

# CDAC CIVIL DETAINEES' ADVISORY COUNCIL

*Sharing a commitment to Democracy and Advocacy*

To: DSH-C Population

From: CDAC

Date: December 18, 2017

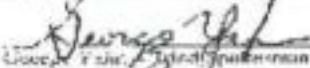

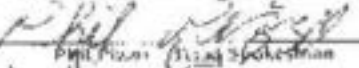
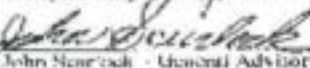
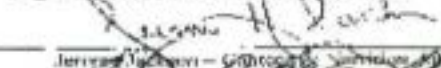
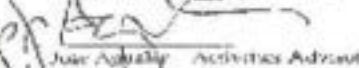
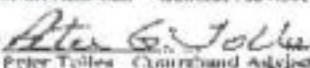


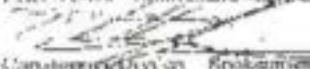

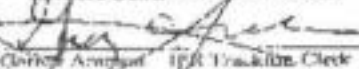
Subject: No Confidence in Patients' Rights Advocacy

On November 28, 2017 CDAC had a meeting with the Patients' Rights and explained the dissatisfaction felt by the population. This meeting was an attempt to get resolution at the lowest possible level. The result of that meeting was as expected. DSH-C Patients' Rights have little aspiration of accomplishment. They suggest appealing everything to Sacramento. The following was given to them and a copy sent to their boss - Michele Mudgett in Sacramento.

To Whom It May Concern,

We, the Civil Detainees Advisory Council, do hereby with our signatures; express **No Confidence** in the providers of patient advocacy at Coalinga State Hospital. Disability Rights California fails to provide patients' rights advocacy and investigative services contracted through the California Department of State Hospitals. We, as patient representatives, request the cancellation of Disability Rights California's contract #13-70001-000 and a replacement provider hired to provide the needed services.

Respectfully Submitted,

|  |  |   |
|--|--|---|
| <br>George Yahn - CDAC Spokesman            | <br>Richard Grinder - CDAC Spokesman         | <br>Phil Pison - CDAC Spokesman        |
| <br>John Scarlock - General Advisor         | <br>Jerome Yachew - CDAC Spokesman           | <br>Joan Aguilera - Activities Advisor |
| <br>Peter Tolles - Chairband Advisor        | <br>Leigh McAffery - Treatment Rec's Advisor | <br>Amanda Butler - Research Clerk     |
| <br>Constantine Dytch - Spokesman Secretary | <br>Richard T. Cobb - Advisory Secretary     | <br>Gordon Arnold - IPR Tracking Clerk |

We are now asking you, the Residents of DSH-C to let your opinion be heard. Sign the attached sheet that will be forwarded to Pam Ahlin - Director of State Hospitals, our State Representatives, and the Governor. Patient Rights' Advocates need to advocate or get out. We are asking for their replacement as their contract is up in 2018.

Unit Representatives please discuss whether unit residents are satisfied with Patients' Rights, if not; get their names and CO #'s. When complete return to CDAC - General Advisor.

Richard Grinder - CDAC Spokesman

George Yahn - CDAC Spokesman

Civil Detainees' Advisory Council - Hospital Wide Advisory Council

# CDAC CIVIL DETAINEES' ADVISORY COUNCIL

*Sharing a commitment to Democracy and Advocacy*

To: Whom It May Concern

From: Civil Detainees Advisory Council

Date: October 11, 2017

Subject: No Confidence in DSH-C Patients' Rights Advocates

To Whom It May Concern,

We, the Civil Detainees Advisory Council, do hereby with our signatures; express **No Confidence** in the providers of patient advocacy at Coalinga State Hospital. Disability Rights California fails to provide patients' rights advocacy and investigative services contracted through the California Department of State Hospitals. We, as patient representatives, request the cancellation of Disability Rights California's contract #13-70001-000 and a replacement provider hired to provide the needed services.

