



## Disability and Guardianship Project

## Disability and Abuse Project

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April 16, 2018

Secretary Diana S. Dooley  
Health and Human Services Agency  
1600 Ninth Street – Room 460  
Sacramento, CA 95814

Re: Concerns with the Department of Developmental Services

Dear Secretary Dooley:

Over the past four years, Spectrum Institute has been reaching out to leadership at the Department of Developmental Services regarding its role in connection with regional centers and conservatorship proceedings. So far our communications have been met with avoidance or resistance.

DDS has historically taken a “hands off” approach to conservatorships, leaving regional centers to fend for themselves in terms of fulfilling their statutory duties toward clients who become involved in such proceedings. We believe that such indifference not only violates state statutes, but runs contrary to the requirements the department has as a public entity regulated by Title II of the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973.

I have attached a set of materials that document our repeated attempts to convince DDS to take an active role in these matters and to fulfill its state and federal statutory obligations. Last year, we elevated our concerns by reaching out to you as secretary of the agency with oversight of DDS.

Last month, we released a documentary film – *Pursuit of Justice* – chronicling our efforts at guardianship reform nationally and conservatorship reform in California. You can view the film (36 min.) and obtain more information about it at <http://pursuitofjusticefilm.com>. The film contains segments that should be of particular interest to you: (1) a direct plea to Governor Brown to help fix the broken conservatorship system; (2) an explanation of how regional centers have no guidance from DDS on how to effectively fulfill their statutory duties in conservatorships; and (3) a disclosure that our meeting last March at DDS was met with bureaucratic resistance.

We will be creating an epilogue to the film this fall. We would like to include a segment about how DDS has taken steps to give guidance to regional centers and is monitoring their performance with respect to assessments of and reports on clients involved in conservatorships. We are writing to you with a request that you give DDS the incentives the agency needs to address the concerns raised in the report we released on April 6, 2017. <http://disabilityandabuse.org/dds.pdf>

Very truly yours,

Thomas F. Coleman  
Legal Director

cc: DDS Director Nancy Bargmann  
Asst. Secretary Kristopher Kent