

Lawyer: Have state official live in a Willowbrook ward

By ROBERT MIRALDI

An attorney in the precedent-setting Willowbrook Developmental Center court case said last night that he would like a federal court to force the commissioner of the state's mental hygiene department to live in a ward at Willowbrook until the center meets federal standards.

The attorney said he "is serious" about asking a federal judge to rule Commissioner Lawrence C. Kolb and Deputy Commissioner Thomas A. Coughlin in contempt of court and force them to live on a patient ward at Willowbrook.

"It is my favorite option," Chris-

topher Hansen, an attorney with the New York Civil Liberties Union, said yesterday.

While there is no way to determine if U.S. District Court Judge John Bartels would impose such a penalty against Dr. Kolb and Coughlin, the attorneys can present it as an option.

Hansen said attorneys for parents' groups who instituted the case four years ago have "definitely" decided to seek contempt against top state officials. "A tremendous amount of research" on contempt has been done, Hansen said.

In April 1975, after a long battle in U.S. District Court, the state entered into a consent decree with the parents.

The decree is a 21-page document which outlines the standards that must be reached at Willowbrook. Deadlines for implementation were April and May.

According to reports issued by the Willowbrook Review Panel, the state has not, as the decree demands, placed 200 residents into community facilities nor has it implemented its standards at Willowbrook or at any of the 15 facilities where former Willowbrook residents now reside.

Dr. Kolb, Coughlin, state regional director Dr. Alvin Mesnikoff, facility director Dr. Levester Cannon and Gov. Carey are named as defendants in the Willowbrook case.

Cannon said in a recent interview that Willowbrook could be in compliance with the decree in 18 to 24 months. "Eighteen months is intolerable," Hansen said yesterday.

Among other options the attorneys are considering, Hansen said, are making Carey directly responsible for implementing the decree, imposing "heavy fines" on the defendants, and taking the control of Willowbrook out of the hands of the state.

Hansen said the attorneys would file contempt papers within a month. An all-day hearing in the case has been scheduled for Nov. 19.



Dr. Lawrence Kolb, commissioner of mental hygiene, holds a child's hand during a trip to Willowbrook Development Center last year. An attorney is asking a federal judge to rule that Kolb must live in a Willowbrook ward until the center meets federal standards.

S.I. Advance Photo by Robert Parsons