

Judge is told Bronx center 'no poorer' than Willowbrook

By ROBERT MIRALDI

The director of the state's division for retardation said yesterday in federal court that if he had to make a decision today, he would never build the \$21.4-million Bronx Developmental Center but, nevertheless, he wants the 384-bed center to open.

The statement of Department of Mental Hygiene Deputy Commissioner Thomas A. Coughlin was echoed by Dr. Herbert J. Cohen, who will be director of the new Bronx center. Dr. Cohen said, "There's no doubt today we would want a different kind of facility."

But Dr. Cohen also testified before Federal Judge John R. Bartels that the Bronx center, presently completed but not open, should accept 96 Bronx-born residents of Willowbrook Developmental Center. There are currently about 400 persons at Willowbrook who were born in the Bronx.

Dr. Cohen told Judge Bartels and the crowded courtroom audience that the modernistic Bronx center will not be "a poorer place to live than Willowbrook." Coughlin said that, in fact, he would rather his child live at the Bronx center than at Willowbrook.

"What we can do at the Bronx center and what we can do at Willowbrook are two different universes," Coughlin, a former director of Willowbrook, said in the U.S. District Court, Brooklyn.

A battery of witnesses, including a prominent architect and the chairman of the Willowbrook Review Panel, are expected to take the stand today after which Judge Bartels will rule whether the state can send residents from Wil-

lowbrook to the Bronx.

There were indications yesterday that a compromise solution to this latest Willowbrook argument was in the offing. Some sources suggested that the state and the Willowbrook Review Panel might agree to the transfers as long as conditional time limits were put on the length of stay of ex-Willowbrook residents in the Bronx facility.

Both Coughlin and Dr. Cohen took issue with putting unconditional time limits on how long a retarded person should stay in the Bronx center before placement in a community facility.

Coughlin said time limits didn't allow the state "flexibility," were "too stringent," and would "restrict state prerogatives."

Attorney for the state Department of Mental Hygiene, William Carnahan, spent yesterday attempting to prove that Bronx Developmental Center will be an important component in care for not only ex-Willowbrook residents but for the estimated 5,000 retarded persons who now live in the Bronx.

In cross-examination, Review Panel attorneys Murray Schneps and Michael Lottman tried to make Coughlin and Dr. Cohen concede that the new center would sap strength from and only slow the community placement effort which is already dragging.

Both sides, observers agreed, scored points; but as with most issues concerning the 2,500-bed Willowbrook Developmental Center, the solutions were not black or white but very gray.

The Bronx Developmental Center, located in an industrial section of the Bronx, between two highways and a psychiatric hospital, was originally con-

ceived by state planners in the 1960s as a 1,500-bed facility.

By the early 1970s when emphasis went from the institution to community-based care, the Bronx center was scaled down to 750 beds and then to 384 beds, still too large a number to suit those who are seeking to place major focus on the community.

The state has now sought to place 96 Willowbrook residents in the Bronx center. The Review Panel has objected, pointing to the Willowbrook Consent Decree which mandates community placement.

The Bronx Developmental Center, Dr. Cohen said yesterday, is "just a bridge" to the community where, he said, "hopefully all the retarded will live."

Judge Bartels queried Dr. Cohen on "just how long a bridge" the state had in mind. He also asked Dr. Cohen why he thought he could establish a good center in the Bronx when the state couldn't at Willowbrook.

Calling Willowbrook "demoralized," Dr. Cohen said that people on a staff make the difference between good and bad care. Judge Bartels later warned Dr. Cohen: "We're not going to permit a repetition of Willowbrook at another center."

At another point in the seven-hour hearing, Bartels said he didn't want to "transfer these poor children from one institution to another. I don't care how beautiful the institution is."

Expected to testify today was James Clements, the Atlanta, Ga., doctor who is chairman of the review panel. Dr. Clements visited the Bronx site and is expected to testify that it is unsafe for retarded persons.