



TRAGEDY & TRIUMPH

*Telling the Pennhurst Story:
A Marker Dedication*

10 APRIL 2010
SPRING HOLLOW
GOLF COURSE
1:00 PM

SPRING CITY,
PENNSYLVANIA

PENNSYLVANIA HISTORICAL & MUSEUM COMMISSION
PENNSYLVANIA HUMANITIES COUNCIL
NATIONAL ENDOWMENT FOR THE ARTS
PUBLIC INTEREST LAW CENTER
PENNURST MEMORIAL & PRESERVATION ALLIANCE



PHC Pennsylvania
Humanities
Council

Federal-State Partner
National Endowment for the Humanities

IN COMMEMORATION



IN HONOR OF THE TEN
THOUSAND SOULS WHO
CALLED PENNHURST HOME
AND THOSE WHO STRUGGLED
WITHIN AND OUTSIDE ITS
WALLS TO END A BROKEN
SYSTEM OF
INSTITUTIONALIZATION.

THIS CEREMONY IS
DEDICATED TO THEM AND THE
LEGACY OF THAT PLACE WHERE
THEIR TRIUMPH CHANGED
THE COURSE OF HUMAN
DESTINY:

P E N N H U R S T .



W E L C O M E

APRIL 10, 2010

COMMONWEALTH OF PENNSYLVANIA
Edward G. Rendell, *Governor*

PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION
Wayne Spilove, *Chairman*
Barbara Franco, *Executive Director*

Together With The

PUBLIC INTEREST LAW CENTER OF PHILADELPHIA
AND THE
PENNHURST MEMORIAL & PRESERVATION ALLIANCE

Welcome You to a Historical Marker Dedication Ceremony for the

PENNHURST STATE SCHOOL AND HOSPITAL

With Support From

THE PENNSYLVANIA HUMANITIES COUNCIL
AND
THE NATIONAL ENDOWMENT FOR THE HUMANITIES



P R O G R A M

TRAGEDY AND TRIUMPH: TELLING THE PENNHURST STORY

1:00 PM Spring Hollow Golf Course

OPEN RECEPTION	1:00 PM
<i>Please view the displays and presentations set up in the room. Former residents, workers, advocates, and other invited guests will be available to facilitate dialogue, share stories, reconnect or to connect for the first time.</i>	
WELCOME	1:30PM
Bill Baldini, <i>Master of Ceremonies</i>	
GREETINGS	1:40 PM
Jim Conroy, Ph.D, and Jean Searle, <i>PM&PA</i> Jennifer R. Clarke, Esq., <i>The Law Center</i>	
VIDEO PRESENTATION	1:50 PM
PANEL DISCUSSION	2:10 PM
<i>Moderated by Jim Wilson</i> Pat Clapp; Eleanor Elkin; Thomas Gilhool, Esq.; Dennis Haggerty; Betty Potts; Jean Searle	
QUESTIONS & ANSWERS	2:45 PM
MUSICAL PERFORMANCE	3:15 PM
<i>Lyrics on the next page.</i> Karl Williams	
CLOSING REMARKS: PENNHURST'S FUTURE	3:20 PM
Nathaniel C. Guest, <i>PM&PA</i>	

Guests are invited to re-convene at the Marker Site for the Dedication Ceremony which will start at 3:45 PM. Please exercise the utmost caution when on Golf Course grounds or the highways.



S O N G L Y R I C S

MUSICAL PERFORMANCE
By Mr. Karl Williams

CLOSE THE DOORS

CHORUS: Close the doors
 Close the doors
 Close the doors
 Behind us forever

VERSE: Long as you still use that key
 I won't have my dignity
 I won't be really free to live

CHORUS

VERSE: While my brother's locked away
 While my sister's in that place
 I can't see the light of day myself

CHORUS

VERSE: Til the day you can announce
 That you've torn the last one down
 You will hear me calling loud and clear

CHORUS: Close the doors (3x)
 Behind us forever
 Close the doors (3x)
 'Cause we deserve better
 Close the doors...



A B E G I N N I N G

Unveiling this marker is not an end; it is a beginning, the beginning of an effort to assure that the struggle of people with disabilities to secure their human and civil rights is not forgotten.

It is important that we remember what society did to people who were viewed as “different” from the rest of us. Accepting that our brothers and sisters with disabilities were somehow “different” allowed us to accept for decades the conditions of custodial neglect and warehousing that characterized Pennhurst and similar institutions across the country.

It is important that we also remember that the fight of people with disabilities to achieve their full rights is ongoing. While the worst conditions of institutionalization are largely gone, in America today people with disabilities are more likely to live in poverty than other citizens; they are more likely to be the victims of crime and abuse than others; they are more likely to be unemployed or underemployed than others; they are more likely to be placed unnecessarily in a nursing home rather than be supported in their own community; and yes, many are still living in segregated institutions, more than 1,200 in Pennsylvania alone.

The fight that brought us to this point needs to be remembered.

The fight that remains needs to be acknowledged.

What better place to accomplish these goals than in a “site of conscience” located in a preserved Pennhurst? What better place than Pennhurst to understand the past; to remember the people who lived at Pennhurst and all of the other “Pennhursts” created by society; to learn from the mistakes of the past and to teach about the future; and to honor the ongoing struggle of people with disabilities to secure their rights?

Today is not an end. It is a beginning ...



P E N N H U R S T (04/03/2010)

BY GEORGE REITNOUR

Pennsylvania's Eastern State Institution for the Feeble-Minded and Epileptic, Pennhurst, was built atop Crab Hill. Standing there on the dome, looking across the Schuylkill to Linfield, Royersford, or turning, up to Parkerford, the Ridge above French Creek, or down to Springville, now Spring City, you won't see why the hill would be so named. You have to stand apart, where we once stood, to see it.

From time to time, a few of Pennhurst's thousands stumbled determinedly down the path from Brown Drive to the Water Plant where I lived as a boy. The dog would carry on, and I'd look up from sand to see them working their way toward the railroad tracks. From there, they could have seen, had they been looking back, what we saw--that same view that Washington's troops, crossing Parker's Ford, had had of the crab's back casting the afternoon sun on the river's curve and flatlands of the northern bank. The continentals may, too, have seen something of their army in that form, skittering along the edges of the world, claws up, harassed by the great powers of the day as they sought freedom.

Freedom... Some men, some slaves, and finally, even many women had some share of that, but these Pennhurst men on their trek down Crab Hill's western flank to the Water Plant were over twenty years from freedom's train, though they'd done their best to reach the tracks that day. Poor souls, my Grandma said, when others came and took the men away. I wanted to see where. She took me with her, then, to visit friends who worked up there. Roses, red, is all that I remember, and some faces in the glass, and lots and lots of fresh mown grass, and the coming dusk.

Some years before Pennhurst had closed, I'd opened my law firm in town across the hill. One partner was a gardener from a place called Kimberton Camphill who'd taken up the law to champion the rights of people labeled with their disabilities. And he had friends in what he called "the movement", friends with radical ideas about what Pennhurst meant. While I sought part of Crab Hill for a park, and government did what it could to sink the ark of its own covenants, these friends were thinking of the people, not the place. They were dreaming of a world where every face could see, reflected in each other face, the best of the community. And only now, the place and people meet. Sometimes, a vision seems too late, too vast to realize. You sit inside a long and narrow hall and see so little. Then, your face at the window, at dusk, you look past the young visitor, his grandma, the roses... You look over the walls to the south, and see, barely visible, the constellation known as Crab. Drawn out into the larger scheme of things, the many petty pretenses that string us along, obscuring with their artificial light the sight of heaven, do not slow the earth's great turns around the sun, but only our own hearts and those of others. Together, hearts recover, discovering it's not for us alone to win each war for freedom, justice--to do what's right for neighbors and the world--for evil draws itself, in time, into itself, and leaves stars shining where God wills, whether we see now, upon Crab Hill, or later, from another place.



