

Judge refuses to brand Straight program illegal

By MILO GEYELIN
St. Petersburg Times Staff Writer

A Virginia college student who was imprisoned by Straight Inc. last year has lost his bid to have alleged abuses at the St. Petersburg-based drug treatment program declared illegal.

Former Straight client Fred Collins Jr., who successfully sued Straight last May for false imprisonment, was seeking a court injunction preventing the program from violating the rights of future clients or risk being held in contempt of court.

Specifically, Collins asked U.S. District Judge Albert V. Bryan Jr. for a judge's order preventing Straight from coercing clients into the program, physically abusing them, holding them against their will or denying them access to friends, family and

legal aid.

But in a three-page opinion issued in U.S. District Court in Alexandria last Friday, Bryan ruled that Collins did not have the legal grounds to seek the injunction since he is no longer a client at Straight.

SINCE COLLINS is not likely to rejoin the program, Bryan ruled, "There is no immediate threat or likelihood in the future that he will be falsely imprisoned or subjected to any (potentially illegal) conduct by (Straight)." Hence, Bryan concluded, Collins had no legal standing.

Straight executive director William D. Oliver hailed the ruling as a victory for the nationally recognized but highly controversial drug treatment program.

See STRAIGHT, 8-B



Collins' attorney Philip Hirschkop called the decision "purely procedural."

"He said he didn't have standing (to seek the court order)," Hirschkop said. "He (Bryan) didn't indicate in any way whether he thought what they were doing was legal or illegal."

Collins, a lanky, 20-year-old engineering student, sued Straight last December after being held in the program more than four months. His suit charged Straight with false imprisonment, abusive treatment and intentional infliction of emotional distress and originally was filed as a class action to represent all of Straight's clients at all of its branches. (Since the trial, Straight has closed its Sarasota branch and now operates only in St. Petersburg, Atlanta, Cincinnati and Springfield, Va.)

BRYAN THREW OUT the class action portion of Collins' suit last January and, when it went to trial in May, the suit concerned only Collins' personal treatment at Straight. The jury ruled that Straight was not guilty of physically abusing Collins or of intentionally inflicting emotional distress.

But it found Straight guilty of false imprisonment and ordered the program to pay \$220,000 in damages. Of that amount, the jury awarded \$40,000 to compensate Collins and \$180,000 to punish Straight. The verdict is being appealed.

In hailing Bryan's recent ruling, Straight executive director Oliver said that Collins' suit began as a broad legal action

but finally "settled down to an incident involving Fred Collins."

In the end, only one issue remained — false imprisonment, Oliver said, "and we've corrected that."

ATTORNEYS FOR Straight argued in a legal brief filed with Bryan that "there was clear and convincing evidence . . . that Straight voluntarily has modified its intake and withdrawal procedures to assure that the wrongs alleged by (Collins) . . . do not occur in the future."

The brief included a sworn statement from mental health specialist Marcia Bittleman, of the Florida Department of Health and Rehabilitative Services. Ms. Bittleman said that clients in Straight's St. Petersburg branch are informed that they can leave the program upon request.

But according to a sworn statement filed by Collins' attorney, Straight's Virginia branch has continued illegally imprisoning and abusing its clients as recently as last month.

Ernest and Virginia Lofgren, who withdrew their two sons from Straight's Virginia branch June 12, claim that "through the second week of June 1983, people were regularly sat on for wanting to leave and for numerous other reasons by participants in the program."

"PEOPLE WERE regularly slapped for not conforming to the rules . . . still taken into a room without windows, where they were held for up to a day at a time."

The Lofgrens claim that Straight is continuing to hold clients against their will and denying them contact with the outside world.