

KENNEDY BACKED BY SECRET REPORT ON MENTAL HOMES

Legislative Team's Survey Bears Out Findings of Improper Child Care

By JOHN SIBLEY

Senator Robert F. Kennedy's charge that the state does not provide proper care for mentally retarded children is supported by the hitherto secret report of a special legislative investigation a year ago.

The Senator's charge, made Thursday before a legislative committee, reverberated here and in Albany yesterday.

The state's Acting Commissioner of Mental Hygiene, Dr. Christopher F. Terrence, said he would seek "a substantial increase" in funds for the schools. Mr. Kennedy criticized. At the same time, Dr. Terrence protested that the Senator had distorted out of all perspective the conditions at the schools.

But detailed confirmation of Senator Kennedy's findings, contained in the confidential report of a team of three women who visited every mental institution in the State.

Senator Sought Release of the Mentally Retarded

Olga DeFelippe, president of the Guild for Exceptional Children and wife of a Brooklyn physician; Mrs. Helen Kernner, also of Brooklyn, and Mrs. Miriam Weinstein, institutions chairman of the New York State Association for Retarded Children.

Their report to the committee was forwarded to Governor Rockefeller. Senator Kennedy, in his statement Thursday, called on the Governor to make the report public.

The Governor's press secretary, Robert L. McManus, said this was "in no sense a refined report" and that it "wouldn't be appropriate" to make it public.

Accounts Are Similar

The New York Times obtained a copy of the report yesterday. It is a 37-page, single-spaced, typewritten document, containing separate reports on each of the institutions visited.

There was a remarkable similarity between Senator Kennedy's account of his recent visits to the Willowbrook and Rome State schools and the women's findings about the same institutions. A spokesman for Senator Kennedy said yesterday, however, that the Senator had not seen the confidential report either before or after his surprise visits.

Following is an excerpt from the investigators' report on Building 20 at Willowbrook, which is on Staten Island:

"In each of the four wards,

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3 METHODS USED IN COMMITMENTS

Most Admissions to Mental Homes Called Voluntary

By DOUGLAS ROBINSON

Most patients in the widely scattered public and private institutions for the mentally retarded in the state have been admitted voluntarily, the New York Department of Mental Hygiene said yesterday.

A spokesman for the agency said, however, that voluntary commitment was one of three procedures by which patients were admitted. All provide for review or release upon application.

In a voluntary admission, the director of a state or private institution is authorized by law to receive a mentally retarded person upon written application by him, if he is of age, or by his parents, legal guardian or next of kin.

Once admitted, the patient can be detained for 60 days and thereafter until 15 days after written notice of intent to leave. Mildly retarded adults may leave at their request; severe cases require permission of parents or guardians. Children also require such permission.

The Second Procedure

Under the second procedure, persons who do not object may be admitted upon petition of a near relative or a legal guardian. Such a petition can be made for a person who does not object but who is incapable of making a decision for himself.

The petition, the department said, must be accompanied by a certificate from an examining physician or psychologist. Such a patient may also be detained for 60 days or more until 15 days after filing application to leave.

The third admission procedure is based on certification of a court of record or children's court in the district where the mentally retarded person lives or is at the time.

Such application to the court may be made by a person in whose house the alleged mental defective is living, or by a parent, spouse, brother, sister, child or nearest relative, or by a friend.

Other petitioners include a commission of public welfare or an officer of any recognized institution or agency. In New York City, the Commissioner of Hospitals may make petition.

Doctors' Certificates

All petitions, the department said, must be accompanied by the certificates of two physicians or of one physician and one psychologist who have jointly examined the person and found him in need of treatment.

The court may then issue an order of admission for observation for no more than 60 days. A hearing must be granted by the court if requested by either the patient or someone on his behalf.

Should the institution find the patient in need of further treatment and care, this information is filed with a county clerk and the court then makes the order final.

All applications of those under 5 years of age must be approved by the Department of Mental Hygiene. In each case of a child under 5, a social service investigation is conducted

Kennedy Is Backed on Mental Homes

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retardates were milling around in the day room, stepping over, climbing over and clawing at each other—all in bodily contact—due to lack of space.

"It was in this building that the murder of one retardate by another had taken place just a few weeks before. Living under such inhuman conditions could only provoke more of these incidents. It is a snake-pit type of existence."

"The stench was vile in all the day rooms. In the dormitories, beds are placed close to each other with barely an inch between them."

Section Is Emphasized

In the only part of the report in which capital letters were used for emphasis, the investigators said:

"The Department of Mental Hygiene must find other facilities immediately to accommodate new admissions from the New York area."

"In addition, new facilities must be found in order to transfer retardates out of Willowbrook in order to alleviate the enormous overcrowding which exists."

