

PROBLEMS CITED AT WILLOWBROOK

An Expert Terms Conditions
Worse Than 2 Years Ago

By FRANK J. PRIAL

The president of the American Association on Mental Deficiencies testified in Federal Court in Brooklyn yesterday that conditions at the Willowbrook State School for the Mentally Retarded were in some ways worse last summer than they were two years ago when conditions at the Staten Island institution first gained widespread public notice.

Dr. James Clements, who is also director of the George Retardation Center at Atlanta, said that on the basis of visits to Willowbrook in August, he would recommend that an independent "master" be appointed to run the school. However, under direct questioning by Judge Orrin G. Judd, Dr. Clements backed away from a direct criticism of the school's administration or the State Department of Mental Hygiene, which runs it.

Dr. Clements was the principal witness on the first day of a class action brought by parents of resident children and by the State Association for Retarded Children.

Transfers Are Sought

The suit seeks the transfer of the 3,500 residents either to their own homes, foster homes, halfway houses or other smaller residential units. Willowbrook, represented by the office of Attorney General Louis J. Lefkowitz, will seek to show that major improvements have been made at the school since the suit was filed more than two years ago.

In fact, Assistant Attorney General George C. Mantzoros yesterday asked that the suit be dismissed on the ground that Federal regulations governing the operation of mental institutions now applied to Willowbrook. The Federal regulations, recently updated, provide the relief requested by the plaintiffs, Mr. Mantzoros argued and make the suit unnecessary.

Lawyers for the plaintiffs argued that their requests were actually in excess of the Federal standards. What is more, they said, adoption of even the minimal Federal standards would take several years and they hope for much more rapid redress.

Judge Reserves Decision

Judge Judd reserved decision on the motion. The trial is expected to go on for the rest of this week, then be recessed until early in November. Mr. Mantzoros said the recess would enable the state to investigate any claims about conditions at Willowbrook made by lawyers for the plaintiffs.

Nelson A. Rockefeller, who was Governor when the Willowbrook scandal became known, is expected to be called as a witness in the suit.

In an affidavit supporting the motion to dismiss the suit, Donald Fleming, acting deputy director of the Department of Mental Hygiene, listed improvements at Willowbrook since April, 1973. The improvements listed included more physicians, nurses, physical therapists, recreational therapists and mid-level supervisors.

The laundry has been renovated, Mr. Fleming said. Clothing allowances have been increased, and food processing and serving techniques are being improved.

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