

# Straight Inc. held man illegally, jury says

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ALEXANDRIA, Va. — After a four-day trial that pitted father against son and brother against brother, a federal jury agreed Thursday that Straight Inc. falsely imprisoned 20-year-old Fred Collins last summer when he visited the program's St. Petersburg headquarters.

But the jury decided that Straight cannot be held liable for the two other charges that Collins leveled in a bitter and hard-fought lawsuit against the nationally acclaimed drug program: assault and intentional infliction of emotional distress.

Nevertheless, Collins said he thought his "nightmare was over" after the verdict was announced in U.S. District Court in Alexandria.

The six jurors reached their decision in less than two hours after a trial that began Monday.

Next they must agree on what damages Straight will have to pay. That portion of the trial has been scheduled for May 24. Philip Hirschkop, Collins' attorney, said after the trial that he plans to enter new evidence to prove there was "a pattern and practice" of false imprisonment at Straight before and after Collins was in the program.

Hirschkop hailed Thursday's verdict as a major victory.

"**THE THRUST** of the case was false imprisonment, and we won," he said. "The whole case and practically all the evidence concerned the fact that he was kidnapped."

Both Straight executive director William Oliver and national clinical director Miller Newton dismissed the verdict as a technical defeat, however.

"As far as I'm concerned, it's a procedural question (involving how clients can leave the program)," said Oliver. "It's not a moral issue. The moral issue is whether the kids were physically and mentally abused." On those two issues, Oliver said, the jury voted "no."

Thursday's verdict was the first time Straight has lost a case before a jury. Collins' attorneys predicted Thursday that the verdict will encourage more lawsuits against the drug treatment program, which is highly regarded in some quarters but criticized in others.

Two suits have been filed against Straight in Florida within the past week alone. A third was filed in Fairfax County Circuit Court in Virginia last month. And Straight remains under investigation by Florida prosecutors for

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possible criminal abuse at both its Sarasota branch and its St. Petersburg headquarters. No charges have been filed in either investigation.

Collins said he came to St. Petersburg last June to visit his brother, who was a client at Straight. He claimed that he was not drug dependent and that he told Straight staff members repeatedly during a high-pressure, eight-hour interview that he did not want to join the program.

**NEVERTHELESS**, the doors to the interview room were blocked, and Straight executive staff member Chris Yarnold told Collins that his father would no longer pay his college tuition unless he joined Straight, Yarnold testified. Collins also was told that he would not be allowed to see either his father or his brother until he joined for a 14-day trial period, according to court testimony.

Collins testified that he "joined under great duress" and while at the program he saw groups of clients sit on other clients for not cooperating. On other occasions, non-conforming clients were punished with restricted peanut butter sandwich diets and isolated confinement for weeks at a time, Collins testified.

One client, Collins said, was kept awake for 80 continuous hours — "marathoned" — by other staff members as punishment for not complying with the program. On another occasion, several clients hyperventilated and went into convulsions because they were forced to exercise in a hot auditorium with the heat deliberately turned high.

Straight clinical director Newton corroborated Collins' testimony under cross-examination from Hirschkop, but added that the practices were discontinued before Collins ran away from the program.

**THROUGHOUT** the trial, defense attorneys for Straight tried to discredit Collins by proving that he was drug dependent when he visited Straight and that he could have left at any time had he wanted to.

In closing arguments Thursday, defense attorney Ronald Goldfarb bitterly attacked Collins' credibility and launched into a passionate and emotional plea, urging the jurors to decide the case "straight from the heart, straight from the gut."

Collins' younger brother George, who is still a client at Straight, testified against him, claiming that Fred contributed to his drug problem. While at Straight, according to George, Fred never formally asked to leave the program, was never abused and appeared to be benefiting from his treatment.

Goldfarb also pointed to a nightly journal that Collins kept while at Straight.

Again and again, Goldfarb argued, Collins wrote that Straight was helping him overcome his drug dependence and to rebuild the family relationship that had been so troubled during high school.

Straight, Goldfarb continued, treats only clients who need the program, clients who "take a puff (of marijuana)

or a drink when they are facing huge consequences."

Collins, Goldfarb argued, was facing such consequences when he smoked marijuana and drank beer during part of his freshman year at Virginia Polytechnic Institute. He had promised his father not to take any drugs or else face losing his college tuition.

By breaking the promise, Collins showed that he cared more about drugs than his family and, Goldfarb continued, Straight had reason to believe he was drug dependent.

Goldfarb argued that "when a parent making a demand on a youngster is 'coercion,' and talking about drug problems (at Straight) is 'intentional infliction of emotional injury,' and when helping a kid (at Straight) face a problem is 'assault,'" the words become as distorted as the language in George Orwell's novel *1984*.

Collins, said Goldfarb, could have left the program any time had he formally asked. Instead, he "blew through the window like Captain Marvel" and ran away.

**"THIS BOY,"** said Goldfarb, removing his glasses and pointing directly at Collins, "is lying like a carpet on the floor."

But on the issue of false imprisonment, the jurors believed Fred Collins. Hirschkop, during his closing argument in Collins' behalf, urged them merely to look at the facts.

Collins, he said, was a college student with a respectable 3.2 grade point average when he visited Straight last summer. He was vice president of his fraternity, he had adjusted well at college and, when he arrived at Straight last summer, had not smoked marijuana in four months. Even his father was pleased, until Straight staff members convinced him that Fred needed the program.

"The fact that he drank beer in college and smoked marijuana is irrelevant," said Hirschkop. "It's not an excuse to lock him up for five months, take away one year of his college education and drive a wedge between him and his family."

Since Collins ran away from Straight, Hirschkop said, his brother and parents have been forbidden by Straight's written rules from giving him any emotional or financial support.

**HIRSCHKOP ARGUED** that the only reason Fred Collins never formally asked to leave the program was because he was fearful of the abuse he saw and thought that his own progress in the program would be set back.

Twice Collins told clients and staff members that he did not think he belonged in the program, according to Straight's own records. Both times, said Hirschkop, he was set back in the program. The entries that Collins made in his nightly journal during those periods, said Hirschkop, are mysteriously missing from his notebooks.

If Collins was there voluntarily, "why was he held in such a tight prison?" Hirschkop asked the jurors. "If he could walk out any time, why did they have two or three guards at every door? ... Why did they lock his bedroom? ... Why do they have that prison atmosphere?"

"Because he was there against his will," Hirschkop said. "That's the only reason."