Respectfully Submitted,

|   |  |  |
|---|--|--|
| <br>George Yahn - Triad Spokesman              | <br>Richard Grinder - Triad Spokesman             | <br>Phil Pizzo - Triad Spokesman      |
| <br>John Scurlock - General Advisor            | <br>Jerome Jackson - Ginteed & Nutrition Advisor | <br>Jose Aguilar - Activities Advisor |
| <br>Peter Tolles - Contraband Advisor           | <br>Hugh McCafferty - Treatment Needs Advisor    | <br>Terrance Butler - Research Clerk  |
| <br>Christopher Dryden - Spokesmen's Secretary | <br>Richard Lord - Advisors' Secretary            | <br>Garret Ammon - IPR Tracking Clerk  |

Civil Detainees' Advisory Council - Hospital Wide Advisory Council



*Leslie Morrison*

**BAY AREA REGIONAL OFFICE**

1330 Broadway, Ste. 500  
Oakland, CA 94612  
Tel: (510) 267-1200  
TTY: (800) 719-5798  
Toll Free: (800) 776-5746  
Fax: (510) 267-1201  
[www.disabilityrightsca.org](http://www.disabilityrightsca.org)

September 16, 2015

████████████████████  
P.O. Box 5003  
Coalinga, CA 93210

**RE: Closing Request for Investigation**

Dear Mr. ██████████:

Thank you for contacting Disability Rights California regarding your concerns about the failure of Coalinga State Hospital and the California Department of Corrections and Rehabilitation to provide **safe transportation** of residents to outside medical appointments. I very much appreciate all of the information that you have provided, including contact information for others who have supporting information.

Regrettably, **we lack sufficient resources** at this time to conduct an investigation into these allegations. So I am **closing your request for investigation.**

As you know, Disability Rights California is a non-profit civil rights organization with limited resources. We have a number of open investigations pertaining to abuse allegations at state facilities. **We simply do not have the resources presently to devote to this investigation.**

Please be assured that I will recall your concerns and will look for an opportunity to investigate your allegations at a point in the future. As with all investigations, it is essential to receive prompt notice of a present incident from a current victim for the best collection of reliable evidence.

September 16, 2015

Page 2 of 2

While the information that you provided is compelling, it is insufficient for us to proceed.

Under federal law, Disability Rights California is required to inform you that you have a right to file a grievance if you are dissatisfied with any of our advocacy services. You can file a grievance by visiting our website at <http://www.disabilityrightsca.org/connect/whom.htm> or by calling (916) 504-5800 (collect calls accepted) or e-mailing [executivedirector@disabilityrightsca.org](mailto:executivedirector@disabilityrightsca.org).

Thank you again for contacting Disability Rights California.

Sincerely,



Leslie Morrison  
Directors of Investigations and Grants Administration



*Leslie Morrison*  
**BAY AREA REGIONAL OFFICE**  
1330 Broadway, Ste. 500  
Oakland, CA 94612  
Tel: (510) 267-1200  
Fax: (510) 267-1201  
TTY: (800) 719-5798  
Intake Line: (800) 776-5746  
[www.disabilityrightsca.org](http://www.disabilityrightsca.org)

April 14, 2017

████████████████████  
P.O. Box 5003  
Coalinga, CA 93210

**RE: Request for Investigation**

Dear Mr. ██████████,

Thank you for continuing to keep me and others within Disability Rights California apprised of your concerns about the **grave situation for residents at Coalinga State Hospital (CSH)**. Please be assured that I have personally reviewed every voicemail message and email that you have sent in recent months. Perhaps unbeknownst to you, we have followed up on a number of leads that you have provided.

We remain concerned about your on-going allegations of abuse, neglect and poor medical care resulting in resident deaths. Only a few weeks ago, I carefully reviewed your email that stated that, "**Approximately 100 patients have died at the hospital since 2005, and at least 15 more are currently near death.**" **We are gravely concerned about these allegations** and have followed up on specific incidents where we have basic facts. As I have previously explained to you, it is essential that we have names of victims and information about circumstances surrounding their death so that we can initiate an investigation.

You should know that, under state law, CSH is required to notify Disability Rights California of any unexpected or suspicious death as well as all resident allegations of sexual assault and physical abuse by staff that were

██████████  
April 17, 2017

Page | 2

reported to law enforcement. We have received a number of reports from CSH of unexpected and suspicious deaths and have conducted preliminary investigations into each one, including reviewing county coroners' reports. We recognize that we may not be alerted to every such death. This makes it even more important for you to provide Disability Rights California with critical details of incidents for us to initiate an investigation.

