

Dump the Willowbrooks, Biaggi pleads at hearing

By RAYMOND A. WITTEK

Institutions for the mentally retarded such as Willowbrook State School are "programmed for failure," Bronx Congressman Mario Biaggi charged yesterday as he called for abandonment of this "antediluvian attitude."

Biaggi made the statements in pleading with a judge for a ruling that would result in training and habilitation programs for the severely and profoundly retarded which conceivably could put them back in the "mainstream of society," even if only on a limited basis.

Biaggi's comments were made at the conclusion of a hearing before Supreme Court Justice Vito J. Titone that has spanned three months.

Biaggi represents the parents of 22-year-old Adrienne Renelli of the Bronx, a patient at Willowbrook since the age of 10 who has an intelligent quotient of four.

Biaggi brought the proceeding on her behalf in an attempt to compel the state Mental Hygiene Department, which operates Willowbrook, to provide her with a "humane psychological and physical environment" and "individual treatment plans." He also seeks additional personnel at the school to provide her with "adequate treatment."

Biaggi told Titone that if he ruled in Adrienne's favor the decision would represent a "breakthrough" in efforts to bring about "meaningful" programs at the school, subject of controversy since the Advance first exposed oppressive

and shocking conditions late last year.

Titone gave no indication when he would hand down a decision. He offered attorneys for both sides the opportunity to submit additional papers.

Earlier, Assistant State Attorney General Judith Gordon, in defending the school, conceded in her closing statement that the institution was overcrowded and understaffed, but she insisted that Biaggi had failed to prove that the school and state officials had not carried out their duties as mandated by state law or had abused their discretionary powers.

Prior to the closing statements, Biaggi called as a rebuttal witness Lee L. Landes, a member of the Board of Visitors of Willowbrook for the past 10 years and a former president of the board for half that time. The board is a watchdog group appointed by Gov. Rockefeller.

Landes was questioned about a letter dated Oct. 28, 1971, which he sent to the governor as president of the board and in which he urged lifting a budget freeze and expressed shock at conditions which board members found on a monthly visit to the school.

The letter called the governor's attention to patients who were naked because no clothing was available and other conditions imposed by the budgetary freeze, which at that time had already depleted the school's staff by 500 employees.

Landes said the governor subsequently lifted the freeze and in some cases acted on other recommendations of the board, including one for the appointment of a "blue ribbon task force" of legislators and citizens to probe school con-

ditions. This last matter, Landes said, was turned over to the state Developmental Disabilities Advisory Council, with instructions to report quickly back to the governor.

Landes said the board during its monthly visits found conditions that ran the gamut from good to bad.

Board members found residents who were well fed and clothed and engaged in constructive training on one hand, while on the other they observed residents without clothing "existing in their own excrement and given only custodial care." He added, "There were degrees in between."

Landes said the board never attempted to tell Dr. Jack Hammond, the school's former director who was transferred last August, how to run the institution. However, he said, the board believed that Dr. Hammond and his staff "were doing the best they could" with what they had available.

Biaggi, however, took Dr. Hammond to task in his closing statement, accusing him of "playing God."

Biaggi called attention to Dr. Hammond's testimony in which he said that 77 per cent of the school's population was severely or profoundly retarded. Biaggi claimed Dr. Hammond indicated there were no programs for these residents.

Each of these residents, including Adrienne, are trainable "to some degree," Biaggi said.

Biaggi said that Willowbrook's programs and procedures have been going on "for decades," and he called this an "indictment" of the school. "If it doesn't work, it should be changed," he said.

Mrs. Gordon said that the law provides for the care, treatment, training and education of residents, but there are no "clear legal duties."

For example, she said in regard to training and education, the Mental Hygiene Law deals with persons who have an IQ "of not less than 50." Accordingly, she said, education is defined as dealing with a "educatable class" and, similarly, training refers to "trainables."

Mrs. Gordon said Dr. Hammond had testified that Adrienne was "not suitable" for either training or educatable classes. Nevertheless, she said attempts were made at toilet training and to teach her to feed herself.

When funds were available, programs were instituted at Willowbrook. She said that "people like Jack Hammond were heard from often" about budget requests. She said Hammond used discretion "wisely" and "used funds as best he could."

This prompted Biaggi to comment that it was "too expensive" for the state to provide Adrienne with what he called her constitutional right to "adequate and effective treatment."

Adrienne's parents, Mr. and Mrs. John Renelli, contended that their daughter had been beaten and assaulted for lack of care and that because of lack of training and habilitation programs she had regressed since entering the school 12 years ago. Dr. Hammond said she had not "progressed."