

WELFARE AND INSTITUTION CODE §4731 COMPLAINT FORM
INVESTIGATION REQUEST
DS 255 (New 8/2007) (Electronic Version)

A consumer, or any representative, acting on behalf of any consumer or consumers, may file a W&I Code Section 4731 complaint against a regional center, developmental center, or any private service provider receiving Lanterman Act funds. This form is voluntary and may be used as guidance in writing your complaint letter.

Name of Person filing Complaint CARL ARGILA	Relationship to Consumer FATHER	Telephone Number 800-903-6903	
Address (Mailing Address) P. O. BOX 1219	(City) PICO RIVERA	(State) CA	(Zip) 90660
Name of Consumer GERARDO ARGILA	Birth Date (Month, Date, Year) 9/17/1975		
Regional Center/Developmental Center SAN GABRIEL POMONA REGIONAL CENTER			

Describe your complaint including the following as applicable: (a written statement may be attached or used instead of the form)

- A statement of facts upon which the alleged rights violation is based;
- The party allegedly responsible;
- A proposed solution to the problem.

Please see attached statement.

Submit your complaint to the Director of the regional center or developmental center from which you or the consumer receives services.

7006 2150 0000 5544 8056

Signature

Date

9/26/2016

Confidential Client Information
W & I Code, 4514 and 5328



WELFARE AND INSTITUTION CODE §4731 COMPLAINT

Investigation Request
Gerardo Argila (Consumer)

A statement of facts upon which the alleged rights violation is based

On February 4, 2013 SGPRC supervisor Joslyn Culpepper conducted a "home visit" to Gerardo's residence. During the course of this "home visit," Ms. Culpepper conducted a search of Gerardo's residence. Subsequently Ms. Culpepper proceeded to question Gerardo in an aggressive and inappropriate manner. Ultimately Gerardo became terrified and was physically trembling. (See attached letter to Claudia Hemenway)

The party allegedly responsible

Joslyn Culpepper and SGPRC supervision.

A proposed solution to the problem

We are requesting that the following questions be answered by the SGPRC Executive Director:

- (1) By what authority did Ms. Culpepper conduct a search of Gerardo's residence on 2/4/2013? Is it SGPRC policy that employees conduct such searches? If so, under what circumstances would such searches be authorized?
- (2) What SGPRC policies or procedures protect clients from the type of inappropriate communication exhibited by Ms. Culpepper, causing Gerardo to become so fearful that he was physically trembling? Does this situation rise to the level of client abuse? If so, as a "mandated reporter," was this matter referred to Adult Protective Services for further investigation?
- (3) Ms. Culpepper stated that "my management wants this case to be in compliance..." but was unable to say what was *not* in compliance. What "compliance" was Ms. Culpepper attempting to verify on 2/4/2013?



July 15th, 2013

Claudia Hemenway
Director of Adult/Residential Services
San Gabriel/Pomona Regional Center
761 Corporate Center Drive
Pomona, California 91768

Re: Cavan Argila / UIC 7317917
Gerardo Argila / UCI 7316579

Dear Ms. Hemenway,

The purpose of this letter is to assure that the San Gabriel/Pomona Regional Center (SGPRC) is aware of the events which took place on February 4, 2013, when representatives of the SGPRC visited Cavan's and Gerardo's residence. Also, I am requesting a response to a number of questions related to this incident.

On February 4, 2013 SGPRC supervisor Joslyn Culpepper and service coordinator Sarah Garcia conducted a "home visit" at Cavan's and Gerardo's residence. Ms. Culpepper and Ms. Garcia were accompanied by an unnamed person identified as an American Sign Language (ASL) interpreter.

The following persons were present at this meeting and provided me with the information contained in this letter:

Rosella Alm – Advocate
Edward Kwoh – Case Manager
Ilber Pineda – Senior Support Staff
Edie Price – Certified ASL Interpreter

(1) Language Accessibility

As you know my children, Cavan and Gerardo, are Deaf and communicate only in American Sign Language. Also, all of our support staff and supervisory staff are Deaf.

The ASL "interpreter" provided by the SGPRC for this home visit was not certified and proved to be incapable of effectively communicating with my children or with our Deaf staff. As a result, communication was confused, limited and fraught with misunderstanding. While this limited Ms. Culpepper's ability to gather information, a more serious matter was the impact which limited communication accessibility had on Cavan and Gerardo. Unable to understand what was being asked of them, Cavan and Gerardo became increasingly frustrated and, in Gerardo's case, fearful.



On numerous past occasions I have advised the SGPRC that Deaf persons require communication access provided by qualified, certified interpreters. I have advised SGPRC management that non-certified interpreters were being utilized with SGPRC clients (letters to Carol Tomblin 3/3/2011 and 4/25/2011).

(2) Searching Clients' Residence

During the course of this "home visit," Ms. Culpepper entered my children's bed rooms, bathroom and kitchen. Ms. Culpepper looked into closets, examined the contents of bathroom drawers and kitchen cabinets. No explanation was given as to why Ms. Culpepper felt the need to search my children's residence or what she was looking for.

I found Ms. Culpepper's search of my children's residence to be an unwarranted and humiliating intrusion into their privacy and an assault on their dignity as independent individuals. In my opinion, this action by Ms. Culpepper belies a belief that, as disabled persons, my children aren't entitled to the same level of privacy as non-disabled persons.

(3) Inappropriate Communication/Interaction with Clients

Without a qualified ASL interpreter it was difficult for Ms. Culpepper to communicate with my children. Never-the-less, Ms. Culpepper persisted in asking questions which were not understood. This situation was particularly distressful for my son Gerardo. Ms. Culpepper clearly was not sensitive to Deaf culture in the manner she interacted with Gerardo and her use of pointing finger gestures.

Our support staff advised Ms. Culpepper that her communication with Gerardo was inappropriate. Ms. Culpepper stated "I want to know what his answers are to my questions." Ms. Culpepper persisted in her questioning of Gerardo even after Rosella Alm advised her that Gerardo was not capable of understanding her questions and that Gerardo had erupted at a prior SGPRC meeting.

My son Gerardo became terrified and was physically trembling before Ms. Culpepper allowed Gerardo to go to his room.

At the conclusion of Ms. Culpepper's "home visit," my son Cavan advised her that he did not want any more visits to his residence.

I am requesting that the SGPRC provide me with answers to the following questions:



- Does the SGPRC acknowledge that Deaf clients have a legal right to communication accessibility provided by ASL interpreters who are qualified and certified?
- By what authority did Ms. Culpepper conduct a search of my children's residence on 2/4/2013? Is it SGPRC policy that employees conduct such searches? If so, under what circumstances would such searches be authorized?
- What SGPRC policies or procedures protect clients from the type of inappropriate communication exhibited by Ms. Culpepper on 2/4/2013? Causing my son to become so fearful that he was physically trembling concerns me greatly; does this situation rise to the level of client abuse?

Thank you for taking the time to address these issues.

Very Truly Yours,

Carl A. Argila