MARKER DEDICATION CEREMONY



*Please join us in recognizing and welcoming
our esteemed elected officials.*

*We thank the following public servants for
their work:*

GOVERNOR EDWARD G. RENDELL
SENATOR ROBERT P. CASEY
SENATOR ARLEN SPECTER
CONGRESSMAN JAMES GERLACH
SENATOR ANDREW DINNIMAN
CONGRESSMAN TIM HENNESSEY
REPRESENTATIVE THOMAS MURT



P R O G R A M

MARKER DEDICATION CEREMONY

3:45 PM Route 724 Near Bridge Street



WELCOME AND INTRODUCTIONS

Jean Searle

Co-President, Pennhurst Memorial & Preservation Alliance

REMARKS

Michele Sellitto Bortner, D. Ed.

Commissioner, Pennsylvania Historical and Museum Commission

Thomas K. Gilhool, Esq.

Former Chief Counsel, Public Interest Law Center of Philadelphia

Dr. James Conroy

Co-President, Pennhurst Memorial & Preservation Alliance

Special Guests: U.S. Congressman James Gerlach;
Pennsylvania Senator Andrew Dinniman; Pennsylvania Representative Tim Hennessey

UNVEILING OF THE MARKER

Reading of the Marker Text by Commissioner Bortner

CLOSING



A N O T E A B O U T U S

THE PUBLIC INTEREST LAW CENTER

The Public Interest Law Center of Philadelphia (PILCOP) is dedicated to advancing the Constitutional promise of equal citizenship to all persons irrespective of race, ethnicity, national origin, disability, gender or poverty. The Law Center uses public education, continuing education of our clients and client organizations, research, negotiation and, when necessary, the courts to achieve systemic reforms that advance the central goals of self-advocacy, social justice and equal protection of the law for all members of society. At Pennhurst, the Law Center led the first grassroots effort and lawsuit to successfully result in the closure of a state institution. Their success at Pennhurst by precedent led to the closure of similar institutions across the world.
www.pilcop.org

PENNHURST MEMORIAL & PRESERVATION ALLIANCE

The Pennhurst Memorial and Preservation Alliance (PM&PA) seeks to honor at Pennhurst the ongoing human and civil rights struggle of people with disabilities.

Respecting and interpreting the story of the Law Center-lead triumph at Pennhurst, the PM&PA promotes preservation and seeks to sensitively re-use the Pennhurst campus as part of establishing a national disability archive and resource center. Together with the Law Center, the PM&PA uses the Pennhurst story and its embodiment in the historic and beautiful campus to inspire and inform dialogue among and between the disability community and the general public.
www.preservepennhurst.org



S U P P O R T U S

If you enjoy today's free-of-charge presentation or are moved by the monumental missions of the Law Center or the Pennhurst Memorial and Preservation Alliance, we encourage you to show your support through a donation of time or money. Contact information is provided below and a list of upcoming and ongoing initiatives is found on the back cover.

To support the mission of the
Public Interest Law Center,
please visit www.pilcop.org,
or contact
Lauren Mirowitz at
267.546.1303 or
lmirowitz@pilcop.org.

To support the mission of the
Pennhurst Memorial &
Preservation Alliance,
please visit
www.preservepennhurst.org
or contact
J. Gregory Pirmann at
610.845.7790 or
jgreg123@comcast.net

YOU
CAN MAKE
ALL THE DIFFERENCE.



ABOUT OUR SPEAKERS

The following biographies are for the speakers at both the 1:00 event and the 3:45 marker unveiling.

BILL BALDINI

It was Bill Baldini's legendary and groundbreaking 1968 documentary *Suffer the Little Children* that oriented Pennhurst toward its place in history as the epicenter of the human rights movement for people with disabilities. A watershed moment in expository journalism and disability rights, *Suffer the Little Children* was a rallying call for action. Upon his retirement in 2006, Bill was the longest working television reporter in the city of Philadelphia and in 2005, the Philadelphia City Council declared March 17th "Bill Baldini Day," recognizing his efforts.

MICHELE SELLITTO BORTNER, D. ED.

A Commissioner for the Pennsylvania Historical and Museum Commission, We Dr. Michele Sellitto Bortner was appointed by Governor Rendell. Dr. Bortner is a national educational consultant for both the public and private sectors. She specializes in special education, finance, personnel and organizational development. Her previous positions include serving as a Superintendent, an Assistant Superintendent, adjunct professor of special education and educational administration, an elementary principal and a secondary teacher of children with disabilities. Dr. Bortner has also served in Pennsylvania state government as the State Director of Special Education and the State Director of School Audits. Dr. Bortner completed four years as the President of the Pennsylvania Federation of Democratic Women in June, serves on the York County Heritage Trust Board, preserving York County's history, and is a past President of the Pennsylvania Association of School Administrators--Women's Caucus and continues to serve on its Executive Board. Currently Dr. Bortner serves as the Assistant Director of the Bureau of Teaching and Learning Support of the Pennsylvania Department of Education.



OUR SPEAKERS, CONTINUED

PAT CLAPP

Pat was a housewife, married with three children, living in Allegheny County in the 1950s. From early on, she was an activist, advocating for preschool in the early 1950s. Her second son was born in 1955 with Down syndrome and she began a life of activism. She worked to stop experimentation in institutions on children with developmental disabilities. Then she joined the lawsuit, with Tom Gilhool as the lawyer, that closed down the institutions for the developmentally disabled. Pat was the president of the Pennsylvania Association of Retarded Citizens in the 1960s and early 1970s. She was active in The ARC of the United States, serving on the board of directors; chair of the Volunteer Service Committee. She conducted leadership training throughout the United States and established the Youth ARC, co-chairing that organization's first national conference. Pat, who is now retired at age 80, has given her life to activism and service.

JENNIFER R. CLARKE, ESQ.

Ms. Clarke is a graduate of Columbia University School of Law, where she was an editor of the Columbia Law Review and a Stone Scholar. She is a magna cum laude graduate of Dartmouth College. Ms. Clarke joined the Law Center in February 2006. From 1991 until January 2006, Ms. Clarke was a partner at Dechert LLP. She was an associate at Dechert Price & Rhoads (1987-1991) and White & Case (1983-1987). Ms. Clarke has spent her legal career defending and prosecuting complex civil cases, with a concentration in antitrust class actions. She was counsel for a plaintiff class of Michigan children to redress the failure by state officials to provide health care as required by the Social Security Act. She also was counsel for the City of Philadelphia in a successful suit challenging the constitutionality of a state statute that altered the balance of power between the city and the Commonwealth of Pennsylvania. She represented then Philadelphia City Council President John Street in a suit against the Southeast Pennsylvania Transit Authority and the Transit Workers Union, seeking to compel the two to settle a long-running and harmful transit strike. Ms. Clarke is listed in Best Lawyers in America, 2005, 2006; Chambers USA 2005 and as a Philadelphia Magazine Superlawyer, 2004, 2006, 2007, 2008 and 2009. She was a founder and officer of The Caring Center, a not-for-profit child care center serving 200 children in West Philadelphia and currently serves on the board of the Pennsylvania Innocence Project.



OUR SPEAKERS, CONTINUED

JAMES W. CONROY, PH.D

Graduating cum laude from Yale University in 1970 with a BA in Physiological Psychology, Dr. Conroy began his career doing research on the impacts of the Developmental Disabilities Act of 1970. He received his MA in Sociology/Program Evaluation and Ph.D. in Medical Sociology from Temple University in 1992. While at Temple University, he was the Principal Investigator and designer of the Pennhurst Longitudinal Study, the largest study ever done up to that time on the topic of moving people with developmental disabilities from institutions to small community homes. Since then, Dr. Conroy has directed more than a dozen similar longitudinal studies in other states. He has been responsible for more than 250 formal research reports to government agencies and foundations, as well as more than 30 articles in scholarly journals and 10 book chapters. His works have been publicized on CBS's *60 Minutes*, ABC's *Nightline*, public television, public radio, *The Philadelphia Inquirer*, *The Chicago Tribune*, and *The New York Times*.

