

# Jury, Rocky Concluding State School Probe

By RAYMOND A. WITTEK

While Gov. Rockefeller today is touring the Rome State School and meeting with social service and mental health leaders in a conference on mental retardation, a Staten Island grand jury is winding up its investigation of Willowbrook State School. The jury should present a report in two weeks.

Rockefeller's tour coincided with the deadline he gave the Mental Hygiene Department on Oct. 12 to find additional facilities to ease overcrowding at the Island institution.

Democratic Sen. Robert F. Kennedy had charged last September patients at Rome and Willowbrook "live like animals in a zoo." Rockefeller vigorously condemned the charges.

Meanwhile, the state will defend itself in court today against a claim that a 6-year-old retarded boy died of malnutrition in 1962 after having spent 13 days at Willowbrook. The father is seeking \$500,000 in damages. James Anderson of Selden,

L. I., a school custodian, filed the suit in the Court of Claims. He contends that his son, Edward, died as a result of negligence by the institution's staff.

Anderson asserted that when he visited his son April 12, 1962, the boy "appeared to be on the verge of death." He obtained his son's release and took him home. Ten minutes after they arrived home Edward died.

**THERE SEEMS** little likelihood that any indictments will be returned by the Island grand jury.

Since last June the grand jury has been weighing evidence of possible criminal negligence in the deaths of three school residents earlier this year, and the conditions surrounding them.

The Staten Island facility, along with other state schools for the mentally retarded, were targets earlier this fall of criticism by public officials, including Senator Kennedy.

The grand jury yesterday reportedly named a five-man committee to sift evidence presented so far and to prepare a

list of conclusions for presentation to the entire body at its next meeting, Dec. 14.

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**THE COMMITTEE** will begin its work at a meeting today with District Attorney John M. Braisted Jr.

When the committee has completed drawing up its conclusions, copies will be mailed to other members of the grand jury for their consideration prior to the Dec. 14 meeting.

If the grand jury should hand up a report, it is possible for it to take a stand on any or all of three chief areas. The grand jury could:

- Recommend that action be instituted for the dismissal of public officers or employees, or that disciplinary action be taken.

- Exonerate a party which it feels may have been injured as a result of its investigation, providing the party solicits such exoneration and approves any statement the grand jury makes in that respect.

- Propose legislative, executive or administrative action in the public's interest based on its findings.

It is known that the grand jury has explored in depth conditions at the school, including shortages of personnel and overcrowding.

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**IN THE WAKE** of the three deaths and the public criticisms, the state Mental Hygiene Department has already taken steps toward updating the school's plumbing system and other facilities, increasing its staff and, on orders from Gov. Rockefeller, to relieve overcrowding.

Two patients died of burns suffered from being scalded while showering. The third was strangled by a restraining device.

The grand jury yesterday heard testimony from two of the school's engineers and from the mother of a former resident.

Braisted said he plans to request that the grand jury's life be extended again to complete its work on the Willowbrook probe and on another investigation, involving Building Department inspectors, which will continue past the Willowbrook investigation. The grand jury's present term expires Dec. 13.