

Mental Hospital Death: \$6,000 For Boy's Kin

A man who claimed that his 6-year-old son died as the result of neglect at Willowbrook State School, an institution for mental defectives on Staten Island, was awarded \$6,000 damages yesterday by Court of Claims Judge Caroline M. Simon.

Willowbrook was the subject of a clash between Sen. Robert Kennedy and Gov. Rockefeller late last year, after the Senator toured the institution and announced that its patients were "living amidst brutality and human excrement and intestinal disease."

There have been five violent deaths—two of them homicides—at Willowbrook in the past year and a half.

The \$6,000 award yesterday went to Mario Santana sr., a plumber's helper, of 256 Legion St., Brooklyn. He charged that his son, Mario Jr., was in excellent health when he was admitted to the school on June 13, 1963. The

boy died on Sept. 10 of the same year. The cause of death was listed as pulmonary congestion.

The judge ruled: "This 6-year-old boy entered Willowbrook in what, for him, was his normal health. Within a few weeks he was dead. The entire final period of his life was spent under the state's care. And thus no intervening outside incident or agent could be the precipitating cause of his demise."

The child was mentally retarded and was subject to convulsions, according to the ruling.

In a second case, the judge denied the claim of James Anderson, a school custodian of Selden, L. I., whose son died 15 minutes after return-

ing home from a 13-day stay at Willowbrook.

The death of the boy, Edward Richard, also 6, was attributed to dehydration, malnutrition, and pneumonia. He suffered from cerebral palsy.

The claim was denied because the boy's mother had removed him from Willowbrook against the advice of the authorities there.

The boy entered Willowbrook April 12, 1962. When Mrs. Anderson found, during a visit, that her son had lost six pounds and appeared to be "on the verge of death," she took him home.

Mr. Santana had sought \$100,000 damages, and Mr. Anderson had sought \$500,000 damages.

The dispute between Sen.

Kennedy and Gov. Rockefeller developed when the Senator suggested a meeting to educate state mental health officers on Federal-aid programs. The Governor accused the Senator of wanting to be a "political broker" between state and Federal agencies.

After the Senator's initial public statements about Willowbrook, last September, Gov. Rockefeller authorized the recruitment of therapists and teachers for the institution, and later announced a program of temporary construction to relieve overcrowding.

The Governor authorized recruitment of the therapists in response to a demand from State Sen. Harry Kraft, D., Bronx, whose committee heard Mr. Kennedy's denunciation of conditions at Willowbrook.

The building program was announced a month later, and the Governor denied that it had resulted from Mr. Kennedy's complaints.