

Deaths at Willowbrook probed

By **RAYMOND A. WITTEK**

The district attorney's office has quietly opened an investigation into deaths by choking at Willowbrook State School, it was revealed yesterday.

District Attorney John M. Braisted Jr. in making the disclosure, said that any deaths to which criminal blame can be attached will be presented to a grand jury.

The district attorney, however, pushed aside any suggestion that a grand jury may be summoned to inquire into personnel and program problems at the institution.

He said the "methods and philosophy" of dealing with the mentally retarded are "not within the scope" of a grand jury.

Nevertheless, Braisted pledged his cooperation — in the form of letters to legislators and other public officials and

in public statements — on behalf of efforts to secure additional funds and new programming at Willowbrook and other state Mental Hygiene Department facilities.

Braisted made the statements in his office at a meeting requested by Max Schneier, chairman of the Federation of Parents Organizations for New York State Mental Institutions.

He was accompanied by Robert L. Feidt, attorney in

charge of the Staten Island Neighborhood Office of the Legal Aid Society, and Mr. and Mrs. Charles Haney of Fort Lee, N.J., members of the Willowbrook Chapter of the Benevolent Society for the Help of Retarded Children, a member of the federation.

Schneier said the federation represents parents of residents in 27 Mental Hygiene Department facilities throughout the state.

Schneier said he had requested the meeting in the hope of enlisting Braisted's support for grand jury action. Specifically, he wanted the grand jury to explore personnel shortages and lack of programming as a result of a job freeze and to try to obtain more money from the legislature, not only for Willowbrook but for Mental Hygiene Department facilities throughout the state.

Dr. Jack Hammond, Willowbrook director, testifying Monday at a Society for the Prevention of Cruelty to Children hearing, said there were 129 deaths at the institution during the 1971 fiscal year, and of these 11 were attributed to choking.

Other deaths due to choking have taken place this year — one as late as Monday — the parents told Braisted.

Defending personnel at Willowbrook, Schneier said that

one ward worker may have "30 mouths to feed — you can't blame her" if one of her charges starts to choke on his food. Many residents have to be hand-fed.

Schneier called for boosts in the base salaries of ward personnel to keep them on the payroll and defeat the job freeze, under which employees are not replaced after they leave.

Since the job freeze went into effect in December 1970, it was reported, there have been 987 vacancies. However, Gov. Rockefeller has provided funds to permit the institution to fill 300 of these jobs.

Schneier said state institutions are crammed with 25,000 mental patients. He called upon Braisted to help lead a campaign to get the Mental Hygiene Department to adopt in its institutions programs similar to those in California. These programs, Schneier said, have resulted in a sharp reduction in the number of institutionalized patients as well as savings to the taxpayer, while providing greater aid to patients.

"There's an entrenched bureaucracy in Albany — thousands of people — who just don't want to give this up," Schneier said.

"There are too many generals and not enough front line troops," he added.

Schneier praised the personnel at Willowbrook, "but they can't fight a war without troops," he said.

Braisted reiterated that he believes the problem rests with the Legislature's action in cutting the Mental Hygiene Department's budget.

Braisted noted that in 1966 there was a grand jury investigation into the deaths of two Willowbrook residents due to scalding. At that time the grand jury returned a report, urging the allocation of additional funds for Willowbrook.