

Willowbrook judgment permanent

Remedies state method of housing developmentally disabled

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The permanent injunction of the Willowbrook Consent Decree was signed yesterday in U.S. District Court, Brooklyn, ending the battle cry of a revolution that was started two decades ago.

Judge John R. Bartels approved the final settlement in front of about 200 people, from former

Willowbrook residents and their parents, to the attorneys and other citizens who gave these victims a public voice.

"This sets forth a pioneer model for the rehabilitation of the community placement of the retarded," Bartels said. "The retarded have overcome a social injustice."

The litigation settled yesterday

was initiated March 17, 1972, as a class action suit brought by the New York Civil Liberties Union on behalf of the New York State Association for Retarded Children, Inc.

The premise was to remedy severe overcrowding and understaffing, absence of therapeutic care, physical abuse and deplorable living conditions.

The permanent injunction replaces the 1975 Consent Judgment that governed the care of about 5,600 "Willowbrook-class" members for 18 years.

The injunction obligates the state to provide high-quality care and programming, case management and other services for all members of the "Willowbrook class."

For class members unable to act for themselves, or who have no family or correspondent acting for them, the Consumer Advisory Board will have oversight responsibilities. In addition, the class members' cases will be monitored by an Office of Mental Retardation and Developmental Disabilities (OMRDD) Commissioner's Task Force of consumers, parents, professionals, staff and plaintiffs' counsel.

The injunction was labeled a "document for dignity" which guaranteed former members of

the Willowbrook State School be treated humanely.

Testimony to that effect came from more than a dozen former Willowbrook residents who spoke before the judge. Many were indignant — some from a swelling of emotion while others because of their severe disabilities — while others painstakingly let their feelings be known.

"I got beat up in Willowbrook. I got beat up a lot. Now I do everything myself. I do shopping, I do laundry. I do everything for myself. Know why? Because there is no more Willowbrook," said one woman in a wheelchair.

She was followed by Bernard Carabello, OMRDD ombudsman and a former resident of Willowbrook.

"I personally appreciate your advocacy for people with mental retardation. We have to keep in mind our work is not finished yet. We have a hell of a lot of work to do," he said.

"We can never go back to the old days. Believe me, if we do, I will remind you over and over and over when you screw up," Carabello said.

Since the closing of Willowbrook Sept. 17, 1987, six more of the state's 20 developmental centers have been closed. All are to be closed by the year 2000, and all services to people with developmental disabilities and their families will then be provided in the community.

Assemblywoman Elizabeth Connelly, who chaired the Assembly Committee on Mental Health and Mental Retardation Developmental Disabilities for 17 years, was given credit by Bartels for playing a key role in getting the consent decree passed.

Before making a statement at the hearing, Mrs. Connelly reflected on what more needs to be done to help the developmentally disabled.

"There's a lot to be done in research for preventing retardation and we need to educate the people on the treatment of the developmentally disabled," she said.

Later she added that she was pleased by the arrival of such momentous occasion.

"We can be eternally proud of the system that has evolved. It allows the mentally retarded/developmentally disabled to live in the community, to participate in exciting, innovative programs of employment and recreation, to become in many cases active and responsible citizens," she said.

Other speakers were Marjorie Brandt, executive director, New York State Association for Retarded Children; Ann Neuhauer, member of the Willowbrook Consumer Advisory Board; Dr. Harold Michael-Smith, chairman of the Professional Advisory Board; and Thomas Coughlin, former OMRDD commissioner.

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