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## **MEMORANDUM**

**TO:** George Maynard, Hospital Administrator

**FROM:** Daniel Wagoner, Interim Patients' Rights Advocate  
Warren Rogers, Assistant Patients' Rights Advocate

**RE:** CDRW discs

**DATE:** 6/27/08

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Our office has received numerous complaints from individuals lately regarding the confiscation of their possessions, and more specifically the confiscation of their CDRW discs.

According to these complaints, individuals' residing at Coalinga State Hospital (C.S.H.) have had their CDRW discs confiscated from them for looking "burned" or copied.

As part of my investigation into these matters I have reviewed many individual records, contacted C.S.H. Administration, contacted the Property Room, spoken with Unit Supervisor, Miriam Joya, and discussed the matter with Daniel Meeks, Acting Program Director for Program 1.

Per my review of many applicable individual records, I was unable to find any documentation regarding why these individuals possessions were taken. The only documentation that I could find in many instances to support that these items were actually confiscated were confiscation receipts showing the number of items confiscated with the description of "burned/copied" discs.

After contacting Coalinga State Hospital Administration on 5/21/08, our office was informed that per the hospital's Moratorium on computer equipment, no new CDRW discs would be allowed in the hospital for individual use.

However, because these discs were at one time available for individuals to purchase in the Canteen, as long as the CD-RW discs that are in individuals' possession are properly marked with their name and identification (I.D.) number, they should not be confiscated as Contraband.

While speaking with Officer David Wallace from the Property Room during the week of 6/16/08, I was informed that as long as discs are properly marked with individuals' name and I.D. number, then the Department of Police Services does not consider them to be Contraband.

Although, according to Officer Wallace, all discs found by staff or officers have to be reviewed for content. After reviewing these discs for content, if they contain "approved" material they are placed in the individuals' property until that individual's Unit Supervisor can come down to the Property Room and pick up the "approved" items.

Upon visiting Unit 11 on 6/19/08 to investigate several of these allegations I had the opportunity to speak with Unit Supervisor Miriam Joya regarding this matter. At this time I was informed by Ms. Joya that per 'Program', copied discs are to be treated as Contraband.

During a conversation with Daniel Meeks, Acting Program Director on 6/25/08, I brought this issue to his attention. According to Mr. Meeks, when these blank CDRW discs were sold in the Canteen they were marked with individuals' name and I.D. number, and were only "supposed to be" used for Phase Treatment work.

If it was found that a disc contained material other than Phase Treatment work, according to Mr. Meeks, or if it was found to be altered in any way including but not limited to having material copied or downloaded on to the disc, it was confiscated by Coalinga State Hospital for "misuse" per Administrative Directive (A.D.) 658- Individuals' Use of Electricity and Electrical Devices.

