

Court Action Threatened Over VA Relocations

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WEST LOS ANGELES—Officials of the Veterans Administration will have to face court for their treatment of disabled and indigent veterans in the recent relocation project, say attorneys from the Venice Legal Aid Office who tried unsuccessfully to halt the relocation with a preliminary injunction.

They say they will file suit asking for the return of the men who were relocated and up to \$15,000 in damages for each man who was moved.

"We feel that what the VA has done is illegal and we intend to have a full-scale trial," said Stanton Price,

directing attorney for the case. "We'll bring it to court unless we win an appeal on our preliminary injunction or make arrangements out of court."

The suit, which may take several months to prepare, will be filed in behalf of the more than 1,000 veterans who were forced to vacate the VA domiciliary so that the buildings they lived in could be transformed into a hospital for the patients of the condemned VA hospital, Price said.

Though every veteran moved was given a choice of new homes in other VA domiciliaries around the country, the lawyers from the legal office and other groups opposed to the relocation are gathering written

statements from men who claim they were moved unnecessarily from building to building, that they were not allowed to go where they chose and that they were given as little as one hour's notice when they were moved.

Many of the veterans had been residents of the domiciliary, just north of Wilshire Blvd., for more than 10 years. Many were unable, mentally, emotionally or physically, to fend for themselves, said Price. Yet those who refused to leave Los Angeles faced termination of VA benefits, forcing them to depend on welfare and other social aid, he said.

According to VA figures, 573 of the more than 1,000 forced to leave the

Los Angeles domiciliary actually relocated to other VA facilities.

Further, it has been revealed by VA officials that the seismic report prepared by private firms, which recommended vacating the Wadsworth Hospital south of Wilshire Blvd., was presented to VA officials last August and that for five months they kept it secret while deciding upon a course of action and planning the relocation.

Then when John Cox, western regional director of the VA, announced the decision on Jan. 14, he said the VA had determined that the entire project, a massive task involving removal of about 1,000 men, creation of a hospital from the dor-

mitory buildings and finally moving patients from the old hospital to the new one, would have to be completed in 45 days for the safety of all concerned.

The legal office contends that the sudden upheaval of their lives has caused great damage to many of the veterans.

Cox, who testified before a federal court hearing in which the request for a preliminary injunction was denied, has said that the five-month delay was required to make "a judgment involving a magnitude of people, going as high as the White House, and a tremendous amount of planning so that we could move forward without impedence."

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VA Relocations May Bring Court Action

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Secrecy was kept, said Cox, "because we didn't want to get rumors started among the men or get them excited before we knew what the plan of action was going to be."

During the hearing Cox and other VA officials testified that, as far as they knew, only one alternative to relocating the veterans had been considered. That was setting up tents on the VA grounds. The idea was rejected as substandard.

But the lawyers who threaten the suit believe that all the domiciliary veterans could have been housed in prefabricated housing built by the Army Corps of Engineers at almost no cost to the government.

First Action Failed

The lawyers who are working on the case, principally Price, Tom Diamond and Elizabeth Johnson, failed to get a preliminary injunction against the relocation when Judge Warren Ferguson said he would have granted it if he had any precedent for it in his court.

Now that the relocation is complete, the lawyers will bring suit asking for return of all veterans who want to return, restoration of the domiciliary to its former level, and up to \$15,000 damages for each man who was moved.

Ignored Due Process

They will allege, said Price, that the VA ignored due process by not providing notice and a hearing before evicting men and terminating their benefits.

The VA collects all but \$30 of any pension or aid that a domiciliary veteran receives, said Price, and thus a tenant-landlord relationship is established. The VA would be subject to the same law as a landlord requiring notice before an eviction.

They also will try to establish that the VA failed to use rational judgment in deciding which men to move and where to move them.

Must Exercise Discretion

"Even if they can be arbitrary," Price said, "they have to exercise discretion. There has been no indication of any standard used in deciding who was shipped."

The case may be several months in preparation while members of the legal office gather information by writing to veterans who have been moved and by directing interrogatives to the VA requiring thorough answers to the questions they have raised.

"We hope," Price said, "to get a declaratory judgment from the court establishing the rights of veterans in relation to the Veterans Administration."