



From the left, Dr. Lawrence C. Kolb, Thomas A. Coughlin and Dr. Alvin M. Mesnikoff.



Criminal contempt charges filed against 3 Willowbrook overseers

By ROBERT MIRALDI

Attorneys for parents with children at Willowbrook Developmental Center yesterday filed criminal contempt motion papers in a federal court, charging the commissioner of the state's Department of Mental Hygiene with failing to implement federal guidelines at the Staten Island center for the retarded.

Named in the contempt papers were Dr. Lawrence C. Kolb, mental hygiene commissioner; Thomas A. Coughlin, a deputy state commissioner for retardation, and Dr. Alvin M. Mesnikoff, a mental hygiene regional commissioner.

The papers do not name Gov. Carey, who was an original defendant in the long-running Willowbrook court case; but according to the parents' attorneys, they have reserved the right to file contempt actions against Carey in the future.

In a related development yesterday, it was learned that the Willowbrook Re-

view panel has asked the federal judge overseeing the Willowbrook case to take responsibility for running Willowbrook out of the hands of the Department of Mental Hygiene.

Commissioner Kolb, the panel states in a three-page letter to Federal Judge John R. Bartels, has been unable to provide "leadership, authority, direction, control and supervision" necessary to bring about change at Willowbrook.

Contempt citations against state officials and a removal of the state's power to run one of its own facilities would both set precedents, observers said yesterday.

Parent and consumer groups first filed suit against the state in 1972, charging that the then 6,000 residents of Willowbrook were being denied their constitutional rights to a humane existence.

In April 1975, after a three-year court battle, Gov. Carey agreed to implement a 26-page document — consent judgment

— which outlined radical humanizing changes at Willowbrook, including reducing the resident census to 250 by 1981.

Deadlines for implementation were set for May and June of this year; but by the state's own admission in federal court, none of the deadlines were met and many of the guidelines are have still not been implemented at Willowbrook.

While the state lagged in making progress, parents' attorneys, growing increasingly impatient, threatened seeking contempt of court citations. Yesterday the threats became reality. The contempt motion papers apparently arrived at U.S. District Court, Brooklyn, late yesterday and were not available for inspection.

Judge Bartels has scheduled a Nov. 19 hearing in the case and, attorneys indicated yesterday that both the contempt motions and the Review Panel's request

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