THE HONORABLE ANDREW DINNIMAN

Known by the people of Chester and Montgomery counties simply as "Andy," Senator Andrew E. Dinniman has been recognized as an advocate for communities and families through three decades in public service. That vision and leadership led to his 2006 election and 2008 reelection to the Pennsylvania Senate, representing Pennsylvania's 19th District. Prior to serving in the legislature, Senator Dinniman served for 15 years as a Chester County Commissioner, making him the longest-serving commissioner in county history. As Commissioner, Andy demonstrated a true commitment to the future of Chester County by taking on some of the region's most difficult issues. He worked to found the Safe Harbor Homeless Shelter, the Chester County Gleaning Project and served as one of the principal architects of Landscapes, the county's award-winning open space plan. Both as a commissioner and a state senator, Andy also has consistently opposed tax hikes and increases in spending. Before being elected county commissioner in 1991, Senator Dinniman served on the Downingtown Area School Board and the West Whiteland Municipal Authority. A teacher and community leader, he has been honored by



OUR SPEAKERS, CONTINUED

numerous environmental, education, veterans' and service groups: the NAACP, the Military Order of the Purple Heart, the Exton Regional Chamber of Commerce, Safe Harbor of Greater West Chester, the Human Relations Council of Greater West Chester and Pennsylvania Citizens for Better Libraries. In the Senate, his priorities include economic security and job growth, local government control over local issues, open space preservation, access to education, health care reform, historic preservation, energy independence and quality-of-life issues. Senator Dinniman serves as minority chairman of the Education Committee and is a member of the Agriculture and Rural Affairs, Communications and Technology, Consumer Affairs and Professional Licensure, Environmental Resources and Energy, Local Government, State Government and Veterans Affairs and Emergency Preparedness committees. Senator Dinniman is also a member of the Ben Franklin Technology Development Authority, the Pennsylvania Emergency Management Council, and the Joint Legislative Air and Water Pollution Control and Conservation Committee. He also serves on the Pennsylvania State Board of Education, the Pennsylvania Abraham Lincoln Bicentennial Commission and the Pennsylvania Wing of the Civil Air Patrol. In addition, Senator Dinniman belongs to the Life Sciences and Biotechnology Caucus, the Community College Caucus, and the Joint House and Senate Autism Caucus.

ELEANOR ELKIN

Involved in the Pennhurst story from the very beginning, Eleanor worked tirelessly as an ARC advocate, President of the ARC of PA, PILCOP worker on the Pennhurst litigation, and one of the founders of the international movement to address proper treatment of people with intellectual and developmental disabilities.

THE HONORABLE JAMES GERLACH

A lifelong Pennsylvania resident, Jim Gerlach grew up in a small town in western Pennsylvania with his mother and two sisters, and currently lives in Chester Springs, Chester County, with his wife Karen, three children and three step-children. Jim has spent the last 18 years in public service representing the citizens of Southeastern Pennsylvania. His distinguished career began in 1990 with the first of two terms in the Pennsylvania House of Representatives, which was followed by two terms to the state Senate. Jim is currently serving his fourth term in the U.S. House of



OUR SPEAKERS, CONTINUED

Representatives, first winning the open 6th Congressional District seat in 2002. During his 12 years in the state legislature, Jim established himself as an effective advocate for Pennsylvania taxpayers. His efforts helped promote efficiency and streamline government, which saved taxpayers hundreds of millions of dollars. Jim was the prime sponsor of landmark welfare reform legislation that reduced the state's welfare rolls by over 150,000 cases. Furthermore, Jim's historic land use legislation provides local officials the tools needed to combat "sprawl" and promote "smart growth." Since being elected to Congress, Jim has continued to champion issues of concern to his constituents. His priorities include ensuring all people have access to affordable healthcare, preserving the region's environmental resources, and improving and maintaining the area's transportation network. He is also working hard to re-establish commuter rail service from Reading to Philadelphia through the Schuylkill Valley Metro passenger rail project. Jim is also proud to have helped secure for Pennsylvania seniors a prescription drug benefit through Medicare that will provide 13.2 million of the nation's poorest seniors with free medications, while giving all seniors access to significant prescription drug assistance. Jim has also co-sponsored medical liability reform legislation, and legislation to preserve the region's precious farmland. During his first term, Jim introduced legislation (H.R. 1516) to create a new, much-needed veterans cemetery in Southeastern Pennsylvania. This bill passed Congress and was signed into law by the President on Veterans Day 2003. Jim's legislation (H.R. 4731) reauthorizing the National Estuary Program was signed into law in October 2004. This highly- successful program is responsible for protecting many of the streams and rivers that are relied on in Southeastern Pennsylvania for drinking water, commerce and recreation. Jim will continue to work hard to represent the interests and concerns of his constituents and fight for a better quality of life in our communities. the Community College Caucus, and the Joint House and Senate Autism Caucus.

THOMAS K. GILHOOL, ESQ.

A graduate of Lehigh University, Yale University and Yale Law School, Mr. Gilhool joined the Law Center in 1975 where he concentrated his practice in disabilities rights and early childhood development, including state-of-the-art educational practices and children's health care. He worked at the Law Center until 2007 except for a hiatus in 1986 to serve Governor Robert P. Casey as the first Philadelphian in the history of the



OUR SPEAKERS, CONTINUED

Commonwealth to be appointed Secretary of Education. Mr. Gilhool is a nationally recognized leader in the disabilities rights movement. He is credited with the rise of community services for people with developmental disabilities and was a major player in the passage of Section 504 of the Rehabilitation Act of 1973. Mr. Gilhool represented the Pennsylvania Association for Retarded Children in *PARC v. Pennsylvania*. This case was pivotal in establishing the Constitutional right of children with disabilities to a public education and led to the enactment of the Education for All Handicapped Children Act of 1975, now the Individuals with Disabilities Education Act (IDEA). Mr. Gilhool was lead counsel in *Halderman v. Pennhurst*, a critical case that both initiated and fueled the national movement for the de-institutionalization of persons with disabilities. In addition, Mr. Gilhool was lead counsel in *Scott v. Snider*, the Pennsylvania case to enforce Title XIX Medicaid statutes that tripled the number of eligible children enrolled in the program from 300,000 to 900,000. In 1991, Mr. Gilhool received the Philadelphia Bar Association's Obermeyer Award for service to education, in 2002 he was honored by the American Academy of Pediatrics with its President's Award for Outstanding Service, and in 2006 he received the Philadelphia Bar Association Public Interest Section's prestigious Andrew Hamilton Award. Mr. Gilhool spent 2003-04 on a Fulbright scholarship in Japan to write comparatively about the legal and non-legal strategies used to advance the rights of persons with disabilities.

NATHANIEL C. GUEST

Nathaniel first discovered Pennhurst in 1993, writing in the *Pottstown Mercury* that the historic campus must be preserved. Fifteen years later, after gross neglect by the state and a transfer of ownership endangered the site, he again took up the charge, founding Preserve Pennhurst with the intention of establishing an international museum of conscience on this unique, beautiful and meaningful space. Nathaniel is a 1994 graduate of Pottsgrove High School (Montgomery County, PA), a 1998 magna cum laude graduate of Cornell University (Ithaca, NY). Currently, he is a JD candidate at the Temple University School of Law (Philadelphia, PA) and a masters candidate in historic preservation planning at Cornell. In addition to preservation causes, Nathaniel is active with the Strasburg Rail Road in Lancaster County, PA.



OUR SPEAKERS, CONTINUED

DENNIS HAGGERTY

In 1964, Dennis' frustration at the lack of education available to his 6 year old child, a profoundly disabled boy known fondly as Boomer, led him to get involved in the PA ARC. In 1968, he was the chairman of the Arc's residential care committee and his set his sights on Pennhurst, going undercover to investigate the facility. Based on his findings he sought permission from the State ARC to seek an attorney, and found Tom Gilhool who represented PARC in the "right to education" case and *Halderman*. Later, while involved in the National Arc, he was appointed by President Lyndon Johnson to consult for the president's committee on disability and served in this role under 6 presidents. He was instrumental in the founding of the National Center for Law and the Handicapped. He has been practicing law for 55 years and is still an active attorney.

