

Judge stops trial to see Willowbrook for himself

A federal judge confronted sharply contrasting images of the Staten Island Developmental Center yesterday — a witness' account of excrement-smearing floors and nude patients or the mopped-clean institution for the mentally retarded he saw during a tour.

U.S. District Judge John R. Bartels abruptly asked to visit the center yesterday, interrupting the first trial day in a 10-year-old dispute between civil liberties groups and the state. The court-appointed master to run the Willowbrook facility.

The judge had just heard Dr. James B. Clements, the former head of Georgia's retardation agency, testify that he has seen

"piles of feces" and "puddles of urine" during repeated trips to Willowbrook, one as recently as last Monday.

Dr. Clements, however, said the institution was "considerably cleaner," when he and the judge toured the facility with state officials yesterday.

Although some bathrooms smelled of urine, a reporter failed to detect feces or urine on the floors of five buildings the judge inspected. Paint peeled from some walls, and in one ward a single worker watched eight profoundly retarded patients.

Chris Hansen, who had argued in Bartels' Brooklyn courtroom that Willowbrook was "unfit for human habitation," said it was

"obvious" that staff had cleaned the facility in the hour since the judge announced his intention to visit.

"It just goes to show that they can do the job if they are sincere about it," Hansen, a lawyer with the New York Civil Liberties Union, said.

But Taylor R. Briggs, an attorney for New York State, contended the judge's on-site view was "a lot more realistic" than Dr. Clements' testimony. Briggs said the testimony had focused on isolated moments that merely "appeared to be horrible."

The judge kept his reactions private, indicating he would comment on the tour in the courtroom. "I'm just here to check out the testimony this morning," Bartels said as he walked for 2½ hours arm-in-arm with the institution's director, Dr. Ella Curry.

In addition to Willowbrook, where 1,300 retarded patients live, the judge visited the Nina Eaton Center, a 50-bed facility in Ocean Breeze.

Page 1
2