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Four ex-Partlow workers reinstated

Former employees were fired after a patient died while being restrained at the facility

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MONTGOMERY | The state Personnel Board on Wednesday ordered the Department of Mental Health to reinstate four former employees of W.D. Partlow Developmental Center who were fired after a 300-pound patient died while being restrained.

The board, via a 5-0 vote, ordered reinstatement with back pay to Mental Health Worker 1 Cecil R. Gordon, Mental Health Worker III Loretta Wiggins, Mental Health Worker II Eddie W. Williams, and Mental Health Worker 1 Terry J. Wilson.

However, their jobs may have already disappeared. Partlow was closed on Nov. 30, and the department on Wednesday announced a significant downsizing and closing of four of six mental health facilities outside of Tuscaloosa.

The board upheld administrative law Judge Dennis Steverson's Jan. 11 ruling that the four were fired without merit.

The employees were fired effective Feb. 11, 2011, based on an October 2010 incident involving a 6-foot, 300-pound patient with a history of violence.

The mother of Ricky James White, 44, filed a wrongful death lawsuit in Tuscaloosa County Circuit Court on Jan. 26, claiming that White died of asphyxia while being improperly restrained.

A grand jury declined to indict the four, Wilson said. Wilson's record indicates that he once saved a patient's life and on another occasion performed the Heimlich maneuver on a patient who was choking.

White, who was not identified in the Personnel Department ruling, had a history of violence and aggression, the order said.

He had attacked staff and other patients, conducted several break-ins, attempted a sexual assault and once fatally pushed a patient down a flight of stairs.

On the day of his death, White harassed another patient, began throwing food and a telephone at staff members and punched another patient.

Steverson's report said that the four at first attempted to restrain White and then restrained him in a prone position. A supervisor was called, but White died.

All four employees had been trained to handle patients, but an internal investigation determined that their restraint was an unapproved physical restraint. Steverson said no one had been previously disciplined for securing someone in a prone position, face down.

Their attorney, Joel Sogol, said the department has the option to appeal. Because of their seniority, the department may have to find jobs for them, Sogol said.



“They didn’t want to hurt this man,” Sogol said. “My reaction is they never should have gone after them. What they did was try to protect themselves and others.”

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Tony Thompson, executive assistant to Mental Health Commissioner Zelia Baugh, said the department had received the ruling and was considering its options.