THE HONORABLE TIM HENNESSEY

A long-time community servant as a legislator, dedicated attorney, trial attorney with the public defender's office from 1973 to 1992, and lifelong resident of Chester County. Tim Hennessey has represented the residents of the 26th District since 1993. He is serving his eighth consecutive term in the state House. Rep. Hennessey serves the residents of the 26th Legislative District. In the House, Hennessey serves as the Republican Chairman of the Aging and Older Adult Services Committee. In this role, Hennessey is pushing to streamline government services for older Pennsylvanians so that programs are more customer-friendly and less confusing. He also wants to ensure that the Lottery Fund remains solvent for future generations of older Pennsylvanians. In addition, Hennessey serves on the House Consumer Affairs Committee. During his tenure, Hennessey has authored legislation helping local governments tackle the problems of urban blight and abandoned property. He is the author of Act 64 of 1997, which waives the advertising and bidding requirements for the sale of township real property to nonprofit community development corporations, as well as the Weed and Seed Legislation, Act 146 of 2002. He also is a strong advocate for property tax relief and improving schools throughout the Commonwealth. In addition to his committee work, Hennessey chairs the Steel and Irish caucuses. He also dedicates his time to the Local Tax



OUR SPEAKERS, CONTINUED

Reform, Firefighters' and Emergency Services and Solid Waste caucuses. Prior to his election to the House of Representatives, Hennessey served as chairman of the Rotary Student Exchange Program and the Group Study Exchange. He was president of the Birthright of Pottstown and past president of the Alternatives Corporation of Pottstown, a shelter for abused or dependent children. Hennessey is a 1965 graduate of St. Pius X High School. He earned a Bachelor of Science degree from St. Joseph's University in 1969, and his Juris Doctor degree in 1972 from Villanova University School of Law. Hennessey currently resides in North Coventry Township. He and his wife, Carol, have three children, Katherine, Timothy and Elizabeth.

ELIZABETH POTTS

Betty was the first person to leave Pennhurst under Judge Raymond Broderick's Federal District Court order. Betty went to Pennhurst when she was 8 years old, in 1966. She went to Pennhurst because, although her family loved her deeply, they could not take care of her the way professionals said they should – and all the professionals said she would be better off at an institution. But Pennhurst was not at all good for, or to, Betty—a fact she testified to at the Final Settlement Agreement that closed Pennhurst. She moved out of Pennhurst in 1978, at age 20, after spending part of her childhood and all of her adolescence there. She became an advocate and activist, and helped to start Speaking for Ourselves, one of the first organizations in the nation to be run for and by people with disabilities. Betty has presented in more than 15 states on advocacy, self-determination, and moving out of institutions. She was one of the first people with disabilities in Delaware County to have a home of her own, by obtaining and responsibly using subsidized housing through the housing authority. She also pioneered the supported living program at the agency she was with for over 19 years. She recently appeared on national TV -- in the Travel Channel's one hour show on Pennhurst. She is a fan of the Ruby Tuesday restaurants, is loyal as both a friend and mentor, and loves kids.

JEAN SEARLE

A long-time self-advocate and a force within the disability rights movement, Jean has experienced the trauma of institutionalization first-



OUR SPEAKERS, CONTINUED

hand. Encouraged by advocates and friends, Jean moved out to assisted living arrangements in 1984, with the help of an agency in Philadelphia. Jean has been employed with both the Public Interest Law Center of Philadelphia and the Disability Rights Network of Pennsylvania, where she has been for more than 15 years. Believing it is imperative that the lessons embodied in the Pennhurst campus remain as an example for the future, Jean has become a driving force within the Pennhurst Memorial and Preservation Alliance.

KARL WILLIAMS

In the 1970s Karl Williams and his wife, Nancy Thaler, were houseparents at a group home for kids in Philadelphia; two of the children came to them from Pennhurst. Karl Williams has published two books with leaders in the self-advocacy movement; written two plays based on one of these books, *Lost In A Desert World*, the story of Roland Johnson, who spent half his childhood at Pennhurst; and recorded a CD, "Respect: Songs Of The Self-Advocacy Movement," with the national group, Self-Advocates Becoming Empowered (SABE). Songs from Williams' five CDs have aired on NBC and Fox and on radio stations around the world. Williams' work has been seen at the Philadelphia Fringe Festival and at the WritingAloud Series of Philadelphia's InterAct Theatre Company. His stories, poems, and lyrics have appeared in magazines and books, in videos and on websites.

Mr. Williams brings with him for sale copies of Roland Johnson's book *Lost In A Desert World* as well his CD, *Respect: Songs Of The Self-Advocacy Movement*, which features the two songs he will perform today. The lyrics to both of these songs are included elsewhere in this program booklet.

JAMES WILSON

As an active volunteer for the developmentally disabled, Jim Wilson led the Arc of Pennsylvania in 1969-71. During his tenure as president he led with other leaders the fight to establish for exceptional children equal access to educational opportunities. While as president, the Arc of Pennsylvania (PARC) launched the landmark right to education class action, which established that right, making a profound impact not only



OUR SPEAKERS, CONTINUED

on exceptional children but all children and indeed on American society. Later he served in 1977-79 as president of the ARC of the United States and expanded the advocacy initiatives of this important volunteer association. Mr. Wilson is retired after a career in the publishing industry. He worked with the *New York Times*, Hearst, *U.S. News* and, most recently, as a Vice President at *Forbes*.



C H A N G E M A K E R S

NO ONE
EVER SAID
CHANGE
WOULD
BE EASY—
—AND
IT WASN'T.

—*Pat Clapp*

The Dedication Planning Committee was emphatic in its desire to create a mechanism to recognize and honor the thousands of individuals who worked to make Pennhurst better, those who worked to end the kind of institutionalization Pennhurst represented, and those who continue to serve at the vanguard of the struggle for true freedom for persons with disabilities. We have created a Roll of Honor on www.preservepennhurst.org and will continue to improve it.

If you or someone you know lived or worked at Pennhurst, has worked on disability issues or advocacy—or is working on the same—or just someone who you would like to honor, PLEASE ADD THEIR INFORMATION.

We kindly but emphatically ask for your help in making this list as complete as possible.

The first submissions to the Roll of Honor as provided by numerous individuals are listed over the next few pages. We encourage you to add more.

To add your suggestions
for additional Changemakers, go to

<http://www.preservepennhurst.org/default.aspx?pg=103>



THE CHANGEMAKERS, CONTINUED



WE THANK, WE HONOR, AND WE REMEMBER
ALL THOSE WHOSE VISION, SACRIFICE, AND
HUMANITY HAS CHANGED OUR WORLD FOR
THE BETTER, INCLUDING:

THE TEN THOUSAND SIX HUNDRED RESIDENTS OF THE PENNHURST STATE SCHOOL AND HOSPITAL

These persons, sent to Pennhurst by society, fought to build a life for themselves amid the chaos of the institution. They are truly unsung heroes of change. Each has a story that must be told.

THE MANY PENNHURST EMPLOYEES

Many, many Pennhurst employees struggled to provide the best life for residents they could in spite of a critically broken system and appalling underfunding by the state. Many considered residents to be family and stayed in touch long after the institution closed.

*To add your suggestions for additional Changemakers, go to
<http://www.preservepennhurst.org/default.aspx?pg=103>*



THE CHANGEMAKERS, CONTINUED

BILL BALDINI

As a young reporter in 1968, Bill got a suggestion to go film at a place called Pennhurst. What he saw there left him moved and sickened – but not speechless. His 1968 five night expose of conditions for NBC Channel 10 WCAU was the first of its kind. Entitled “Suffer the Little Children”, his work forever changed the national understanding of duty and responsibility for citizens with intellectual and Developmental Disabilities. Bill was the first to contact Raymond Broderick, then Lieutenant Governor, about the shame of Pennhurst, and that too changed the course of history.

KAREN BRISCOE

Monitored services for Pennhurst plaintiff class members in Philadelphia and testified for the Arc during the hearing on the Motion for Contempt against the City of Philadelphia for failing to fulfill its duties under the Settlement Agreement that closed Pennhurst. Karen sacrificed her job for her testimony.

