

CITY SETTLES WITH VET IN BATHROOM SHAME

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THE CITY has paid out nearly \$50,000 in damages to a wheelchair-using defendant who soiled himself after cops and jail guards refused to take him to the bathroom.

The case of Leonard Whitlock has spurred the city to examine making restrooms in police stationhouses and jails handicapped accessible.

Whitlock sued last year after he was twice forced to sit in his own filth for over 12 hours following his arrest on a domestic-violence charge in 2003.

"It was bad, real bad," Whitlock, 55, of East Elmhurst, Queens, told the Daily News. "I was disgusted. I was totally embarrassed. It was just humiliating."

The Vietnam vet, who suffers from multiple sclerosis, was having what he now calls a "stupid" argument with his wife when police were called on Dec. 14, 2003.

He was arrested for threatening her with a knife and for a loaded .32-caliber revolver found in the house, according to court records.

"When they got me to the precinct, I told the policeman I have multiple sclerosis and that I have to go to the bathroom," he said. "But I couldn't fit with the [wheel] chair . . . and they wouldn't touch me to help."

The next morning, when he was hauled before a judge, his pants were soiled.

Whitlock eventually made bail but was arrested again on his next court date when he was accompanied by his wife.

The judge ordered him locked up after being told Whitlock's wife had a restraining order against him.

Whitlock was taken to Rikers Island, where he soiled himself again after guards ignored his pleas to be taken to the bathroom, he said.

"For a guy who served his country and suffered over the years, to be treated like this is really a disgrace," said his defense lawyer, Robert Didio.

The domestic-violence charge was dismissed when Whitlock's wife refused to cooperate, Didio said. Whitlock pleaded guilty to a weapons charge and received a conditional discharge.

Kate O'Brien Ahlers, a spokeswoman for the city's Law Department, said the city evaluated Whitlock's suit and "determined that settlement was in our best interest." She added that the city is looking into making restrooms in police precincts and city jails handicapped accessible.

Whitlock hopes the settlement - \$47,500 - will stop the city from treating others the same way. "I'm a disabled person," he said. "I should be handled with dignity."

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