

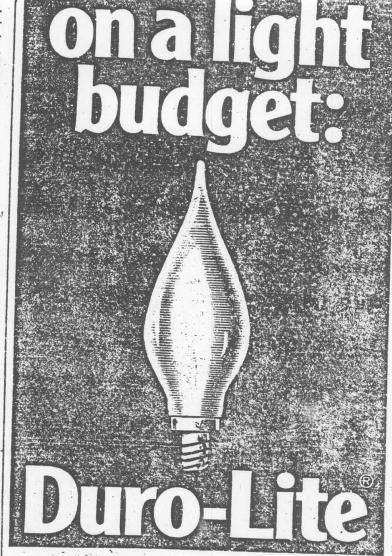
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the mentally retarded. Dr. Phillip Roos, executive director of the National Association for Retarded Children. paid a visit to Partlow and told the court what he found there. Roos proved to be less troubled by the cockroaches, the broken toilet seats, the "training" that involved cattle prods and the girl who spent her waking hours in a wooden cage than he was by the pervasive belief among the ill-trained attendants that their charges were totally incapable of learning or developing: "The conditions at Partlow today are generally dehumanizing, fostering deviancy, generating self-fulfilling prophecies of parasitism and helplessness. The conditions. I would say, are hazardous to psychological integrity, to health, and in some cases even to life."

In March, Judge Johnson issued an emergency order that the state hire 300 more attendants at Partlow within 30 days, repair the fire hazards, begin a disease immunization program, change the methods of preparing food to avoid "massive contamination," and return as many inmates as possible to their parents and guardians as part of a process of "normalization." In April, he handed down detailed minimum standards for all three institutions, which had been worked out by a group of assembled experts. There proved to be few differences between experts for the state and experts for the plaintiffs as to what constituted minimum adequate treatment-and no one claimed that this existed in any state institution.

The Alabama Mental Health Board and Gov. George Wallace have appealed Judge Johnson's decision. They argue that no Federal court has the power to tell a state how to allocate its resources. Wyatt has been consolidated with a recent Georgia case, in which a district judge ruled that there is no constitutional right to treatment—thereby putting the issue squarely before the Court of Appeals for the Fifth Circuit. (The threejudge appellate panel sitting



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