PHIL BRISCOE

Involved with Special Management Unit during most of the period of implementation of the Settlement Agreement that closed Pennhurst. Implementation included the transfer of Pennhurst residents from the institution into community-based group homes. Advocate and case manager.

JUDGE RAYMOND BRODERICK

Lieutenant Governor of Pennsylvania from 1967 to 1971, and a candidate for Governor of Pennsylvania in 1970. Broderick was a federal judge on the United States District Court for the Eastern District of Pennsylvania. He presided over the *Pennhurst v. Halderman* litigation at the District Court level.

STEUART BROWN

PARC President during the Right to Treatment Litigation. Part of the team for change.

*To add your suggestions for additional Changemakers, go to
<http://www.preservepennhurst.org/default.aspx?pg=103>*



THE CHANGEMAKERS, CONTINUED

MARLENE BURDA

Responsible for the development of the Childhunt Kit. Over 700 copies were distributed to PARC Chapters to help with the implementation of the Right to Education.

PAT CLAPP

Signed the Right to Education as President of PARC Part of the team that helped to bring about change in institutions.

JIM CONROY, PH.D.

First visiting Pennhurst for a national research project in 1970, Jim later directed the Pennhurst Longitudinal Study for the Federal Government. This was the first of many studies showing conclusively that people could have much better, higher quality, more fulfilling lives in regular homes with all needed supports and services. Was the first to initiate the effort to remember Pennhurst, first founding an organization in the 1990s, then helping to form the Pennhurst Memorial and Preservation Alliance in 2008.

GUNNAR DYBWAD

Special Professional Consultant to PARC. Professor of Human Development of the Florence Heller Graduate School of Brandies University He was with us on Right to Education and also Right to Treatment. "Pennsylvania now becomes the first state in the Union to guarantee education and training to all of its retarded children now and in the future."

ELEANOR ELKIN

Past President of PARC and NARC Eleanor was and is an inspiration to all who have worked with her. Her efforts and leadership have encouraged all. She was an early advocate for change.

DAVID FERLEGER

Attorney who originally filed the groundbreaking *Halderman v. Pennhurst* lawsuit.

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THE CHANGEMAKERS, CONTINUED

LEONA FIALKOWSKI

Parent of one of the pioneers of the community movement, one of the courageous parents who refused to accept segregation.

MARK FRIEDMAN

Office of Special Master; master implementer in Chester County; organizer of Speaking for Ourselves.

SUSAN GANT

Special Master reporting on services to Pennhurst plaintiff class members in Philadelphia in the early 1990s. Her work in this respect was in connection with the Motion for Contempt against the City of Philadelphia and the Commonwealth of Pennsylvania for not meeting its duties under the Settlement Agreement that closed Pennhurst.

GENERAL FEDERATION OF WOMEN'S CLUBS

Organized Crusade for Change-a National Awareness Campaign.

TOM GILHOOL, FRANK LASKI, AND JUDITH GRAN

Three of the many lawyers who worked on the Pennhurst case over the years, these three were there at the very beginning or close to it. Their brilliant work as a team led to the overwhelming victory in Judge Broderick's Decision of March 17, 1978, and to later arguments before the U.S. Supreme Court on three occasions.

DENNIS HAGGERTY

Arc activist who could not bear the situation at Pennhurst in the late 1960s, and found an attorney who would help – Thomas K. Gilhool. Dennis is one of the primary reasons we are all here today.

JENNIFER HOWSE, PH.D.

Deputy Secretary of Mental Retardation during much of the implementation phase of Pennhurst's improvement and ultimate closure.

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THE CHANGEMAKERS, CONTINUED

JAYCEES OF PHILADELPHIA

Promotion the filming of *Suffer the Little Children* at both Pennhurst and Polk institutions.

ROLAND JOHNSON

Roland lived at Pennhurst for many years, and when he moved to a community home, he reunited with family, got a job, became deeply involved with his church, helped found Speaking for Ourselves, was present for the signing of the Americans with Disabilities Act, and traveled the nation inspiring others with his powerful presence and compelling oratory.

DONALD JOLLY, MD

Commissioner of Mental Retardation & Acting Superintendent of PSSH; 1968 – 1970. Dr. Jolly instituted the change from the “medical model” of operation at Pennhurst to a developmental model, one that had at its core the belief that every individual could grow and succeed, given the opportunity.

MEL KNOWLTON

Office of Mental Retardation staff member. Mr. Knowlton was responsible for much of the conceptual design of the community living arrangement [CLA] effort within OMR, initiating one of the first publicly-funded systems of community-based residential services in the nation.

GEORGE KOPCHICK

Director of Pennhurst Center from 1979 through 1987.

MICHAEL LOTTMAN

Hearing Master for Judge Broderick, accorded fair and dignified hearings to all families who had misgivings about community placement.

HENRY LYNCH

President of Lynch Community Homes, who showed that everyone can be supported to live a full life in the community.

*To add your suggestions for additional Changemakers, go to
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THE CHANGEMAKERS, CONTINUED

MARY LOU MAGISTRI

Developed the Crusade for Change Kit that brought Jr. Club Women in support of institutional change throughout the USA. GFWC has over 100,00 members in over 4,00 clubs.

WILLIAM MCKENDRY

The Independent Neutral Mental Retardation Professional appointed under the Final Settlement Agreement to resolve placement disputes; under his auspices, all moved to the community. Prior to this, he was the Mental Health/Mental Retardation Administrator in Chester County, the first county in Southeastern Pennsylvania to transition all its clients from Pennhurst to the community.

CARLA MORGAN

Assisted the Public Interest Law Center throughout the *Halderman v. Pennhurst* lawsuit years, and became the Court's Special Master for Pennhurst under Judge Raymond Broderick.

BOB NELKIN

Community Activist from Allegheny County.

HELEN O'BANNON

Secretary of Public Welfare. Mrs. O'Bannon assured that needed staff resources and capital improvement funds were available to convert Pennhurst from a primarily state-funded facility to a fully licensed ICF/MR facility with more than 50% of its budget provided by the federal government. Because Pennhurst was funded as an ICF/MR, it was possible to transfer funds from the facility to the community under the Home & Community Based Supports waiver, which made the closure financially feasible.

PENNSYLVANIA YOUTH ARC

Organization obtained 150,000 signatures on petitions to demand change in institutions

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THE CHANGEMAKERS, CONTINUED

PETER POLLONI

Executive Director of the Pennsylvania Arc and later Commissioner of Mental Retardation in the era before the departmental reorganization that elevated the position to the level of a Deputy Secretary. Mr. Polloni was MR Commissioner during and/or immediately after the *Halderman* trial.

TONY RECORDS

Tony Records was appointed Special Master to oversee compliance with Judge Broderick's order of March, 1994, requiring improvements in services to class members in Philadelphia County.

MARIANNE ROCHE & AL HERSH

Arc of Pennsylvania advocates who led the effort to create better services for class members in Philadelphia

DOTTIE ROWE

Completed important work regarding implementation of the community-based housing system that replaced Pennhurst and other of its peer institutions for the Department of Public Welfare.

JEAN SEARLE

Jean left the institutions she grew up in because she was covered by the *Pennhurst* Decision. As a Pennhurst Plaintiff Class Member, Jean came back to Philadelphia into a group home and a workshop. Always dreaming, ever achieving, never satisfied with less than full citizenship, Jean has now held a job for 15 years, is a member of seven Boards of Directors, and travels widely speaking and training. Jean is Co-President of the Pennhurst Memorial and Preservation Alliance.

STAFF OF THE SPECIAL MANAGEMENT UNIT (SMU)

The SMU took over the role of the Office of Special Master under the Settlement Agreement that closed Pennhurst.

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THE CHANGEMAKERS, CONTINUED

VICKI STILLMAN-TOOMEY

Played a major role in facilitating the implementation of the community-based housing system that replaced Pennhurst and other of its peer institutions. Her work in helping families overcome their misgivings about community living was key.

NANCY THALER

Deputy Secretary of the Office of Mental Retardation. Also, Nancy is a houseparent for KenCrest and a parent of a Pennhurst plaintiff class member in the *Halderman v. Pennhurst* litigation.

