

# Mother Held In Slaying Plans Suit

Gail <sup>Acc.</sup> Trait, accused of the butcher-knife slaying of her four young children, intends to file a \$40 million lawsuit against Erie County, her lawyer said on Friday.

The County Department of Social Services was "grossly negligent" in releasing the four children into her custody, charged attorney Carl Vizzi.

"Those people failed to exercise reasonable care," said Vizzi. "If they had, these four children would be alive today."

"Mrs. Trait has been in and out of hospitals for mental illness," said Vizzi, appointed by the court to defend Mrs. Trait on criminal charges.

## Cites Psychiatric Illness

"A modicum of investigation would have uncovered her history of psychiatric illness, that she was not emotionally equipped to handle her four children," said her lawyer.

Vizzi said a notice of claim will be filed next week in the County Clerk's office, followed by a lawsuit naming as defendants Erie County, its Department of Social Services and specified employees of that department.

The action will ask \$10 million for the "wrongful death" of each of the four children, Vizzi said.

Mrs. Trait, 26, is accused of murdering her four children in her upper apartment at 122 Montana Ave. last July 16. The slain children were a boy, Demetrius, 2, and three girls: Amina, 6, Kayla, 8, and Iliana, 1.

## Plans Insanity Defense

Mrs. Trait is in the Erie County Holding Center awaiting trial on second-degree murder charges. Her lawyer will interpose an insanity defense at her trial, still unscheduled.

The children had been in a foster home but were returned to their mother two weeks before they were slain, said Vizzi announcing his intent to file the civil lawsuit at a news conference in a County Hall corridor.

Dorothy Williams, mother of Mrs. Trait, was present at the conference along with other members of the family, according to the lawyer.