

August 26th, 2009

Dan Noyes  
ABC NEWS ,Channel 7  
900 Front Street  
San Francisco, Calif.

Dear Mr. Noyes:

This letter is an explanation in the deaths of my daughter and myself.  
A murder/suicide.

My daughter was injured in a near fatal auto accident on July 19, 1994 at the age of 28 when she became a quadriplegic with brain injuries. Eventually she did recover use of her right hand and about thirty percent of her left hand but her ability to reason was permanently damaged in the accident. She had the intellect of an adult but the brain injury left her with little impulse control and essentially no inhibitions. She also was left without the ability to balance herself.

This is a dangerous and misunderstood condition by nursing home personnel. No matter how many times and how many ways I tried to educate the various homes she suffered & there was only a lack of understand, compassion and moreover an overwhelming and growing abuse.

The first nursing home was shut down by the State of California sometime after my daughter was transferred out of that house of horrors. I did have the foresight to get her out of there before that happened.

In the next place she was sent to a place where she was supposed to be bowel trained, by "so called"professionals. They left her on the commode where she fell over on the concrete floor and hit her head. At that same nursing home the staff left her on the edge of the bed while going to get her wheelchair and she fell with hard with all of her weight and hit her head on the night stand cutting her ear severely and then falling on the floor. She now had "clonus" in her right hand. This is an involuntary muscular contraction (shaking) caused by spinal damage. She did not have this for the entire year that she had recovered her hand until they dropped her. Remember....she had no balance.

Next, in they same nursing home they gave her scalding hot coffee without a lid and she spilled it on her stomach and recieved third degree burns. Remember, she had the clonus. The most disheartening thing is that they didn't give her anything for pain. I was working at a hospital directly behind this place. They called me and notified me that they had put some gauze and ointment on the bum. I got off work thinking it was not much. When I got there I was mortified! The skin was gone and they said that they wouldn't have anything for the dressing until morning and hadn't given her anything for pain. I went crazy as you can imagine. I went to a medical supply store and purchased dressing for them. I insisted that they call the Doctor and insist on my behalf that my Daughter get something for pain and infection.

We looked for a home that would fit a wheelchair and remodeled it for her needs and within a year we brought her home. We had her home for several years but as you may know, the state pays very little and we had to make up the difference to keep even the poorest of CNA's to care for her while we worked. They called in sick at the last minute or not at all and there I was not being able to go to work or in many cases working my twelve hour shift and then coming home to work the rest of the time taking care of my Daughter. As time went on we ran out of money and my Doctor told me that I could not go on doing this. I became disabled myself due to physical and mental stress. We had to place her back into a nursing home.

To place her back into a nursing home was the most heartbreaking thing I have ever done in my life. I promised her I would never forsake her and here I was telling her that I had to do this thing, to put her back where she was going to face all of those things again. I was devastated beyond words and cried for weeks. Now I realize that I was in a deep depression. It took two weeks for me to sum up the courage to tell Yvette that I was going to put her back into a situation that was going to shred her spirit.....and mine. As it turned out, it was she who had to comfort me because she had no idea what lie ahead. After all she had adult intellect and the make up of a child. As I write this letter I relieve the pain and sorrow again and again.

Then next nursing home had a Doctor who allowed her to go out in her power chair. She went everywhere. To the mall, on the Bart to San Francisco....anywhere she wanted to. She shoplifted, panhandled and fell over in the street and had to be picked up by strong men who came by....she was lucky. I didn't know how many times she would be that lucky and not get killed. I worked on a Trauma team and I saw wheelchair accidents frequently. I didn't agree with the Doctor in the least. I saw that she was a difficult patient and they wanted her to "be gone all day" and she was. As soon as breakfast was over she was out of the facility and not back until dinner. I heard about her activities from people I knew at work. When I asked her what would happen if she broke down out there she said: "don't worry Mom, i won't"....she never thought about consequences.

In this nursing home "Hayward Convalescent" 1833 "B" Street Hayward, Calif. she was a lot of trouble, as brain injured patients usually are. She wanted what old patients didn't want. She wanted to be addressed when she addressed someone. She wanted to be treated like a person. She was a problem. She had a young person's needs. She had leg braces and behavior problems. So, not long after she got there they began to call me with various "ideas" on places that they could place her that were more "appropriate" for her. We followed up on all of those and found that none were appropriate for her needs and some were just warehouses for mentally ill people. Long story short....one day I got a call that they had taken her 5150 to "John George Pavilion", a psychiatric ward in San Leandro because she had tried to "set herself on fire". The one thing that keeps coming back to me is the December of 1994 when I was working so desperately to find a place near Livermore that would admit her. They all said the same thing....."I'm sorry, we don't take young people". You know why? It's because they don't just sit or lie there.....they ask for things and want to be spoken to and addressed as people. And, people with brain injuries don't really understand it when they are treated like non-persons.

