

# Willowbrook rape suspect to undergo psychiatric tests

By ROBERT MIRALDI and MARK LINSALATA

The 19-year-old Willowbrook Developmental Center resident who has been charged with raping and beating a 7-year-old Silver Lake girl was ordered yesterday to a Brooklyn hospital to undergo a battery of psychiatric tests.

James Rich, described as a moderately retarded 13-year resident of the state center, was taken to Kings County Hospital after a brief appearance in Criminal Court, Stapleton, before Judge Anthony Marra.

Ironically for Rich, it may be the first time, observers said yesterday, that he will receive the psychiatric treatment that Willowbrook officials say he needs.

In another development, District Attorney Thomas R. Sullivan indicated there are "problem areas" in the case concerning the mental competency of the suspect. Sullivan declined to elaborate.

Reliable sources have said, however, there is a possibility Rich may never be tried because, even if he is found mentally competent, there is a question of his ability to understand what he was doing when he allegedly attacked the girl April 3.

Rich is charged with first degree rape, endangering the welfare of a child and unlawful imprisonment. His arrest Tuesday came as no surprise at Willowbrook, where officials had been informed last week that he was a suspect in the case.

While Willowbrook and state Department of Mental Hygiene officials wondered out loud yesterday about the effect of the arrest on the state's massive community placement effort, the officials also pointed to a bureaucratic problem of which Rich may be a victim.

The center's acting director, Frances Ryan, said Tuesday that Rich was "inappropriately placed" at Willowbrook and was in need of psychiatric services which Willowbrook has been trying — unsuccessfully — to develop.

Mrs. Ryan said yesterday that there are probably hundreds of residents on the 380-acre campus who need psychiatric treatment but are not getting it.

Asked why the state's South Beach Psychiatric Center was not providing the care, she said that was a "sensitive

issue" and deferred comment to Barbara Blum, regional commissioner for the state's division on mental retardation.

Mrs. Blum said that "the psychiatric profession has not been responsive to the needs of retarded people." She called it the "exception" when Willowbrook or any other state developmental center has been able to secure the services of a psychiatrist. "It has been very, very difficult," she said about obtaining psychiatric services for residents with emotional problems.

Rich, who appeared calm in court yesterday, has according to Mrs. Ryan, "a low boiling point" and has been involved in two "assaultive type" incidents on the Willowbrook grounds in the past two weeks. Mrs. Blum said Rich seemed "to be damaged in a great many ways, one of the hardest to reach."

She said he was "a man who had not had nurturing care in his early youth" and has been "hard to reach." Rich was placed at Willowbrook by his mother in 1964. Mrs. Blum also said that before Rich would ever have been placed in a community facility he would have been "carefully screened" to see that he had "fewer incidents of outburst."

There was no further explanation yesterday from any officials as to why Rich, despite his background, has been allowed to leave Willowbrook's grounds when he pleased.

Mrs. Blum pointed a finger at the psychiatric community which, she said, "doesn't want to deal with cases that will not show rapid, dramatic improvement." She said it was "high time" that retarded persons stop being excluded from receiving proper psychiatric care.

The director of the South Beach Psychiatric Center, Dr. Arnold Winston, said that the center had told Willowbrook officials it would be willing to develop a special unit for retarded persons, but would need money and staff.

"We are already overcrowded here," he said. South Beach has about 400 inpatients.

One high-ranking official at a state psychiatric center faulted Willowbrook officials for trying to shift the issue to psychiatric centers. "They ought to be developing the services at Willowbrook," the official said.

"Psychiatric centers are not the proper setting," the official said, adding that retarded persons with psychological problems "are falling between the cracks" in the state mental health system. "We need a combined kind of setup for people with developmental and psychiatric disabilities."

Mrs. Blum seconded the official's feeling, saying that "a number of different disciplines would have to come together" to solve the problem.

South Beach Psychiatric Center provides psychiatric care for the southern half of Staten Island and parts of Brooklyn, while the North Richmond Community Mental Health Center serves the northern half of the Island.

A North Richmond spokesman said yesterday that the center provides emergency care for Willowbrook residents but cannot afford to provide continuing care.

A Department of Mental Hygiene spokesman in Albany said that limited transfers between developmental and psychiatric centers do take place. The spokesman said regional panels are being set up to arbitrate disputes between centers about transfers of patients.

It was also learned yesterday that the Staten Island Developmental Disabilities Center has proposed to Willowbrook that it provide regular outpatient treatment for 250 of its residents and for 30 to 50 community-based retarded persons. The program cost would be an estimated \$133,000.

A hearing in the Rich case was set for May 13.