

Member Patty Conklin's Mother

"Del Rey Oaks Senior Paradise is a new kind of living experience!"

For Margarita Zelada, that living experience does not include her family or friends. She is locked inside and not allowed visitors.

Family says phone calls are often restricted. Visitors for Margarita are denied entry into the facility. Staff threaten to call police when advocates request to check on Margarita.

Around noon on October 20, 2013, elder advocates Dr. Robert Fettgather and Linda Kincaid attempted to visit Margarita Zelada at Del Rey Oaks Senior Paradise. Fettgather and Kincaid arrived with flowers, strawberries, and chocolate.

- Senior Paradise had doors locked (with three locks) in violation of 22 CCR 87468(a)(6).
- Margarita was not allowed to leave the building, which is a violation of 22 CCR 87468(a)(6).
- Administrators Margaret Eldred Camara and Judith Pardo-Soto stated that Margarita is not allowed any visitors without approval from Deputy Public Guardian Jennifer Empasis, which is a violation of 22 CCR 87468(a)(11). Empasis instructed the administrators to call police if anyone asked to visit Margarita.
- Margarita's relatives state that phone calls to Margarita are often blocked, which is a violation of 22 CCR 87468(a)(14).

Advocates were not allowed to conduct a welfare check or determine whether Margarita receives adequate care. Flagrant violation of personal rights leads advocates to wonder what sort of conditions are hidden behind locked doors.

California residential care facilities are subject to licensing regulations in Title 22. Those regulations include specific personal rights that apply to all residents of those facilities. Rights specified in [22 CCR 87468\(a\)](#) include:

(6) To leave or depart the facility at any time and to not be locked into any room, building, or on facility premises by day or night. This does not prohibit the establishment of house rules, such as the locking of doors at night, for the protection of residents; nor does it prohibit, with permission of the licensing agency, the barring of windows against intruders.

(11) To have his/her visitors, including ombudspersons and advocacy representatives permitted to visit privately during reasonable hours and without prior notice, provided that the rights of other residents are not infringed upon.

(14) To have reasonable access to telephones, to both make and receive confidential calls. The licensee may require reimbursement for long distance calls.

The [Personal Rights](#) notification has been a required part of every resident's file since 2005. There is no justification for any facility to violate residents' personal rights.

After thorough review of court documents and evidence, Linda Kincaid MPH and (NASGA's California Advocacy Liaison) wrote a letter to Monterey County Chief Deputy Teri Scarlett, informing her of the abuse of conservatorship ward Margarita Zelada; and requesting relief for Ms. Zelada. The letter includes the following conclusion and request for correction:

"...Margarita Zelada's conservatorship was based on false allegations by Jennifer Empasis. The conservatorship has been characterized by unbridled *abuse of power and violations of rights under color of law*. The lives of both Margarita Zelada and Patricia Conklin have been irreparably harmed by Ms. Empasis.

Ms. Zelada and Ms. Conklin have suffered enough at the hands of the Public Guardian. Ms. Zelada asks for her freedom from those abuses. Ms. Conklin asks for her property to be returned and the harassment to cease. Advocates request a thorough investigation of abuses of power.

The only acceptable action at this point is for the Public Guardian to terminate the conservatorship of Margarita Zelada. It is time to stop the abuse and take steps to make Ms. Zelada and Ms. Conklin whole to whatever degree possible. It is time for justice to be served."

[READ the entire November 1, 2013 letter from Linda Kincaid to Chief Deputy Public Guardian Teri Scarlett](#)

From the below very telling letter written by Chris Campbell, court-appointed attorney for Margarita Zelada: "...*There is no one in the world more important to Mrs. Zelada than her daughter, and the fact that Mrs. Zelada has been unable to see Patricia since she was taken into custody has been a devastating blow to her.....I understand I have no role in this criminal case, but I want you to know how strongly my client feels since she is not in a position to tell you herself ,and I have promised her that I would make contact with Patricia's defense counsel and make her position clear.*"

[Watch the YouTube video of Margarita Zelada on the Monterey County Public Guardian](#)

