

COCHISE COUNTY SAMPLE INVESTIGATOR REPORT NO 1

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She had a child by [REDACTED] who was adopted by [REDACTED] sister. She was not twenty years old. She left [REDACTED] because he abused her, threatened her with a gun and managed to manipulate and coerce her out of all the money that she received from the State of California, including her monthly SSI check. She also wanted to keep her baby against [REDACTED] wishes. He was able to prevail which created conflict over the baby. [REDACTED] has been belittled and berated her entire life as the youngest of five children and her problem with epilepsy. She was continually locked in a closet to be punished and as a result is extremely claustrophobic. She was shunned by all family members. [REDACTED] escaped from [REDACTED], met [REDACTED] and moved to Oregon for six months and then to Willcox, Arizona in February 1997. [REDACTED] was also unemployed and lived off the SSI income of [REDACTED]. Adult Protective Services, Arizona Department of Economic Security is petitioning the court to have the Cochise County Public Fiduciary appointed as guardian of and conservator for [REDACTED].

INTERVIEW WITH [REDACTED], PROPOSED WARD AND PROTECTED PERSON

I interviewed [REDACTED] in the Domestic Crises Center in Sierra Vista. She was clean and neatly dressed. I introduced myself and explained the process of guardianship and conservatorship appointment. She said that she read the petition and report by [REDACTED] and it was grossly exaggerated. She said, I have had two boyfriends who mistreated me and I have learned my lesson. I do not want [REDACTED] to find me. I need security and help to move to Utah where I want to live. I asked, why Utah? She said

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that Utah had very strict laws concerning abuse and reacted quickly to any report of abuse. I want to be protected and avoid future abuse. She understood every question and answered without hesitation. She knew her life history, quoting times, places and dates. [REDACTED] qualified for Supplemental Security Income at the age of 12 when she lived with her mother because of seizures, epilepsy and post traumatic stress. She said her mother coached her on ways to indicate she had mental problems along with the seizures. She said that she later found out that she qualified for SSI based on seizures and epilepsy without lying about mental problems. She said that has plagued her throughout life and is used each time she needs help. Just talking to her does not identify any mental problems. Error in judgment of selecting friends is her biggest problem. She still draws \$494.00 SSI monthly. Both of her boyfriends did not work and were abusive toward her. [REDACTED] is an alcoholic, beat her up and threatened her life if she left him. She left [REDACTED] and was moved from Willcox to Sierra Vista Crises Center on September 5, 1997 after being seen at the Willcox Hospital Emergency Center for a reaction to seizure medication. She is on dilantin for seizure and epilepsy control. She knew the medications and dosage required to control her seizures. The medications are causing me to have chest pains and tingling in my arms and I need to see a doctor. She said her doctor in Willcox was [REDACTED]. I have tried to get a job everyplace, but when I tell them about the epilepsy problem, they say sorry, I can't hire you. She said the medications have been able to control her seizures and she has no difficulties when taking them regularly other than the chest pains and tingling in my arms. I have not had a seizure for almost 1 year. I am able to care for myself and maintain a home. The only thing I need is enough money to leave her to

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make sure that [REDACTED] does not find me. This is the first time as an adult that I am not being abused. I just want to be my own person and start living a normal life. I can do that in Utah. In Utah I will feel safe. I must leave this are or [REDACTED] will find me. I'm afraid that he will kill me. I would like to attend the hearing when it is scheduled, but will need a ride to get there. I do not need anyone to make decisions for me, but I could use help with financial management.

II. FINDINGS AND RECOMMENDATION

[REDACTED] future must be addressed through social agencies. She can provide all her own personal maintenance needs and make decisions for herself, but because of a problem with epilepsy is unable to be employed. She may have a learning disability and a history of neglect and abuse, but she showed no indication of a mental deficiency that would require someone to be appointed as her guardian. [REDACTED], the proposed ward and protected person, is an extreme hardship case and has lived a hectic difficult life her short 21 years. You may classify her as homeless, but she is capable of taking care of her own personal needs, health care and money. She has been on SSI since the age of 12 and after she reached 18 years old, seems to be the only steady income that has allowed her and her boyfriends to survive. [REDACTED] has been challenged throughout her life as a neglected person with epilepsy, but she is not incapacitated. She may need help in management of her money but the records she showed me accounted for every penny she owns. Her desperate need to be free from an abusive environment is her own choice. She needs social help and possibly some legal assistance for money management and protection. Her impulsive behavior an immaturity is her biggest problem.

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RECOMMEND THAT THE PETITION TO APPOINT THE COCHISE COUNTY PUBLIC FIDUCIARY AS GUARDIAN AND CONSERVATOR BE DENIED.

III. APPROPRIATENESS OF PETITIONER AND PETITIONER'S PLAN

The appointment of a guardian and conservator is not the solution. [REDACTED] is an adult, who is able to make her own decisions and personally maintain her daily needs. She has the capability to manage her own money if she can keep the leeches away. Her goal is to move to Utah, live by herself and start a new life. The court should not be involved in this case. An extreme action to appoint a guardian and/or a conservator for a 21 year old hardship case is not the solution.

RESPECTFULLY SUBMITTED THIS 14TH DAY OF NOVEMBER 1997.

GENE MANRING, COURT INVESTIGATOR

cc. Cochise County Public Fiduciary, Attorney for Petitioner

[REDACTED], Public Defender, Attorney for [REDACTED]