

Court backs rights of mental patient

By **RAYMOND A. WITTEK**

A 27-year-old woman, resident at Willowbrook State School for eight years, won the right yesterday to take a halting step forward which, hopefully, will eventually enable her to rejoin society as a self-supporting, contributing member.

Committed by her father, who has doggedly opposed all efforts

to participate in an out-patient rehabilitation program which the school believes to be within her capability, and frustrated and depressed by what appeared to her to be a future that chained her to institutions for the mentally retarded, Mary Ann Bruno was elated yesterday when it was announced she could take part in such a program — and without her father's consent.

The announcement came in the form of a stipulation that was read into the Supreme Court record after its details had been worked out in Justice John A. Garbarino's chambers by Miss Bruno's lawyer, Robert L. Feldt, attorney in charge of the Legal Aid Society's Staten Island Neighborhood Office, and Assistant State Attorney General John F. Stolfi, representing the school.

TAKING STEPS

Under the stipulation, the school agreed to take immediate steps to place her in its out-patient community program through which she may one day hope to become, as the judge said, "part of the mainstream of society" and discharged from the institution.

Dr. Hammond, school director, in explaining the program, said Miss Bruno will remain under the supervision of a school social worker through whom efforts will be made to place her in a foster home and to obtain employment for her, enabling her to become self-supporting.

She may eventually be discharged from the institution, depending on her ability to adjust to her new life and on a review of her case, Dr. Hammond said.

Miss Bruno's father, John, a Garden City, L.I., resident, initially refused to discuss his daughter's case with a reporter yesterday, but after announcement of the stipulation he appeared resigned to what had transpired in court.

Garbarino did not rule directly on the writ of habeas corpus which had been brought on behalf of Miss Bruno. The judge, however, reaffirmed the right of the institution to decide whether a resident would benefit from the community program without parental approval, providing that the decision is based on clinical findings.

As part of the stipulation, Feldt withdrew the writ. This, it was learned, was academic. The writ petition had sought Miss Bruno's release from Willowbrook. The judge, however, reportedly refused to take such action, an informed source said. The judge chose instead to proceed on the theory that the community program is part of the school's treatment of residents.

Stolfi referred repeatedly to the father as the committee

of the person — a legal term whereby a person, usually by court order, is named to act for another who has been adjudged incompetent to handle his own affairs.

It was learned that Bruno, following the death of his first wife — he has since remarried — obtained a court order naming him the committee of the person and the property of his daughter in connection with an inheritance from her mother, his first wife. Subsequently, he was shorn of the committee of the property designation, but remained as the committee of her person.

Miss Bruno's case shed light on reports that there are

residents at Willowbrook who are capable of rehabilitation and living independent of an institution, but who are being held back at the school.

Dr. Hammond said there are about 70 patients who reside in foster homes. Some are employed and others return to the school.

Twenty-three more, he said, attend vocational rehabilitation training classes in Manhattan.

Several hundred more, he added, are in a community status, living with their families but receive out-patient, follow-up treatment at the school.

Dr. Hammond said it has been the school's policy "never to make a move without consulting the parents and seeking their cooperation." He said he intends to follow this practice, despite Garbarino's ruling yesterday. Only now, he added, he will be in a position to tell reluctant parents that he does not need their permission.

OBJECTION PARE

He said it is "rare" that a parent objects to the school's recommendations in connection with treatment.

At present, Willowbrook has 5,050 patients, Dr. Hammond said.

Miss Bruno was 19 years old and scheduled to graduate in four months from high school when her father had her committed to Willowbrook.

She has a brother, Robert, 30, who also is at the institution.

Feldt read a letter dated last May 14 from Dr. Hammond to Mr. and Mrs. Bruno in which he noted their daughter's progress and said that if she received outside vocational training he believed it would be "worthwhile." He said that she could not obtain further benefit from the Willowbrook program. He noted she had become "frustrated and depressed" and that the community placement program would prove beneficial.

Feldt also read into the court record the notes of a school social service worker in a similar vein and in which Miss Bruno was called a "bright young woman."

Miss Bruno's father had permitted her to be placed in a special program which technically prepares higher functioning patients at the school for jobs and, hopefully, for a life outside an institution. However, her father insisted she remain inside Willowbrook. She can type 30 words per minute.

Miss Bruno has worked for the past 3½ years as a housekeeper for Dr. Hammond, being paid \$10 a month above her room, board and any other medical care she required.

She has an intelligent quotient of 75. The school, while it sometimes accepts patients with higher IQs, uses up to 70 as the standard in considering admissions.

Reports on Miss Bruno used such terms as "exemplary" to describe her progress and rating as a patient.

At one point in the proceeding, Garbarino asked the assistant attorney general why the school hadn't carried out its desire to place Miss Bruno in the out-patient program. He replied that the school couldn't make the decision without her father's consent, for without his cooperation it felt she might suffer a "traumatic experience" and her development would have been hampered.