edition" for the years 2007-2010.

The Firm has recovered millions of dollars for its clients. Among the more recent victories, Mr. Perecman won a \$15 million verdict** for a construction accident, a \$5.35 million dollar verdict*** for an automobile accident, and a \$40 million dollar structured settlement for medical malpractice****.

**later settled while on appeal for \$7.940 million

*** later settled for \$3.5 million

**** total potential payout

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