

But is it any better?

\$336M spent to improve Willowbrook

By BRUCE ALPERT

A series of federal court orders mandating improved care for more than 5,000 former and current Staten Island Developmental Center residents has cost taxpayers \$336 million, according to a report by state mental retardation officials.

But parties involved in the lawsuit that resulted in the court orders disagree on what the money has meant. Some say the Willowbrook center is vastly improved, while others maintain only token progress has resulted, with the quality of life at the institution largely the same as when the court case

was brought in 1971.

The state accounting of court-related expenses was ordered last May by state Mental Retardation Commissioner Thomas A. Coughlin following an Advance story reporting that officials were unsure how much money had been allocated as a result of the court order. The directive, ordered a reversal of "inhumane and shocking" conditions at the center, formerly known as the Willowbrook State School.

The Advance story, which followed an extensive study by a team of reporters, estimated that in excess of \$100 million had been spent to implement the required improvements, most of which

were mandated under terms of the so-called Willowbrook Consent Decree.

The state study, completed by mental hygiene budget aides, found more than \$200 million in additional state allocations that officials say are directly attributable to the court orders dating back to 1972. The Advance study concerned itself with court-related costs dating from the 1975 court order, which provided a detailed timetable for improvements at the Willowbrook institution.

According to the state report, \$215.7 million has been spent to upgrade programs and staffing at the Staten Island Developmental Center and 12-related facilities, where many of the residents

have been transferred.

Almost \$79.4 million has been allocated for administration and the development of several dozen agencies charged with overseeing the institution, or implementing court orders to transfer center residents to community facilities, the state study said.

In addition, \$42.3 million has been spent to upgrade other state facilities for the retarded in an effort to "phase in" the improvements mandated at the Willowbrook center, according to state officials.

In releasing the figures, Coughlin, director of the state's 18 institutions for the retarded, said there is no question

the cost of the court judgments were expensive "and that some people will consider the \$300 million plus allocation to be excessive."

"But you have to go back to the 1960s," Coughlin said. "Willowbrook was a place that brought a lot of shame to the state government and to society in general. There were 150-bed wards, unclothed people and the number of deaths that occurred there every month was unconscionable."

Today, three years after Gov. Carey agreed to sign the 1975 judgment, Coughlin said the "quality of life has improved immeasurably" at the Willowbrook institution and the facility's

death rate has been cut in half.

Coughlin said very little of the \$336 million was wasted, although he added that theft of state property remains a serious problem at the Island center and other state facilities.

In one example, police in February reported 55,000 towels valued at \$60,000 stolen from the Willowbrook center. The thieves were never caught.

"We are taking steps to prevent the theft of state property, and I'd say we are making quite a bit of progress," Coughlin said.

Anthony Pinto, president of the Willowbrook Benevolent Society, and Chris

Hansen, an attorney who helped bring the lawsuit on behalf of the institution's residents in 1971, maintained that the \$336 million has resulted in only limited progress.

"I would say that there are still substantially few people whose lives are substantially better," said Hansen, an attorney for the Mental Health Law Project. "The fact that people are no longer sitting naked in the wards and the state is now giving people clothing is not the point of the lawsuit."

Hansen said the state's major failure has been its inability to meet court timetables for placing residents into smaller community facilities, where, he maintained, they have the greatest chance of reaching their potential. He also said the state has failed to provide those remaining at the institution with six hours of programming a day, as required by the court order.

"I may be wrong, but it has always seemed odd to me that the amount of money being poured into Willowbrook doesn't produce more than it produces," Hansen said.

Pinto, president of the largest parent group at the Island Center, said the major benefit of increased state spending has been a reduction in Willowbrook population from 5,241 in 1971 to approximately 2,200 residents today.

But according to Pinto, many problems that plagued the center before the 1975 judgment still exist today, "just on a smaller scale."

Pinto said some residents are still mistreated by center employees, adding that the state has failed to hire enough professionals to provide the type of specialized services many handicapped people need.

Felton King, head of the union representing the center's 3,500 employees, agreed that improvements at the 382-acre institution have not been substantial.

"It's improved somewhat in that the overcrowding is no longer in existence and the clients are getting more programming than they were five years ago," said King, president of the Willowbrook chapter of the Civil Service Employees Association.

Although the staff-to-resident ratio at the institution has improved markedly since 1975, King said employees are overburdened with paper work required by the agencies monitoring the center's 31 residential buildings.

King also charged that state salary scales are too low to attract the type of skilled employees needed to work with the mentally retarded.

Katherine Schaninger, executive director of the Willowbrook Review Panel, a court monitor budgeted for \$300,000 a year, said more than limited progress has resulted from the money.

Although she said review panel members are not satisfied with the pace of improvements, she said more residents than ever are provided programs and a chance to live in smaller, more home-like settings.

Ms. Schaninger also denied charges that Brooklyn Federal Court, which

hears the Willowbrook case, has created too many agencies to monitor the level of care being provided the retarded.

"There is undoubtedly some duplication of efforts, but that does not mean that each monitoring element is not proceeding with its own identified function," she said.

State officials said compiling cost estimates took several months because of the difficulty in separating out expenses not related to the court orders.

Cora Hoffman, spokeswoman for the state Office of Mental Retardation and Developmental Disabilities, said budget officials had to separate costs of programs that would have been required by federal regulations, not related to court orders.

In addition, she said, a portion of the increased state spending resulted from inflation and had to be deducted from the overall total.

In explaining the difference between the state cost estimate of \$335 million and the Advance figure of \$100 million, Ms. Hoffman said the state had calculated the cumulative cost of the court orders, rather than simply taking the difference between current state allocations and pre-court order budgets.

Following release of the Advance article in May, which for the first time attempted to estimate the cost to taxpayers of the federal court orders, State Sen. John J. Marchi and Assemblywoman Elizabeth Connelly criticized the courts for mandating such a large allocation of state funds.

Coughlin, in an interview from his Albany office, said that overall state funding for the retarded has increased from \$344 million in 1975 to \$418 million this year.

But the actual allocation of state tax-levy funds has been reduced from \$205 million in 1975 to \$198 million this year, he said.

The commissioner, a former director of the Staten Island Developmental Center, attributed the reduction in state spending to efforts by his staff to secure federal money for programs never before funded in New York State.

"There's no question that we have spent a lot of money," Coughlin said. "But I think we have spent what was needed. Some advocates would say it wasn't enough, and some people on the conservative side would say it was too much. I think we struck a reasonable balance."