



Central Office – Legal Services Unit
7800 Shoal Creek Blvd., Suite 171-E
Austin, Texas 78757
V/TDD 512.454.4816
Toll Free 1.800.252.9108
Fax 512.454.3999
www.advocacyinc.org

September 23, 2008

Adelaide Horn
Commissioner
Texas Department of Aging & Disability Services
P.O. Box 149030
Austin, Texas 78714-9030

Via CMRRR 7005 2570 0002 2377 6913

Randy Spence
Superintendent
Denton State School
3980 State School Rd.
Denton, Texas 76210-8826

Via CMRRR 7005 2570 0002 2377 6968

Dear Commissioner Horn and Superintendent Spence:

I am writing regarding the letter that was sent to both of you on September 2, 2008. In that letter I detailed a variety of issues that I observed when visiting the Denton State School (DSS). I requested a meeting to discuss the issues and also asked for several documents. I have yet to hear from either of you which is particularly disconcerting considering the fact that a recent newspaper article described a death at DSS and summarized that it was most likely the result of inadequate staffing, the main issue raised in my September 2, 2008 letter.

Regardless of whether or not you take Advocacy up on its offer to meet to discuss the concerns raised in the September 2, 2008 letter, you are legally required in accordance with 42 U.S.C. §§ 10801 and 15043 to provide Advocacy the documents requested in the letter. As it has already been two weeks since the letter was received, Advocacy requests that the information be compiled and provided no later than October 1, 2008.

So, again, based on my observations of lack of adequate staff, I am making a formal request under 42 U.S.C. §§ 10801 and 15043 and the Texas Public Information Act for any and all:

- All incident reports broken down for each unit and shift at the Denton State School for the past year;
- All staffing levels at the Denton State School broken down per unit and shift for the past year;

- Names and guardianship information for all residents in the Denton State School Infirmary; and
- Names and guardianship information for all residents in the Denton State School Home 502.

I look forward to receiving these documents. Thank you for your time and attention in this matter.

Sincerely,



Beth Mitchell
Attorney at Law

BLM/kp

cc: Mary Faithfull, Executive Director, Advocacy, Inc.
Lorri Haden, Legal Services, DADS