SANDY THOMPSON

President of YPARC involved in Pilgrimage to Pennhurst.

BILL WEST

Executive Director of the Arc of Pennsylvania

JIM WILSON

PARC President when the fight to change Pennhurst and institutionalization started. Instrumental in the achievement that followed He helped to guide and coordinate the early efforts for change.



I N G R A T I T U D E

The Public Interest Law Center and the Pennhurst Memorial & Preservation Alliance would like to thank the Pennsylvania Historical and Museum Commission for its help in bringing Pennhurst's official state historical marker to fruition. Both organizations would also like to recognize Thomas Neville for his efforts to secure the marker and Lauren Mirowitz for coordinating the dedication ceremony committee. The committee would like to thank, among many others, J. Gregory Pirmann, James W. Conroy, Dennis Downey, Judith Gran, Janet Albert-Herman, Saul Rivkin, Mark Friedman, Jean Searle, Pat Clapp, Thomas Gilhool, Nathaniel Guest, Marc Reed, and Chris Peecho.

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We thank the creators of a Pennhurst documentary from the University of Pennsylvania Law School, including Amy Laura Cahn, Maisha Elonai, Larisa Migachyov, Irit Reinheimer, and Professor Regina Austin and the Penn Program on Documentaries & the Law.

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We would like to thank the Pennsylvania Humanities Council for its support of our program, *Telling the Pennhurst Story*. The Public Interest Law Center and the Pennhurst Memorial & Preservation Alliance were selected by the Pennsylvania Humanities Council to participate in its *Our Stories, Our Future* initiative on American history. The Pennsylvania Humanities Council inspires individuals to enjoy and share a life of learning. *Our Stories, Our Future* is funded by the National Endowment for the Humanities' *We the People* initiative. The Pennsylvania Humanities Council represents Pennsylvania in the Federal-State Partnership of the National Endowment for the Humanities.



THE PENNHURST MEMORIAL & PRESERVATION ALLIANCE
WOULD LIKE TO THANK MANY ORGANIZATIONS AND
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Speaking for Ourselves
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The Honorable Andrew Dinniman
Step By Step, Inc.
Temple University Institute on Disabilities
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The Honorable Thomas Murt
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National Trust for Historic Preservation
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Preservation Pennsylvania
Chester County
Historic Preservation Network
The Arc
Senator Arlen Specter
Preservation Alliance of Greater Philadelphia
Congressman James Gerlach



E V E N T S P O N S O R S

The Public Interest Law Center
and the
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Preservation Alliance are indebted to
many individuals and organizations for
their generous support.

In addition to those already mentioned,
those we honor include donors to
support today's events. These donors
are recognized on the following pages
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(see *http://www.preservepennhurst.org/
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as well as on
www.pilcop.org.



E V E N T S P O N S O R S

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SUZANNE, WHO TAUGHT AT
PENNHURST FROM 1970
THROUGH 1977 AND TO
THE MEMORIES OF
BILL DORSEY AND JOE
JOHNSON,
TWO OF HER
FAVORITE PUPILS AND
FAVORITE PEOPLE

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For additional information, please contact us at: P.O. Box 124, Royersford, PA 19468

The Wojtylak Family commends the
attorneys and staff of the
Law Center for their groundbreaking work
on behalf of individuals with disabilities.
Thank you for being a voice for those who
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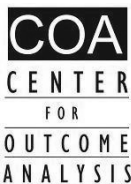


Philadelphia's Center for Independent Living appreciates the tireless hard work the Public Interest Law Center of Philadelphia does to advance the Independent Living Movement. We join PILCoP in celebrating the 25th Anniversary of the court order that ultimately closed Pennhurst.

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The people who once lived at Pennhurst are immensely better off now than they were before. Their lives have improved dramatically in just about every way we know how to measure.

We salute the courage of Judge Raymond J. Broderick in handing down his landmark Decision and Order in the case of Halderman v. Pennhurst. Pennhurst opened in 1908 and closed in 1987. We salute all the agencies and workers who made the process work so well. We salute the people and their families, who experienced vast changes in their lives, and faced the change with great fortitude.

“Back there at Pennhurst, there were just walls all around me. Now there are open doors all around me.” - D.L., 1999, a person who once lived in the institution and left under Broderick’s Order



We dedicate our participation in this Historic Marker ceremony today to one person who survived Pennhurst and lived to find a far better life. Mary Alice Singleton was born on the last day of 1954. In those days before the Right to Education, assured by the events surrounding Pennhurst, she could not go to public schools. She entered Pennhurst in 1975, just as she reached age 21. Pennhurst was not kind to Mary Alice. Under the Pennhurst



Court Order, she moved to a community home in 1978. Adjustment was very difficult after her experiences at Pennhurst. Mary Alice had learned some challenging behaviors and habits while there. Now, 22 years later, Mary Alice lives in a beautiful twin home in Havertown, with one loving direct support worker and one housemate. Her ‘behaviors’ are a thing of the past. She smiles a lot. These photos provide a hint of what her life is like now.





PENNHURST: ITS PLACE IN HISTORY

Over ten thousand people called Pennhurst home. Thousands more worked both within and outside the institution, struggling against a broken system that allowed for neglect and abuse. Their success secured basic human rights for the last group of Americans to attain privileges assumed to be the natural freedoms of all people.

Pennhurst's historic and beautiful campus is, like Valley Forge and Independence Mall to the east, hallowed ground in the struggle for dignity and self-determination, a western anchor to a freedom corridor, that, though stretching but a few miles, reached all the way around the world. We encourage you to become involved in the growing effort to preserve the campus for all time. *Please visit www.preservepennhurst.org.*

The following is an abbreviated timeline of certain events related to Pennhurst and the disability rights movement for which it was the epicenter. A more complete illustrated timeline can be found at www.preservepennhurst.org.

A timeline specifically related to the *Halderman* litigation is currently being developed and will be available at www.pilcop.org.



PENNHURST TIMELINE, CONTINUED

1853: The first specialized school in Pennsylvania for persons with intellectual disabilities is opened in Germantown, near Philadelphia. Eight students are enrolled in what is known as the Pennsylvania Training School. The facility would move to a different location in Philadelphia in 1855. The enrollment at that time was seventeen. The facility would later relocate to rural Delaware County and be renamed as the Elwyn Institute.

1893: The Pennsylvania Legislature authorizes the construction of a facility for “feeble-minded” individuals, to be located in Venango County. This would be the first state-run facility of its kind in the Commonwealth and would be known as the Western State Institution for the Feeble Minded, later renamed the Polk State School and Hospital, later Polk Center. Polk is the western counterpart to Pennhurst.

1897: The Western Pennsylvania Institution for the Feeble-Minded is opened. This facility would later be renamed the Polk State School and Hospital. Polk is the first state-operated institution for persons with intellectual disabilities in Pennsylvania.

1903: The Pennsylvania Legislature authorizes the creation of the Eastern State Institution for the Feeble-Minded and Epileptic, the second such state-operated facility. A commission is created to identify a “tract of land [which] shall be good, arable land, well adapted to the preservation of the health and the occupation and maintenance of the inmates of said institution.” The establishing legislation later states that “The buildings shall be in two groups, one for the educational and industrial department, and one for the custodial or asylum department, with such other subdivisions as will best classify and separate the many diverse forms of the infirmity to be treated; and shall embrace one or more school-houses, a gymnasium and drill-hall, a work shop, and an isolating hospital, - all on such scale as will create an institution to accommodate not less than five hundred inmates or patients, planned and located for easy and natural additions, as population demands.”

