

# 2d mystery death at mental home sparks Carey probe

By Jerome Watson

State's Atty. Bernard Carey's office has begun an investigation into yet another mystery-tinged death of a patient at Chicago-Read Mental Health Center, 6500 W. Irving Park.

The case, involving the death of Richard Mirock, 45, on Dec. 4, has raised questions about the functioning of the Cook County coroner's office, the police department and Chicago-Read.

The Carey probe of Mirock's death — termed bathtub drowning by doctors — came after The Sun Times, the Better Government Assn., and WLS-TV (Channel 7) news brought details in the puzzling case to the attention of Carey's office.

Last week, Carey ordered an investigation into the death of Henry Kolak last November at Read after The Sun Times, the BGA and Channel 7 presented information on the case to him. Doctors had ruled that Kolak was kicked to death.

Carey's entry into the Mirock case came despite a police decision to mark the case "closed" and a coroner's verdict that the Mirock death was of "undetermined" cause. (Mirock was found face down in a bathtub by Read attendant Stanley Jarmis.)

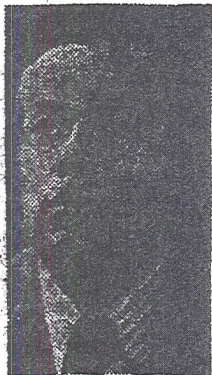
Both the police and Deputy Coroner Louis Capuzi ignored questions from Mirock's family that the death may have involved foul play.

In his unsuccessful campaign for coroner last fall, Republican Donald Mulack had charged that actions of the coroner's office often had the effect of covering up circumstances surrounding deaths, and that too few autopsies were being conducted by Coroner Andrew J. Toman's office.

Relatives of Mirock, who was not given an autopsy, complained to The Sun Times, the BGA and Channel 7 that:

(1) An anonymous caller, dialing a relative's number listed in Mirock's hospital records, informed the dead man's sister-in-law, Mrs. Virginia Mirock, that "there was foul play" and "begged" them to take action.

(2) The family recounted va-



STATE'S ATTY.  
BERNARD CAREY

rious conversations with Mirock indicating he was in good spirits and hoping to leave the hospital the day of his death. He had voluntarily entered the facility Nov. 27 because of a recurrence of depression.

(Mirock's widow, Jeanne, and his brother, Leonard, 53, said the dead man had halfheartedly attempted suicide some years ago and had received psychiatric care on a number of occasions, but they insisted he was not in a suicidal mood at Read. A Read doctor also testified at the inquest that Mirock had been given a pass two or three days before his death because he was not seen as suicidal.)

(3) Deputy Coroner Capuzi declined to look into allegations of possible negligence by Chicago-Read or possible foul play, and he discouraged the Mirock family (as indicated in a transcript of the inquest hearing) from seeking a continuance of the inquest to permit further inquiries into the death.

(4) No effort was made at the inquest, held Jan. 2 at the

Cook County morgue, to probe in detail a Read doctor's testimony that Mirock had apparently "sneaked" into the bathroom where he died. The doctor also testified that doors to the room are kept locked and that attendants must accompany bathers. (The doctor also testified that none of the patients in the hospital section where Mirock died had homicidal tendencies.)

Capuzi's comments contained in the inquest transcript indicate the deputy coroner was interested only in the immediate physical cause of death which a coroner's pathologist had ruled (without an autopsy) to be drowning asphyxia.

However, the broader meaning of the coroner is reflected in the finding of the coroner's jury, which already had been told that Mirock drowned. The jury reported that from testi-

mony "we are unable to determine whether (death) was accidental, suicidal or otherwise. Therefore, our verdict is undetermined."

Furthermore, state statutes require a coroner's jury to inquire "how, in what manner, and by whom or what, the said dead body came to its death, and of all other facts of and concerning the same, together with all material circumstances in anyway related to or connected with the said death . . ."

Now consider these excerpts from the inquest transcript:

Bernard Mirock: My wife wants to testify, too.

Capuzi: To what respect?

Mirock: Concerning negligence at the hospital, sir.

Capuzi: Well, sir, as far as any civil action that might be

taken . . . we have no jurisdiction. . . .

Capuzi (concerning Mirock's drowning): A man with suicidal tendencies, that is the way they usually go. . . .

Voice (Mirock family member): We received an anonymous phone call stating there was foul play. . . .

Capuzi: I don't believe there are any violent cases of that type there, is there, doctor? (The doctor assured him there weren't.)

Leonard Mirock said Chicago police, who were represented at the inquest, did not contact the family after the inquest to inquire about the mystery call they had received alleging foul play. Mirock said he had reported the call to police "several times" prior to the inquest, but did not pursue the matter with them because

"I didn't think anyone was interested."

Mulack said the official handling of the Mirock case suggested "gross neglect" by at least some officials.

The Sun Times, BGA and Channel 7 have conducted continuing investigations of the Illinois Department of Mental Health over the last 13 months. A separate Sun Times investigation of Tinley Park Mental Health Center has resulted in a state commission hearing, set for Monday.