

# Teen arrested in rape of 7-year-old girl

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A 19-year-old resident of Willowbrook Developmental Center was arrested yesterday and charged with the April 3 rape-beating of a 7-year-old Silver Lake girl.

James Rich, a Willowbrook resident since 1969 when he was placed in the state center for the retarded by his mother, was taken into custody by detectives at 3 p.m. in the Willowbrook administration building.

After interrogation at the New Dorp police station, the suspect was officially arrested at 5 p.m. and charged with first degree rape, endangering the welfare of a child and unlawful imprisonment. Rich was held overnight in the St. George stationhouse and is expected to be arraigned today.

Officials described Rich as calm but confused yesterday. One source said that before his arrest Rich wondered what was causing all the commotion.

Willowbrook officials and other long-time observers of the state center interviewed yesterday could not recall any previous incident where a Willowbrook resident was charged with seriously harming a community resident since the center was opened after World War II.

Willowbrook officials had been informed last week that Rich was a suspect in the rape of the Silver Lake girl, who was found about 7:30 p.m. April 3 approximately 100 feet from the Silver Lake reservoir where, according to police, she had been attacked.

The girl, whose name was not released by police, was taken to Staten Island Hospital with internal and facial injuries. After surgery, she was released late last week and is recovering at home. Police would not comment yesterday if the girl identified the suspect.

At least a dozen detectives began investigating the incident early last week. According to Lt. William Juliano, who supervised the investigation, the detectives canvassed the apartment houses overlooking Silver Lake Park. Additionally, they returned to the scene for several nights and questioned joggers and people who usually walk their dogs in

the park about 7 or 7:30 p.m. Detectives also spoke with bus drivers who drive along the different routes around the park.

"We had an idea right away who the guy was," one detective commented, adding: "But we had to get it so we wouldn't lose him." Early last week, high ranking police officials said detectives had a "hot lead" on the rape suspect.

Although Inspector Vincent T. Agoglia said that Rich immediately became a suspect in the case, he would not comment on what made detectives interested in Rich. However, sources said there had been other suspects.

A high-ranking official said there was "physical evidence" linking Rich to the rape, but he would not say what the evidence was.

Juliano said that information "instrumental" to the investigation was provided by the dozens of persons who called detectives over a "hotline" set up to receive information about the attack.

"In this case," Juliano said, "people were not reluctant to help." Although a family that knows the girl offered a \$1,000 reward for information leading to the arrest and conviction of the person responsible in the attack, Juliano said that not one of the callers mentioned the reward. "They were all public spirited," he remarked.

The key figures in the investigation, according to Juliano, were Detectives Edwin Thorne and Alfred Siragusa, who were assigned the case and made the arrest yesterday.

Willowbrook's acting director, Frances Ryan, described Rich as a borderline, moderately retarded resident who has a "low boiling point," but who had never been involved in an assaultive incident off the Willowbrook campus.

Mrs. Ryan said Rich had been involved in two "assaultive type" incidents at Willowbrook in the last two weeks. She would not elaborate on the alleged incidents, nor would police comment if they were aware of the incidents.

Rich "is intelligent enough to know that if he acts out in the community he would lose his community status," Mrs. Ryan said. She said Rich "makes judgments, but not always the right ones."

Community status essentially means that Rich is allowed to come and go on the Willowbrook campus and into the community as he pleases. The policy came under severe attack two years ago when a resident wandered out of an unlocked building and eventually froze to death on the Willowbrook grounds, which include 40 buildings and 380 acres.

Mrs. Ryan defended the use of community status privileges for Rich, saying that he has the "intellectual ability" to function in the community. "All I can tell you is that he has a history of assaultive behavior but not outside the Willowbrook campus," she said.

She said that isolating Rich was no solution to his problems and that "given his functional status...he is quite capable" of living in the community.

Mrs. Ryan said two attempts had been made to place Rich into a community facility, but failed because Rich had a "low outburst level." She described weekend visits he made to the homes of volunteers as "sometimes good, sometimes bad."

Mrs. Ryan pointed out that partial reason for Rich's community status was the Willowbrook Consent Decree, the document signed in 1975 by state officials, which mandates that Willowbrook residents be given "the least restrictive" living arrangement possible. There have been arguments for the past three years — in and out of court — about the definition of "least restrictive."

Mrs. Ryan and other Willowbrook sources said that Rich needed psychiatric services that were not available at Willowbrook. Mrs. Ryan said the state was "attempting to develop psychiatric

resources."

In January 1976 the Willowbrook Review Panel, in a formal recommendation made in federal court, told Willowbrook officials to develop "a plan for providing consultation by qualified psychiatrists...for emotionally disturbed" residents.

A spokesman for the Review Panel said yesterday that at a meeting last week the state said it had not obtained such services because qualified, interested doctors did not want to work at Willowbrook.

Mrs. Ryan, acting director for Dr. Lester Cannon who is on vacation, said that Rich had worked for a "short period" in Willowbrook's housekeeping department but did not keep the job because "he was not able to cope with his expectations."

Despite the Willowbrook Decree, which says that each of Willowbrook's 2,500 residents must have six hours of daily therapeutic programming, Rich was not in any program. Mrs. Ryan said "he did not want to go."

One high-ranking Willowbrook official said Rich was "inappropriately placed" at Willowbrook and needed psychiatric treatment that developmental centers do not offer. The official said that state psychiatric centers will not treat retarded persons from state developmental centers.

State officials arranged yesterday for a Legal Aid Society attorney, Michael Brennan, to represent Rich.