

FBI told to monitor Willowbrook activity

By DAVID O. STEWART

A federal judge dismissed contempt proceedings against two officials of the state Mental Hygiene Dept. in Brooklyn Federal Court yesterday, but reserved decision on similar actions against Willowbrook director Dr. Miodrag Ristich, pending a review of the case.

Judge Orrin Judd also directed the Federal Bureau of Investigation to monitor Willowbrook to determine if the school is complying with his April 10 court order directing a one-to-nine ratio of attendants to patients, and improvement of toilet and recreational facilities.

Intervention by the FBI had

been requested by the plaintiffs, the New York State Association for Retarded Children, represented by Bruce J. Ennis. The federal agency has previously performed in a similar capacity in an Alabama case, Ennis said.

Quinlan J. Shea Jr., spokesman for the FBI, refused to say when the FBI will conduct its monitoring and report to Judge Judd.

The contempt charges against Dr. Alan Miller, state commissioner of Mental Hygiene, and Robert Hayes, deputy commissioner, were dismissed with the concurrence of the plaintiffs yesterday by the judge.

Judd cited the segregation of a special \$8.1 million fund to help finance implementation of his April court order. Of this money, \$4.7 is slated for facilities transferred Willowbrook patients, and the rest is to be used to hire personnel.

In the case of Dr. Ristich, however, Judd reserved his decision.

Ennis charged Ristich with "gross indifference or incompetence" in the implementation of the court order, but claimed that since the contempt proceedings began on June 21, the state department has made "remarkable progress."

Ennis said Ristich's attitude appears to be one of "willful defiance," and refused to drop the contempt action against the director.

Brenda Soloff, assistant attorney general representing the mental hygiene officials, said yesterday that the expected date for compliance with the court order is Oct. 31, and explained the delay in implementing reforms as the problem of holding employees.

Soloff said Ristich has done everything in his power to meet Judd's requirements, but that the matter is out of his hands since the employed turnover remains so high.

At one point, Judd asked Soloff if the defendants saw his directive as a final goal, or as a step in the right direction. Soloff replied that it was not seen as a final goal by the defendants.

There was no indication when Judd will make his decision on the Ristich case.