Please be assured that I continue to monitor the information that you provide and look for opportunities to investigate allegations of resident abuse at CSH supported by evidence of probable cause. While I am not always available to take your calls, I appreciate you continuing to share information with Disability Rights California.

Under federal law, Disability Rights California is required to inform you that you have a right to file a grievance if you are dissatisfied with any of our advocacy services. You can file a grievance by visiting our website at <http://www.disabilityrightsca.org/connect/whom.htm> or by calling (916) 504-5800 (collect calls accepted) or e-mailing [executivedirector@disabilityrightsca.org](mailto:executivedirector@disabilityrightsca.org).

Thank you again for contacting Disability Rights California.

Sincerely,



Leslie Morrison  
Directors of Investigations and Grants Administration

*Catherine Drake-More*



**ADMINISTRATION**  
1831 K Street  
Sacramento, CA 95811  
Tel: (916) 504-5800  
TTY: (800) 719-5798  
Toll Free: (800)776-5746  
Fax: (916) 504-5802  
[www.disabilityrightscalifornia.org](http://www.disabilityrightscalifornia.org)

August 29, 2017

████████████████████  
P.O. Box 5003, Unit 14  
Coalinga, CA 93210

Dear Mr. ██████████:

Thank you for your recent call to me, our Investigations Unit, and the California Office of Patients' Rights Office (COPR). Each of your calls addressed similar issues and requests and therefore, I am responding to each of these messages.

Issues Concerning Violations of Your Rights

You identified two specific issues about violations of your rights. Thank you for bringing these concerns to our attention. The issues you raised were: 1) the use of a non-ADA compliant van to attend a medical appointment, and 2) the lack of pain medications during the weekend.

Regarding the use of a non-ADA complaint van, you indicated that you were forced to crawl into a non-ADA compliant van to attend a medical appointment. The transport officers informed there were no ADA vans at that time to transport you to your medical appointment and you indicated that you signed a waiver to be transported in a non-ADA compliant van. You implied you could reschedule your medical appointment but chose not to do so. We would be happy to look into this issue. As you know, our staff previously assisted you with issues regarding access to your wheelchair and continues to assist you with related issues. Because of Mr. Diaz's familiarity with this issue, you may want to speak with Mr. Diaz about the issues related

to the lack of an ADA compliant van. As you know, you may contact him at 213-213-8000; I have let Mr. Diaz know that you may be contacting him about this concern. I also know that you spoke with our Patients' Rights Advocate, Daniel Wagoner, the week of August 14 about this issue. At that time, you indicated that you did not want him to work on that specific issue. If you have changed your mind, and would like Mr. Wagoner's assistance on the medical transportation issue, please let him know.

### Other Residents' Concerns

I also understand that you are reporting that other Coalinga residents may have concerns about abuse, neglect, or quality of care. You asked that staff from our office come to Coalinga State Hospital within the next week to meet with Peer Leadership. As an alternative, we would be happy to speak with any resident who has concerns about violations of their rights. They may contact our Legal Advocacy Unit Intake Line at 800-776-5746 or speak with Mr. Wagoner at Coalinga State Hospital.

In addition, as you know Ms. Mudgett is the Director of the California Office of Patients' Rights and is on site at Coalinga multiple times per year. During those visits, Ms. Mudgett spends a portion of each day behind security, visiting the units and general areas of the facility and speaks with many of the men both on and off the living units. Ms. Morrison, who directs DRC's Investigation's Unit, reviews all events which are statutorily required to be reported to DRC and, as appropriate, conducts investigations and site reviews of state hospitals. If you or other residents have information about death, or abuse and neglect, please feel free to contact Ms. Morrison.

In summary, we remain willing to address patients' rights issues through our onsite PRA office at Coalinga and to address issues of abuse and neglect through our investigations unit. We can best address these issues by having individuals contact Mr. Wagoner's office or by contacting our Legal Advocacy Unit Intake office. In addition, Mr. Diaz remains willing to assist you with the issues you have raised with him.



