

vigorous. State officials testified that at the rate they were going, it would take 20 years to move all the patients Bartels wanted into group homes or apartments.

Bartels protested: "In their shortlived search for 3-bed and 6-bed units, the defendants looked only in the Bronx and Manhattan, the two boroughs with the fewest number of available sites. And they confined their search to a radius of one-quarter mile from six hospitals which, as established by expert testimony, was unnecessarily restrictive."

Willowbrook had 5,343 retarded patients in 1972, when the original civil rights suit was filed. That suit was settled by the 1975 consent decree. Since then, 1,108 patients have gone to group homes, 580 have gone to family care, 557 have died and 730 have been discharged from state supervision.

Of the original population, 1,369 remain at Willowbrook, in buildings administered directly by the state and under a state

contract with a private agency, United Cerebral Palsy Associations of New York State. Another 99 original Willowbrook patients have been transferred to other state institutions or private agencies, like Flower Hospital.

Bartels' ruling yesterday was the culmination of 25 days of courtroom testimony from 39 witnesses and hundreds of exhibits, including photographs.

Kitchens at Willowbrook, the judge said, "are filthy and infested with rodents and cockroaches. Cups, bowls, silverware, and pots and pans are improperly cleaned and often caked with food from past meals.

"Food is served to residents at inappropriate temperatures that encourage food spoilage and the growth of microorganisms, and food storage areas are dirty and foul-smelling."

Sanitation in the bathrooms, he said, is "grossly inadequate." "Human feces and urine commonly soil bathroom floors,

walls, toilets and shower stalls. Non-operational and unflushed toilets filled with human excrement are frequent occurrences, as are cracked and missing toilet seats and bathrooms without toilet tissue, towels and soap. Mold and mildew, indicative of long-term neglect, grow on many shower surfaces and none of the shower areas are being properly sanitized."

He added: "These types of unsanitary conditions permeate the residents' entire living space. Their clean clothes and dirty laundry are intermingled, and trash, food and clothing litter the floors."

Bartels praised the institution's director, Dr. Ella Curry, for making "some efforts to improve sanitation" during her 14-month tenure at Willowbrook. But he said that "clearly," the state had not done enough, allowing conditions to "steadily deteriorate" over the past two years.

In a section of his ruling about maintenance, he commented: "In almost every building there are numerous examples of torn and broken furniture, ripped and broken screens, missing bathroom tiles, nonworking toilets and walls with gaping holes.

"In many residential areas, furniture is sparse and the noise level piercing."

Bartels said Willowbrook's physical environment met only 43.6 percent of the state's own standards, as judged by auditors sent to the facility in March 1981 by the state Office of Mental Retardation and Developmental Disabilities. Deficiencies, he said, included "lack of privacy in bedroom and bathroom areas, poor lighting, a dearth of decorations, curtains and furniture."

Clothing supplied to the patients, the judge said, was neither clean, adequate nor seasonally appropriate.

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