

## MEMORANDUM

TO: Program Director, Program 1

FROM: Daniel Wagoner, Interim Patients' Rights Advocate *OV*  
Gloria Drake, Assistant Patients' Rights Advocate

RE: Tim Kiley CO-000616-3

DATE: 2/29/08

Several complaints have been made to our office by Tim Kiley, resident on Residential Housing Unit 8, regarding his right to keep and use personal property. According to Mr. Kiley's complaints, he has had ongoing issues with Coalinga State Hospital not allowing him to have access to his legal property in a timely manner because he had excess property that would not fit in his wall locker and therefore had to be placed into storage.

As part of my investigation into this matter I reviewed the Coalinga State Hospital policy that outlines how much property is to be allowed in an individuals' possession, Administrative Directive #626. Upon review I confirmed that per Administrative Directive #626 any excess property that does not fit into an individuals' wall locker may be removed from his possession and placed into storage. However, as you may already be aware, on 2/6/08 Cynthia Radavsky, Deputy Director of Long Term Care Services for California Department of Mental Health, issued a statement saying that the Department of Mental Health will no longer issue, use, enforce, or attempt to enforce Coalinga State Hospital Administrative Directive #626.

Due to these findings, it would appear that there is no longer a policy in place at Coalinga State Hospital preventing Mr. Kiley from exercising his

right to keep and use his personal property, except items listed as contraband, without the proper Denial of Rights form. It is the recommendation of our office that Mr. Kiley be permitted to access all of his property that is not specifically mentioned in Coalinga State Hospital's Contraband list.

Thank you for your time and attention to this matter, and please feel free to contact our office if you feel that we can be of further assistance.

CC: Tim Kiley CO-000616-3