

3 officials cleared of contempt

A federal judge yesterday dismissed contempt of court charges against three state officials who had been accused by parent groups of failing to make radical changes at Willowbrook Developmental Center, the Staten Island home for the retarded.

Judge John R. Bartels said he would continue to press the state to make changes at Willowbrook, but he said there was no longer reason to believe that the three officials were in contempt of court for their alleged failure to implement the 1975 Willowbrook Consent Decree.

State officials, including Gov. Carey, who was not named in the contempt citation, had agreed in 1975 to improve conditions at Willowbrook and reduce its population to 250 by 1981. There are presently 2,500 at the sprawling state center.

Cleared of contempt in Brooklyn Federal Court were Dr. Lawrence C. Kolb, commissioner of the state Department of Mental Hygiene; Thomas A. Coughlin, a deputy commissioner in charge of retardation, and Dr. Alvin Mesnikoff, a regional director and former director of the South Beach Psychiatric Center.

All three officials had conceded that the agreement of 1975 had not been completely implemented at Willowbrook nor in the other state centers where former Willowbrook residents now reside. But the officials contended they had done all in their power to make the needed changes.

The dismissal of the contempt motion

came as no surprise, especially in light of a March 11 agreement entered into by the state officials and the parent groups that initiated the case in 1972.

That 28-point agreement, among other things, put the state on record to speed up the process of placing Willowbrook residents into small community facilities. The state also agreed to let United Cerebral Palsy, a private agency, run five of Willowbrook's buildings.

Attorneys for parents had said that the contempt proceeding was merely a tool to force the state to speed up its improvement process at Willowbrook. The March 11 agreement, it was hoped, would mean quicker progress.

Despite that agreement, however, there was little harmony in court yesterday as parents' attorneys and attorneys for the state shouted back and forth, exchanging charges of lying. Coughlin told the court at one point that the constant haranguing from parents' attorneys was interfering at Willowbrook.

The parents' attorneys, in turn, said that it was the state officials who were at fault and they were still lagging in making changes at the center. Regional Commissioner Barbara Blum rebutted those charges, citing what she called substantial progress made at the center and in the community placement progress.

Judge Bartels set April 27-28 for all-day hearings on a report about progress at Willowbrook expected to be submitted by the Willowbrook Review Panel.