

Editorial page

Our opinion

What made it a federal case?

Why did a federal court become involved in the effort by the owner of a Brighton Heights adult home to fill 70 empty beds there with mental patients the state has discharged and require the state to provide them with psychiatric after-care? That's what a great many people are asking.

The owner of Klein's Forest Manor was denied those things last July by State Supreme Court Justice Theodore Barlow. If Milton Klein felt that there had been bias in that decision, there is an appeals system in the state courts to which the case could have been referred.

U.S. District Court Judge Orrin G. Judd, after hearing testimony, said he would issue an injunction by tomorrow, and while it's uncertain just what that paper will declare, Mr. Klein thinks it will be totally in his favor. That could mean filling some 6,000 beds throughout the city and about 1,600 others on Staten Island with such patients, and requiring the state to provide that after-care. That would put a totally disproportionate number of those people in this borough.

Both Dr. Alvin Mesnikoff, regional director of the state Department of Mental Health and former director of the South Beach Psychiatric Center, and Dr. Arnold Winston, the center's present director, said they did not think Judge Judd fully understood the issues before him.

One of the Klein contentions has been that the Department of Mental Hygiene has only been referring Staten Island residents to Forest Manor, but sending other ex-patients to adult homes in other boroughs. But isn't it important for such people to be located near their families?

They have constitutional rights too.

The federal courts have been telling everybody for years that they're overworked. So why wasn't this court aware of the state court's decision and that the road to an appeal was anything but closed?