1903 thru 1908: The first buildings of the Eastern State Institution for the Feeble-Minded and Epileptic are completed on a site known locally as “Crab Hill.” The facility is situated in Chester County, near the Borough of Spring City. The first group of buildings includes “P” [subsequently renamed Philadelphia Building], “Q” [Quaker Hall], “R” [Rockwell Hall], “F” [Franklin Hall], “G,” “N” [Nobel Hall], “U” [Union Hall], “V” [Vincennes Hall], “T” [Tinicum Hall]. The “K” and “I” [Industry Hall] Buildings were completed



PENNHURST TIMELINE, CONTINUED

within two years of the facility's opening. Numerous farm buildings were also completed in the first wave of construction, as well as a sewage plant and a power plant. "P" Building is used as an interim Administration Building until the actual "A" Building is completed. On November 23, 1908, the first person was admitted to Pennhurst. He is listed as "Patient number 1," a practice that was carried forward for all of Pennhurst's over ten thousand residents. For many parents, there was no other option in place to help with a disabled child than to send them to Pennhurst.

1912: From the outset, Pennhurst was overcrowded. Designed for epileptics and persons with intellectual and developmental disabilities, there was tremendous pressure to admit many different persons whom society, steeped in the eugenics movement, wanted removed from the gene pool, including immigrants, orphans, criminals, etc. But even the stated mission of Pennhurst—to house epileptics and "the feeble-minded"—came under fire from within the institution as early as 1912. In that year, the Superintendent reported to the Board of Trustees in chilling language that "It is without question absolutely wrong to place the feeble-minded and epileptic in the same institution. They are not the same; they are as different, one from the other, as day is from night. They are mentally, physically and morally incompatible, and require entirely different treatment." The admission of individuals with epilepsy and normal intelligence continued for several years. The mission of the institution was eventually clarified and only people with intellectual disabilities were admitted from then on. While the terms "mental hospital" and "insane asylum" are often used in association with Pennhurst, it was neither.

1913: The Pennsylvania Legislature, partially in response to concerns raised by the Pennhurst Board of Trustees, appoints a Commission for the Care of the Feeble-Minded. The Commission's conclusions included a statement that the feeble-minded were "unfit for citizenship" and that they posed a "menace to the peace." The language used by the Commission to describe disabled residents as "unfit for citizenship" is hauntingly familiar to similar language used by disgraced Supreme Court Chief Justice Roger Taney in reference to African Americans in *Dred Scott v. Sanford*, 60 U.S. (19 How.) 393 (1857) sixty years and 600,000 Civil War dead earlier.

1916: In what would be a recurring theme in subsequent reports, the Board of Trustees concludes their biennial report as follows: "Before closing this report, our Board suggests the consideration of plans for further increasing the capacity of the Institution by the erection of a group of cottages exclusively for female inmates, at



PENNHURST TIMELINE, CONTINUED

sufficient distance from the present group to segregate them. Such group of buildings to accommodate, say, 1200 girls would be advantageously located upon a site now owned by the State, and could be supplied with water, heat, light and power from the present reservoir and power plant of the Institution with comparatively small additional expense. The administration of an Institution containing 2400 inmates instead of 1200 could be conducted with but a slight increase of overhead expense. ... The need of additional space for both girls and boys is being manifested every day by the numerous applications to courts for commitments to our Institution, and we feel it would be in the line of economy for the Legislature to supply the capacity in this Institution to meet this ever-increasing demand for the support, care and improvement of these unfortunate boys and girls.”

1918: Pennhurst’s Administration Building is completed. In the Biennial Report to the Legislature submitted by the Board of Trustees, Pennhurst’s Chief Physician quotes Dr. Henry H. Goddard, a leading eugenicist, as follows: “Every feeble-minded person is a potential criminal.” The quote is used to support the argument for an expansion of the institution. The report goes on to say, “The general public, although more convinced today than ever before that it is a good thing to segregate the idiot or the distinct imbecile, they have not as yet been convinced as to the proper treatment of the defective delinquent, which is the brighter and more dangerous individual.” The eugenics movement was short-lived in the United States. Discredited in no small part by the horrific eugenically-driven experiments and programs of the Nazi regime, the movement was shown to be scientifically baseless and racially biased.

1919: “L” [Limerick Hall] and “M” [Mayflower Hall] Buildings are completed.

1921: The Pennhurst Hospital is opened. Completion of the hospital essentially concluded the development of the original campus. Penn Hall (designed to provide employee housing) and the Auditorium would be opened in 1929. No other residential buildings would be constructed on the main campus until “D” Building [Devon Hall] was built after World War II.

1930: The first buildings on the upper campus / Female Colony are completed. Female Buildings #1 & #2 (later renamed Pershing and Buchanan Halls) and an employee dormitory (Audubon Hall) are the first of five buildings to comprise the upper campus. Female Building #3 (Keystone Hall) is built during the 1930’s. Female Building #4 (Capitol Hall) is erected after World War II, at the same time that “D” Building (Devon Hall) is constructed on the main campus. There would be no further buildings added to the facility until Horizon Hall is opened



PENNHURST TIMELINE, CONTINUED

in 1971.

1955: The in-house population of Pennhurst peaks at 3,500 individuals. Two “annexes” of the facility are opened in former tuberculosis sanitariums, one located west of Gettysburg and the other in White Haven, near Scranton. Hundreds of residents are transferred to these “new” facilities (which remain an administrative part of Pennhurst under the direction of the Superintendent). The availability of this additional capacity allows the population of Pennhurst to grow to 4,100 individuals, while the number of people actually living at Pennhurst drops to 3,200 by 1961. The two annexes are “spun off” from Pennhurst in 1961, becoming the Hamburg and White Haven State Schools.

1968: Conditions at Pennhurst are exposed in a five-part television news report anchored by local NBC correspondent Bill Baldini. While this is the first time that conditions in the facility have been shown to the general public, it is not the first “expose” of Pennhurst’s failings. Numerous newspaper articles, legislative inquiries and other investigations have been focused on Pennhurst over the decades, beginning shortly after its opening. The fact that new “exposes” arise on a regular basis is evidence that little was done to alter the basic nature of the facility or to solve the problems innate in the custodial warehouse model of “care.” Baldini is now on the PM&PA Advisory Council and his documentary, *Suffer the Little Children*, can be seen on the PM&PA website at www.preservepennhurst.org.

1971: *PARC v. Commonwealth of PA* is filed in Federal District Court by the ARC, the Public Interest Law Center of Philadelphia, and Thomas Gilhool, Esq. The lawsuit seeks access to public education for all children. The “right to education” lawsuit is eventually settled via a consent decree which becomes a model for a national right to education law passed in 1974, now known as IDEA. The case was filed by the Pennsylvania Association for Retarded Children in order to correct deplorable conditions at Pennhurst School and Hospital for individuals with mental retardation. Realizing that many of the residents of the institution were there because the public schools of Pennsylvania did not provide an education to children who “were (thought to be) unable to benefit from an education,” it was decided that the way to avoid the need for institutionalization was to open the door to education. As a result of exclusion from school, large numbers of children with disabilities were institutionalized while they were still of school age. The case was resolved in 1972 in a consent decree establishing the right of all children with intellectual disabilities to attend public schools.

1974: In the case of *Souder v. Brennan*, the Supreme Court upholds a lower court determination that the minimum wage and overtime compensation provisions of



PENNHURST TIMELINE, CONTINUED

the Fair Labor Standards Act apply to persons residing in state-operated facilities for persons with mental retardation and mental illness who provide work that would otherwise be done by paid employees. The ruling puts an end to peonage, the practice of using the unpaid labor of residents to operate facilities such as Pennhurst and makes the continued operation of such facilities increasingly more expensive. A consent decree ending peonage had been reached in a similar case (*Downs v. PA DPW*) prior to the Supreme Court ruling. In May of that year, the landmark civil rights case *Halderman v. Pennhurst State School* is filed in the U.S. District Court for the Eastern District of PA by a the mother of a Pennhurst resident. The case would eventually reach the United States Supreme Court. The case is assigned to District Judge Raymond Broderick. In July, an amended complaint is filed in the *Halderman* litigation and the seven additional plaintiffs are added, along with the Parents & Family Association of Pennhurst. In November, the United States of America moves to intervene as a plaintiff in the Halderman case. The USA's motion to intervene is granted in January 1975.

1975: The PA ARC, represented by the Public Interest Law Center of Philadelphia (PILCOP), moves to intervene in the *Halderman v. Pennhurst* case. The PARC motion adds the five counties in SE PA as defendants in the case. PARC's motion seeks community placement for all Pennhurst residents. PARC's motion to intervene is granted by the Court in November 1975.