"Finally, new facilities must be found to house the delinquents and homosexuals who are residing at Willowbrook."

At Rome, the women found conditions almost as deplorable.

"What we saw in Building H was shocking," they reported. "In Ward 23 some youngsters were sitting on benches, others sleeping on the bare floor, clothed in underpants only. This filthy room with defecation on the floor served as the day room and dining room for 130 active children. Their little bodies and faces were dirty and scratched."

The picture was not totally grim, however. The report on Rome also includes this passage:

"In Building O for educable and trainable girls, ages 6-18, we found a pleasant, cheerful atmosphere in the combined ward and day room. Toys and games were in evidence. We noticed that clothing rooms were particularly clean and

into his background and the reasons for the application.

As of last Aug. 31, the two downstate schools, Willowbrook and Letchworth Village, had waiting lists totaling 156 children under 5. In addition, 83 cases were on a pending list awaiting conclusion of a social service study.

The state operates seven major schools for the mentally retarded. The schools and the number of patients in July were:

- Letchworth Village at Thiells in Rockland County, 4128;
- Newark State School at Newark, N. Y., 2,708;
- Rome State School in Rome, 4,456;
- Syracuse State School, 369;
- Wassaic State School in Dutchess County, 4,178;
- West Seneca State School in Erie County, 1,045;
- Willowbrook State School on Staten Island, 5,363.

In addition, there are several smaller adjuncts of these schools. The Mount McGregor Division of the Rome school, in Wilton, N. Y., has 389 patients; the J. N. Adam Hospital in Perrysburg, 339; the Willard State Hospital, 473, and Gouverneur Hospital in Manhattan, 207.

An eighth school, at Tupper Lake, is scheduled to open on Sept. 20 with facilities for about 500 mentally retarded children.

neat with items tagged, and shoes and rubbers were in individual cubbyholes.

"All lockers were near the dormitories. We were pleased to note that in all bathrooms and most of the dormitories there were mirrors available for grooming. . . .

"In general, the female service of Rome State School was a good example of making the existing living conditions humane. There was a noticeable homelike atmosphere and employ interest and enthusiasm."

The women also praised the care provided for retarded children in the ancient brick building of Gouverneur Hospital on Manhattan's Lower East Side. "New brick and mortar is no guarantee of good care," they said. "It is the hopeful, dedicated philosophy and attitude of the director [Dr. Harold Schiller] and his staff which sifts down to the very level of the attendant and results in better care for the children."

'Stench Was Revolting'

At the Craig Colony in Sonoma, then restricted to epileptic patients, but now housing mental defectives as well, the investigators made this finding:

"There were many emaciated looking, unclothed males lying in bed in their own excrement. The stench was revolting. These patients are spooned in their beds, bathed and shaved twice weekly."

"We were ushered to a sub-basement area where about 15 ambulatory patients were eating in a dungeon-like, dirty atmosphere with a commercial dishwasher belching steam at one end of the room."

They found that in a residence for youngsters under 12, one attendant worked alone on the evening shift and was expected to spoonfeed, bathe, diaper and care for 38 children.

"We were informed," the report states, "that on many occasions because of lack of time, some of these children go unfed at the evening meal."

The three authors of the report are members of the ad-

visory committee to the Joint Legislative Committee. A spokesman for the Department of Mental Hygiene said the report had been considered when the department developed its master plan.

The master plan, described in seven volumes to be made public on Monday, includes a program of expanded treatment for the mentally retarded.

The confidential legislative report was not mentioned yesterday, however, when the department called a news conference in Albany to reply to Senator Kennedy's charges.

Reasons for Conference

Dr. Terrence was joined at the news conference by Dr. George Wadsworth, assistant commissioner for the mentally retarded, and Daniel J. Doran, assistant commissioner for administration.

The Commissioner said he had called the session to avoid "the appearance of insensitivity on our part to the charges—the implication that we denied nothing."

He acknowledged that the state spent \$6.50 a day for the care of each mental patient, not including administration. He compared this with \$40 a day for basic care in a general hospital. Ideally, he said, the base should be \$12 a day.

He said he planned to ask the Legislature for \$60 million additional next year to raise the budget to that level.

"The use by Senator Kennedy of the word 'brutality' affected me," Dr. Terrence went on. "Certainly if he saw brutality it was unusual. Rumors, hearsay, perhaps; I don't know."

Dr. Terrence said that only three of the state schools for mentally retarded were now overcrowded: Willowbrook, Rome in Oneida County, and Wassaic in Dutchess County.

He said a new school would open soon in Suffolk County and another—in an abandoned Veterans Administration Hospital—in Sunnyside upstate.

By transferring patients, he said, the department hopes to reduce the number at Willowbrook to about 4,000. Last July, 5,363 were there.