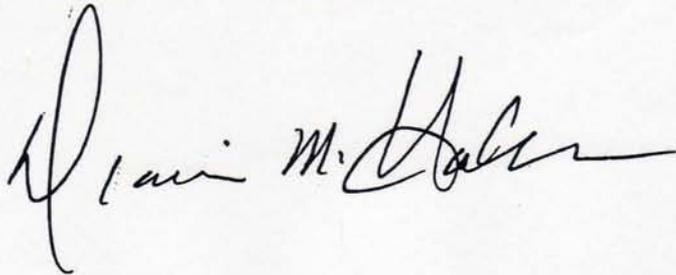
When I read the report at John George I was so saddened but then I talked to my Daughter who told me that she had not done this thing and to retrieve her things at the nursing home and see that she had two containers of lighter fluid in her drawer. She said that if she had wanted to do such a thing that she could have easily done it. She admitted that she scorched the patio table with her lighter. Sure enough, when we went to get her things we retrieved the two containers of fluid and went to the patio and saw the scorch which was smaller than a dime. Obviously, they found a more "appropriate place" for my Daughter.

In John George, not a place for the brain injured, but the mentally ill she faced many horrors. They didn't even know how to care for a quadriplegic and put her in a bed without rails. They put her in a wheelchair with our footrests and she suffered extreme leg pain due to lack of circulation. A kind activity person took pity upon her and put something under her feet one day and called me on the sly to tell me so. She became a family friend. Other patients threatened her while she was there. She got no type of therapy and was there for almost 4 months. While she was there a Doctor was murdered by a patient. She was scared and her spirit was being further damaged and so was mind. No nursing home wanted to take her after that. By the time I realized I could sure Hayward Convalescent the statute of limitations had run out. I feel very guilty about that to this day.

Eventually, there is one nursing home that was willing to take my daughter. This is the last one, Oakland Springs Healthcare Center, where she spent the last days of horror. She has been there for six years. I think there have been three administrations now. The staffs have been only interested in (as far as I can see) the bottom line. I and my family have tried in vain to explain over and over about brain injuries and to get them to educate their CNA's to understand the same. I have put up photos of Yvette from her childhood through baby shower, birth of her child, accident trials, including the photos of her in the "halo" and recovery process and a detailed story of what her life has been like. I also put up a detailed explanation in lay terms of what a brain injury is...all in her room. We have put photos of her family all over the room but still she is treated like an animal or non-person. They have no diet for diabetics. Instead they just cut the calories down. They give her ice cream on her tray and sugar as well. When she goes to Bingo, one of her few outlets they allow her to pick high sugar prized against my wishes and she has gained so much weight there that she has outgrown one wheelchair and the new chair that Medi-Care bought her last year is now being outgrown again. I can't reason with her due to the brain injury and get no help from them. The CNA's tell her she's a "Fat Pig" and that they "hate taking care of her" and they wash her in the shower "like a car" "real hard", then turn the cold water on her to punish her. When she screams, they turn it back before the charge nurse can get there. There's much more but you can ask my family.....they can tell you. I can't let her go on like this. She has been begging me to end it for two years. My health is failing and I don't want to leave her alone.

Please tell her story. She asked me to write this letter and for **y**ou to lobby the state to find a way for brain injured patients not to continue to **fall** between the cracks.

Diana Harden.....a Mother who grieves

A handwritten signature in cursive script that reads "Diana M. Harden". The signature is written in black ink and is positioned below the typed name.

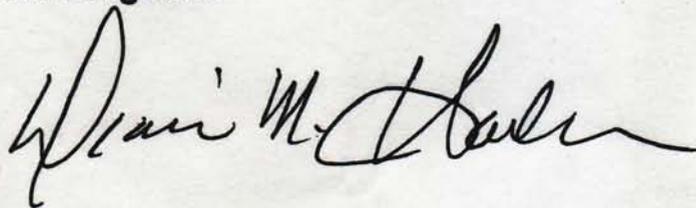
Just one more thing.....Oakland Springs Healthcare Center (and I use the term healthcare loosely) admits anyone. Ex cons, addicts.....anyone. My daughter was always getting conned out of everything including her silver rings and cigarettes. Things were stolen. She had to put locks on her drawers. They let the residents...ex cons leave the premises and they come back with drugs and alcohol. I don't know if the staff knows it or not, but many of the residents do. I do because I was there two or three time a week.

I had to buy her diapers because they did not furnish diapers for her as they allowed her to grow to over 330+ pounds. I think she stopped allowing them to weigh her as well.

I can't tell you the times I had to call the staff and tell them to give her a breathing treatment because she was wheezing and short of breath. They never noticed! One time she had to call 911 herself and ended up going by paramedics to the emergency room.

I made the doctor's appointments and took her to those myself because I grew not to trust the staff or Doctor to give appropriate care. I urge anyone who has a person in a nursing home to be there frequently and be the patient's advocate. If they don't they will live to regret it.

They tried to discharge her once because her chair accidentally broke the glass in one of the doors. I called the State of Calif. Public Health Licensing Certification program who reviewed the case and sited them. They told them that could not be done. They were many more stories. Beware of that place and **please investigate it.**

A handwritten signature in cursive script, appearing to read "Dawn M. Hall". The signature is written in dark ink and is positioned in the middle of the page, below the main body of text.