1977: *Halderman v. Pennhurst* is tried from April to June. The Honorable Raymond J. Broderick rules in favor of the residents, declaring that forced institutionalization of persons with disabilities is unconstitutional. The District Court determined that Pennhurst provided "such a dangerous, miserable environment for its residents that many of them actually suffered physical deterioration and intellectual regression during their stay at the institution."

1978: The District Court orders the planned development of community services for all Pennhurst residents. The District Court's orders to develop individualized services in the community for Pennhurst residents remained in effect throughout multiple appeals and two trips to the United States Supreme Court.

1979-1985: The Pennhurst Longitudinal Study finds that Pennhurst residents who moved to the community are "better off in every way we know how to measure." Before the relocation of residents, 60% of families of Pennhurst residents opposed the residents leaving Pennhurst; six months after relocation, more than 80% of the same families came to agree that relocation had been the right decision (quotes are from Judge Broderick's opinion of 2/6/98).



PENNHURST TIMELINE, CONTINUED

1982: The US Supreme Court rules in the case of *Romeo v. Youngberg* that the Constitution imparts a right to “minimally adequate treatment” for people involuntarily committed to state institutions. The Court defines the rights of such involuntarily committed persons to a right to be free from “unreasonable bodily restraints” and to a “reasonably safe environment and whatever minimal training might be required to protect those interests.” *Romeo v. Youngberg* was filed by the mother of an individual who received several serious injuries after his commitment to Pennhurst. The defendants [several Pennhurst employees] had prevailed at trial but the trial results were overturned by the Third Circuit Court, which ordered a new trial to be held. The case was settled before another trial was scheduled.

1984: Final Settlement Agreement between the *Halderman v. Pennhurst* parties provides for the closure of Pennhurst. The agreement was approved by the District Court in April, 1985. Pennsylvania Historical and Museum Commission deems Pennhurst eligible for the National Register of Historic Places. Such action made the Pennsylvania History Code apply to the property, which meant the state had an obligation to not let the buildings fall to waste and to not sell the property without consulting with the PHMC to see if a covenant for its preservation and re-use should be included as a condition of the sale. By 2008, it became clear the state violated both of these laws.

1986: A portion of the Pennhurst property is re-purposed as a residential home for PA veterans. The SE PA Veteran’s Home opens in 1986. Another portion of the upper campus is turned over to the PA National guard for use as an armory.

1987: Pennhurst closes. In the ensuing years the Commonwealth has closed numerous other facilities for persons with intellectual and developmental disabilities. In 2010, five state centers remain, serving fewer than 1,300 people.

1989-1998: Enforcement and contempt proceedings on behalf of class members in Delaware, Montgomery and Philadelphia counties results in community placement of several hundred persons who were transferred from Pennhurst to other institutions before the Court’s decision of 1977, and significant improvements in the community service system in Philadelphia.

1991: PA Department of General Services proposes to sell Pennhurst to the highest bidder. Grassroots effort to oppose sale. State Senator Gerlach recruited to lead opposition.

2003: Pennhurst Associates sues DGS after DGS terminates agreement of sale,



PENNHURST TIMELINE, CONTINUED

claiming \$800,000 spent in efforts to seek approvals/develop Pennhurst.

2008: Pennhurst sold to Pennhurst Associates for \$2 million. (*The Mercury*—2/28/08). **Pennhurst Memorial and Preservation Alliance (PM&PA)** formed by representatives from several major disability advocacy organizations, including those that took the original *Pennhurst* case to the Supreme Court, preservation experts, and local residents to advocate for the sensitive re-use of the site and to urge decisionmakers to capitalize on its unique history and architectural features for the benefit of the region. Through PM&PA, Pennhurst's eligibility for the National Register of Historic Places is updated through the Pennsylvania Historical and Museum Commission. Pennhurst added to Preservation Pennsylvania's list of the most At-Risk Pennsylvania Properties for 2008.

2009: Pennhurst, through PM&PA, becomes a member of the International Coalition of Sites of Conscience, a worldwide network of historic sites specifically dedicated to remembering struggles for justice. PM&PA, in partnership with the Preservation Alliance of Greater Philadelphia, obtains a service grant to complete a re-use design and feasibility study on the Pennhurst campus. PM&PA adopts a portion of Route 724 through PennDOT's Adopt-a-Highway program. Pennhurst's historical marker to be located along this stretch. Pennhurst listed on the Preservation Alliance of Greater Philadelphia's Most Endangered List.

2010: Historical Marker to Pennhurst through PHMC to be dedicated along Route 724. The Law Center and PM&PA partner in a special event funded in part through the Pennsylvania Humanities Council and the National Endowment for the Humanities.



About the Images:

Cover and elsewhere: Mourning Victory by Daniel Chester French. Photograph of Daniel Chester French's Mourning Victory courtesy Douglas Yeo (yeodoug.com). Used with permission. French merged innovative technique and symbolic content in Mourning Victory, as he called the figure of the angel. She emerges from what reveals itself as a unknown cavity, flesh from stone as light from the darkness. The partial nude strides forward with hair and drapery swirling around her. The tip of a wing is visible near her knee. In one outstretched hand she holds a branch of laurel, while in the other she lifts above her head an American flag, its stars decisively rendered. This charged physical movement maintains a carefully orchestrated emotional balance with the melancholy restraint of the angel's downcast eyes. Mourning Victory embodies success with sacrifice, proud but quiet triumph emerging from tragedy.

Center image, previous page: The Lives of the Slaves, tile mosaic from Main Administration Building, Pennhurst State School and Hospital. Institutions like Pennhurst functioned in large part on the backs of unpaid labor provided by thousands of residents.

Header image, each page: The Pennhurst dogwood, a sculptural relief found at several locations on the Pennhurst campus. The dogwood is the perennial symbol of resurrection, remembrance, and redemption. As such, it represents the effort to save this internationally-significant place of memory from destruction. Through its environmentally-responsible and socially-sensitive re-use, Pennhurst can again become not only a profitable contributor to the region, but the birthplace of a needed renewed conscience for the future

A CALL TO ENGAGEMENT



We hope this event has reminded you of the immense power each of us has to effect positive change. The process of identifying injustices even when they are broadly accepted as “social norms” and working to fix them is at the heart of our common responsibility to improve the human condition. We encourage you to become involved in whatever cause that moves you. Listed below are a summary of projects the Law Center and the Pennhurst Memorial and Preservation Alliance are undertaking. We encourage you to join in. Your support makes all the difference.

PUBLIC INTEREST LAW CENTER OF PHILADELPHIA

- Attend our upcoming training sessions for parents, advocates and educators of kids with disabilities
 - Volunteer at the Law Center’s office - all levels of experience are welcome
 - Stay tuned for details about our annual symposium planned for Fall 2010
 - Join our email listserv for updates about our cases
 - Contact your legislators to ask them to support the Governor’s budget and continue to fund public education according to the costing out study
 - Tell us how a Law Center case (*PARC, Halderman*) has made a difference for you or a loved one
- For More Information or to Volunteer:
www.pilcop.org, lmirowitz@pilcop.org,
267.546.1303*

PENNHURST MEMORIAL & PRESERVATION ALLIANCE

- Offer your suggestions for a sensitive re-use for the Pennhurst Campus as part of our ongoing Re-Use Feasibility Study
 - Donate a Virtual Brick on preservepennhurst.org (coming soon!) to Honor a loved one.
 - Participate in our Adopt-a-Highway Clean up April 24, 2010. 2:00 PM. Contact elpeecho@elpeecho.com.
 - Share your story as part of the Pennhurst Archive
 - Join the planning process for a traveling exhibit about Pennhurst and Disability History
 - Participate in the Planning Process for the first National Disability Museum and Memorial
 - Join the PM&PA Board or Advisory Council.
- Check the PM&PA website for monthly meeting dates and locations. Meetings are fully accessible and open to the public.
- For More Information or to Volunteer:
www.preservepennhurst.org,
ncg1@cornell.edu, 610.724.9611*