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HOME-DELIVER

Jury Mild on Willowbrook; Most Faults Already Righted

By RAYMOND A. WITTEK

During a six-month investigation of conditions at Willowbrook State School last year, a grand jury found evidence of overcrowding, shortages of staff personnel and defective equipment.

The grand jury's findings are contained in a seemingly mild-worded report that differs greatly, at least in tone, from U.S. Sen. Robert F. Kennedy's charges a year ago that mentally retarded patients at Willowbrook and another state school lived under "intolerable" and "zoo-like" conditions.

District Attorney John M. Braisted Jr., who started the grand jury investigation into Willowbrook the previous June, invited Kennedy to testify before the grand jury after he made the charges. The senator declined, however, saying he had no evidence of any criminality that would contribute to the investigation.

The grand jury report, filed last Dec. 22, was made public yesterday by Supreme Court Justice James C. Crane.

According to the section of the Code of Criminal Procedure under which the report was submitted, the judge could not release it until he had inspected the grand jury minutes to determine whether there was any violation of the statute.

The judge, who did not receive all of the minutes until early this summer, could have suppressed the report if he determined that it contained any charges of criminality, whether directly or indirectly.

The report states, in connection with financial conditions at the institution, "that it is the responsibility of government to adequately provide and care for those unfortunate members of our community who are stricken with mental and physical retardation.

"This responsibility includes not only their custodial care but also medical and psychiatric help.

"The grand jury finds that it is the responsibility of government to use its resources to make every reasonable effort to rehabilitate such individuals to the greatest possible extent to the end that they be afforded every possible opportunity of returning to the community as useful citizens."

Most of the conditions cited by the grand jury have been corrected by the state Mental Hygiene Department, which has jurisdiction over Willowbrook, since the report was



Willowbrook graduate Miss Louise Frasier is congratulated by Gov. Rockefeller. Mrs. Mary A. Kelly, chief of nursing services and training, presents the degrees.

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extremely difficult, if not impossible."

The report observed that Dr. Jack Hammond, school director, had at the time of filing of the report instituted new admission policies which would eventually result in a reduction of the school's patient population. The grand jury recommended that such policies be continued and receive the full support "of all concerned."

● **Inadequate staffing:** The report found that because of the type and nature of the work the school encountered difficulty in "attracting and retaining efficient and dedicated personnel."

It urged the initiation of a study to weigh the feasibility of pay increases to attract competent help. It also called attention to a "substantial need for an increase in the number of professional and supervisory personnel required at the institution."

● **Equipment:** The grand jury said that much of the school's steam and hot water equipment was "inadequate, improper, old and out of date and deteriorated."

It said that this situation was caused by the failure of the school to establish and

implement a continuing preventive maintenance program.

"Although efforts had been made to formulate such schedule, nevertheless they could not be implemented because of the inability of the institution to obtain qualified personnel," the report said.

The grand jury's recommendation that the faulty facilities be replaced has largely been carried out.

● **Size of the institution:** The grand jury held that Willowbrook had become "unwieldy" because of its size and its large number of patients.

Willowbrook's size, the grand jury said, made it difficult to provide patients with the "best medical care and attention" and was not "conducive to the involvement of the community in appropriate programs."

Willowbrook's location also made it difficult for parents to visit their children, it was said.

Based on these facts, the grand jury urged the appointment of a state legislative committee for the purpose of determining the "most desirable and efficient" institution that might be built in the future to perform functions similar to those provid-

ed at Willowbrook.

The grand jury investigation was sparked by the deaths of three residents at the school last year. In none of the cases was an indictment returned.

In two of the deaths, the grand jury found that the victims died of severe body burns while taking showers, and that there was no evidence of "culpable or criminal negligence attributable to any individual."

The third death was caused by an assault committed by another patient who "lacked substantial capacity to know and appreciate the nature and consequence of his conduct and that such condition was wrong."

The grand jury paid tribute to the "complete cooperation" it had received from Dr. Hammond during the investigation.