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New 'Bill Of Rights' For Mentally Retarded Is Helped Along By Pressure From TATTLER

By RAE POWELL

Pressure from TATTLER and other organizations has brought protection to the mentally retarded in a new "bill of rights."

Splashed across the front page of our March 12 issue was the headline, "NESTERS INJECT RETARDED CHILDREN WITH HEPATITIS."

The story focused on Willowbrook, a New York state institution, where "distinguished" pediatrician Saul Krugman used the patients as guinea pigs for more than 10 years.

Dr. Krugman admitted human beings were being used like laboratory animals so he could "acquire new knowledge that ... will lead to development of an effective immunization agent..."

To justify his act of deliberately infecting the retarded children with the hepatitis virus, Krugman said the disease was so prevalent in the

institution that they were bound to contract it anyhow.

But that statement opened the door for further investigation which proved the facility to be a dirty, disease-infested hellhole where the mentally incapable were left to rot.

Since parental consent had been obtained -- even though high pressure maneuvers were used -- the crux of the issue was ethical.

Medical men on both sides of the Atlantic agreed that medical morality lies in never performing experiments on man which could be harmful, regardless of the potential value to science.

Such horrifying experiments could never have taken place with persons in complete control of their faculties.

What began as a headline story in TATTLER snowballed into a national question. Could we insure

the civil rights of a mentally retarded person so that no one could sign away his life and well-being?

The United Nations General Assembly voted "yes" to a French-sponsored resolution which read in part:

"The mentally retarded person has, to the maximum degree of feasibility, the same rights as other human beings."

Those rights included proper medical care and therapy to enable the retarded person to reach maximum potential.

The Willowbrook story put a stop to medical experimentation, as we had hoped. But it did more than that.

A mass of public officials began cleanup campaigns of state institutions across the country.

Investigators at Belchertown school in Massachusetts and Partlow in Alabama were shocked with

what waited behind the asylum walls:

Residents were sexually abused. Maggots crawled in the infected ear of one patient.

A small child spent his tortured days beating himself. He had never received psychiatric treatment.

Feces covered walls. Cockroaches were everywhere. Backed-up sewers went unattended.

Many physicians staffing the state institutions had not taken their state board examinations and were not licensed to practice medicine.

The medical director of one institution obtained his medical degree in Istanbul and his command of the English language left much to be desired.

The judicial hotlines buzzed with orders to evaluate custodial homes and turn them into therapy centers -- the quicker the better.

Not only do we now have a "bill of rights" for the retarded, public pressure is demanding law enforcement agencies follow-through.

Boston Federal District Court Judge Francis Ford gave state officials two short weeks to clean up the mess in their institution.

TATTLER started the wheels turning, but not everyone will be grateful.

Doctors will find themselves spending their days off treating institutionalized patients as conscientiously as private cases.

They will burn the midnight oil to develop workable techniques and treatment plans.

As the courts call for stricter enforcement of the doctrine, legislators will be busy trying to find funds for medical improvements.

Yes. We stirred up a lot of trouble. And we're glad.