If you are dissatisfied with your services, you may file a grievance. A form for that purpose is enclosed.

Sincerely,

A handwritten signature in blue ink, appearing to read "C. Blakemore".

Catherine Blakemore  
Executive Director

cc: Michele Mudgett  
Leslie Morrison  
Richard Diaz



*ERICA EDWARDS*

**ADMINISTRATION**

1831 K Street  
Sacramento, CA 95811  
Tel: (916) 504-5800  
TTY: (800) 719-5798  
Toll Free: (800) 776-5746  
Fax: (916) 504-5802  
[www.disabilityrightsca.org](http://www.disabilityrightsca.org)

September 8, 2017

Coalinga State Hospital  
ATTN: [REDACTED]  
PO Box 5003  
Coalinga, CA 93210

**Re: Your Grievance**

Dear Mr. [REDACTED]:

We received your voicemails expressing disagreement with Ms. Blakemore's letter. We are treating your response as a grievance which will be reviewed by the Board Grievance Committee. The Board has 30-days to review and respond to your grievance. You will receive a response to your grievance shortly after your grievance is reviewed by the Grievance Committee of the Board of Directors Grievance Committee.

Sincerely,

Erica Edwards  
Executive Assistant II

*Charles Ehrlich*



**ADMINISTRATION**  
1831 K Street  
Sacramento, CA 95811  
Tel: (916) 504-5800  
TTY: (800) 719-5798  
Toll Free: (800) 776-5746  
Fax: (916) 504-5802  
[www.disabilityrightsca.org](http://www.disabilityrightsca.org)

Attorney Client Privileged Correspondence

October 6, 2017

[REDACTED]  
P.O. Box 5003, Unit 14  
Coalinga, CA 93210

Dear Mr. [REDACTED]

The Grievance Committee of DRC's Board of Directors has reviewed the concerns that you raised about DRC's services, including your request that DRC's Executive Director and two other Directors participate in a meeting you propose to arrange with Coalinga State Hospital Peer Leadership.

In considering this matter, we reviewed the record and consulted DRC's professional staff regarding the assistance DRC attorneys and patients' rights advocates have provided at Coalinga and to you.

We conclude that those services have been appropriate, and that DRC's staff has been pro-active in executing its appropriate role.

We observed that DRC staff has addressed your personal concerns on several occasions. As you know, your most recent complaint alleging misconduct by Coalinga staff was referred to our patients' rights advocate for investigation. In addition, your information regarding another resident who indicates that he is aware of 31 deaths at the institution has been referred to DRC's Investigations Unit, which will review these alleged

deaths, and other deaths reported to DRC, to determine what action, if any, is appropriate to protect the rights of patients.

DRC continues to respond to the concerns of residents at Coalinga. Michele Mudgett, DRC's California Office of Patients' Rights (COPR) Director, is frequently on-site at Coalinga. Ms. Mudgett most recently was at Coalinga on September 26, 2017, and met with a number of residents at that time. She will continue to be available on units for residents who have concerns.

Coalinga residents who have legal issues within DRC's purview may also contact our Legal Advocacy Unit at 800-776-5746.

Finally, as noted, DRC will continue to refer allegations of deaths at Coalinga to the Investigations Unit.

We know that it is important for DRC to have information from residents at Coalinga. We believe that Ms. Mudgett's frequent on-site visits to Coalinga to meet with residents, our Investigations Unit's review of reports of deaths, and our willingness to have our patients' rights advocacy and other legal staff speak with residents provide an effective means of responding to concerns and a method for our staff to track any systemic issues.

We understand the frustrations that Coalinga residents may experience, feeling that their potentially open-ended commitment to Coalinga is not appropriate. At this point, however, the civil commitment process has been upheld in the courts as not depriving patients of constitutional rights, and we do not see a fruitful avenue for further legal challenges.

Thank you for bringing your concerns to the attention of the Board's Grievance Committee. If you continue to disagree with our decision about the services provided by COPR, you may file an appeal. Information about that process is attached.

Sincerely,



Charles Ehrlich, Board Secretary  
Member of the Grievance Committee