

# State official asks delay in reducing Willowbrook population

**ALBANY** — It will take two years for the state to reduce Staten Island Developmental Center's residential population to 250 as required by a court decree, Mental Retardation Commissioner James E. Introne said yesterday.

Under the terms of the 1975 decree, the center's population was to be reduced to 250 last month. Introne on Friday asked a federal court to approve major changes in the decree, including a sharp increase in the capacity of community facilities in which 4,000 former and current Staten Island Developmental Center residents may be placed.

In a statement released today, Introne said he would also ask the court for an extension of the deadline for reducing the center's population to 250. Such a delay, he said, will give the state more time to work with employee organizations at the Willowbrook institution to ensure that no individual is treated "unfairly" as a result of the deinstitutionalization program.

Under the 1981-82 state budget, more than 1,000 center employees are to lose their jobs as the state moved to reduce the center's popu-

lation to 250. A delay in placing center residents into community facilities will enable more of these workers to stay on the job while efforts are made to find them other jobs, perhaps in community facilities, an aide to Introne said yesterday.

According to Introne, the principal reason for his agency's inability to meet the 250-patient mandate — there are now more than 900 residents at the Island center — is the inflexibility of the decree as interpreted and applied by the Willowbrook Review Panel and the federal court.

Introne has asked the court for permission to place residents in facilities as large as 50 beds. The decree currently restricts community-based facilities to a maximum of 10 beds.

"While we have and will continue to place higher functioning and healthier clients in small settings, it is unrealistic to think that we can find apartments on the New York City market that will meet the federal government's life safety code for, severely medically impaired people," Introne said yesterday.

The New York Civil Liberties

Union (NYCLU) on Friday filed a competing motion in Brooklyn Federal Court. The NYCLU is asking the appointment of a special master with the power to dictate state policy for more than 4,000 former and current residents of the Willowbrook institution. The group's attorney, Chris Hansen, said the master was needed to remedy "gross negligence" by state officials, adding that at current rates it would take eight years for the state to reduce the center's residential population to 250.

But a NYCLU official, who asked to remain anonymous, said both the state and a separate union legal motion probably could have been averted had the state Senate approved funding for the Willowbrook Review Panel. The official said she was confident that, had the panel won funding, an agreement on modifications in the decree could have been reached.

The panel, which is supposed to serve as a court monitor of care given former and current residents, lost its funding when Senate Republicans failed to include its \$363,000 proposed appropriation in the \$16.6-billion state budget. NYCLU attorneys filed the request for appointment of a master only hours after Sen. Majority Leader Warren M. Anderson, R-Binghamton, Friday told Gov. Carey the Senate would not change its position.

"The state has made the fiscal and program improvement commitments which the mentally disabled in our state deserve," Anderson told Carey in a letter. "In that context, renewed funding for the panel has become a needless expense."

Senate Mental Health Committee Chairman Frank Padavan, R-Queens, maintains the seven-member panel had forced the state to provide expensive and inappropriate care for former residents of the Island center. But NYCLU officials say the panel operated effectively and is needed to keep the federal court informed on whether the state is providing proper care for retarded residents covered by the Willowbrook Consent Decree.

The Consent Decree was signed by Carey in 1975 as settlement to a court suit filed by Civil Liberties and other groups in 1972. The suit alleged warehousing and maltreatment of the center's residents, who numbered more than 5,000 in 1972.

—BRUCE ALPERT