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January 28, 2010

Ms. Diane Enochs
Assistant Commissioner for Facilities
Fernald Developmental Center
200 Trapelo Road
Waltham, Massachusetts 02452

Dear Assistant Commissioner Enochs

I received your invitation to attend an open house at a community home in Bedford scheduled for February 14, 2010.

I respectfully decline the invitation because my brother John, a Ricci class member, is entitled to placement in a setting that offers equal or better services to those he is currently receiving at Fernald. As I informed you in a letter sent to you in November 2009, services offered in a state-operated or community group home are not equal to the comprehensive professional and clinical services currently available to my brother John on-site at his Fernald home, an Intermediate Care Facility for the Mentally Retarded (ICF/MR.)

The timing and setting of the open house are very unfortunate and illustrate a complete lack of sensitivity to the guardians of Fernald residents. As you know, it was to this same group home to which long-time Fernald resident Anna Tross, was taken against her will and where she died less than a year later. You were in Judge Tauro's courtroom and heard the day-long testimony about Anna, a 91 year old resident, who had expressed her strong wish to remain at Fernald to many witnesses. Anna's GBARC guardian used the word "adamant" to describe Anna's desire to remain at Fernald and her strong objection to moving from her home. According to the guardian's sworn testimony, GBARC managers gave her the following choice: sign-off on the transfer of Anna and seven other non-verbal individuals or resign her caseload. The young woman made a courageous and moral decision to resign from her job at GBARC completely rather than agree to transfers to which she and Anna's clinical team opposed. As the testimony revealed, the guardian was replaced by someone who approved the transfers willingly. On February 13th, according to Fernald staff, Anna was told that she was leaving Fernald to attend a

Valentine's Day party. According to testimony from a DMR administrator, Anna was told she was going "on an outing." As we know, there was no party and instead Anna was brought to the Bedford home and not allowed any visitors except for representatives from ARC and from the DMR. According to the Department's testimony, the ban on visitors was supposed to last only two weeks to allow Anna to acclimate to her new surroundings. Yet another Fernald guardian who went to the home on several occasions over the next year to check on Anna was never allowed to see her. The only report Fernald guardians

received about Anna's condition was when she appeared at the Tufts Dental Clinic about 6 months after she was transferred against her will. Staff reported that Anna had lost weight, appeared sedated and had a black eye.

The testimony given that day was so powerful and the actions of the Department so appalling, that no guardian sitting in Judge Tauro's courtroom will ever forget it. That is why your choice of the Bedford group home, and in particular choosing the anniversary of that shameful day, shows an utter lack of compassion and understanding of the feelings of Fernald guardians.

Sincerely,



Diane Walsh McDonald
Co-guardian for John G. Walsh
Malone Park - ICF #23

cc: Beryl W. Cohen, Esq
Honorable Joseph L. Tauro