

Soon to be Disability Rights California

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June 13, 2008

Tim Kiley, CO-000616-3
P.O. Box 5003
Coalinga, CA 93210

Re: SR # 867284, 867175

Dear Mr. Kiley:

I am responding to your request for a second level appeal review of the above-numbered patients' rights complaint regarding your right to possess some personal property of yours that is currently in storage. This property includes some magazines, family photos and posters. The facility had classified this material as "excess property" per CSH AD 626. DMH issued a letter in February 2008 stating that they would not enforce that administrative directive any longer.

When this matter was brought to the attention of the CSH Executive Director, the response was that per title 9 regulations, individuals have the right to keep and use personal possessions as space permits. What constitutes permissible space is governed by regulations regarding fire prevention. The response concludes by stating that "Coalinga State Hospital continues to require each individual to keep only the amount of personal possessions which will fit in a wall locker in order to comply with the above regulations."

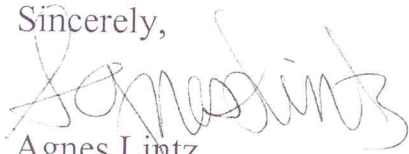
Although you feel that the regulations allow you to have additional storage space due to the living areas being "protected by approved automatic extinguishing systems" there are other relevant regulations. Specifically, 22 CCR §§ 71613 and 73613 state that personal belongings shall be stored in a locker. You state that you are currently only utilizing ¼ of your locker space. Therefore, it does not appear that whether having an automatic extinguishing system is an issue.

Based on the information provided, I am unable to find that there has been an action of abuse or neglect, punitive withholding or unreasonable denial of patients' rights regarding this matter.

If you are dissatisfied with this response, you have a right to appeal your complaint to the next level. This last appeal will exhaust your administrative remedies. The contact information is as follows:

Department of Mental Health
Office of Human Rights
1600 – 9th Street, Rm. 153
Sacramento, CA 95814

Sincerely,

A handwritten signature in black ink, appearing to read "Agnes Lintz", written over the printed name.

Agnes Lintz
Patients' Rights Specialist