

MINUTES OF THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



**PUBLIC COMMENT:**

**16.4**

During the oral communication section of the agenda for Tuesday, August 27, 2019, Monica Mukai, Tamara Mazzei-Mukai and Alex Mukai spoke about an issue with the Public Guardian and other County departments regarding the care of Ryan Morris.

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**ATTACHMENTS FILED WITH  
CLERK OF THE BOARD**

**AGENDA NO.  
16.4**

Riverside County Board of Supervisors  
Request to Speak

Public Comment ✓

Submit request to Clerk of Board (right of podium),  
Speakers are entitled to three (3) minutes, subject  
to Board Rules listed on the reverse side of this  
form.

*Alex Mukai*  
**SPEAKER'S NAME:** Tamara Mazzei - Mukai  
Marica Mukai

**Address:** 31712 Los Rios Street

**City:** San Juan Capistrano **Zip:** CA 92675

**Phone #:** (949) 453-899

**Date:** \_\_\_\_\_ **Agenda #** \_\_\_\_\_

**PLEASE STATE YOUR POSITION BELOW:**

**Position on "Regular" (non-appealed) Agenda Item:**

\_\_\_\_\_ **Support**      \_\_\_\_\_ **Oppose**      \_\_\_\_\_ **Neutral**

**Note:** If you are here for an agenda item that is filed  
for "Appeal", please state separately your position on  
the appeal below:

\_\_\_\_\_ **Support**      \_\_\_\_\_ **Oppose**      \_\_\_\_\_ **Neutral**

**I give my 3 minutes to:** \_\_\_\_\_

## BOARD RULES

### Requests to Address Board on "Agenda" Items:

You may request to be heard on a published agenda item. Requests to be heard must be submitted to the Clerk of the Board before the scheduled meeting time.

### Requests to Address Board on items that are "NOT" on the Agenda/Public Comment:

Notwithstanding any other provisions of these rules, a member of the public shall have the right to address the Board during the mid-morning "Oral Communications" segment of the published agenda. Said purpose for address must pertain to issues which are under the direct jurisdiction of the Board of Supervisors. YOUR TIME WILL BE LIMITED TO THREE (3) MINUTES. Donated time is not permitted during Public Comment.

### Power Point Presentations/Printed Material:

Speakers who intend to conduct a formalized Power Point presentation or provide printed material must notify the Clerk of the Board's Office by 12 noon on the Monday preceding the Tuesday Board meeting, insuring that the Clerk's Office has sufficient copies of all printed materials and at least one (1) copy of the Power Point CD. Copies of printed material given to the Clerk (by Monday noon deadline) will be provided to each Supervisor. If you have the need to use the overhead "Elmo" projector at the Board meeting, please ensure your material is clear and with proper contrast, notifying the Clerk well ahead of the meeting, of your intent to use the Elmo.

### Individual Speaker Limits:

**Individual speakers are limited to a maximum of three (3) minutes.**

Please step up to the podium when the Chairman calls your name and begin speaking immediately. Pull the microphone to your mouth so that the Board, audience, and audio recording system hear you clearly. Once you start speaking, the "green" podium light will light. The "yellow" light will come on when you have one (1) minute remaining. When you have 30 seconds remaining, the "yellow" light will begin to flash, indicating you must quickly wrap up your comments. Your time is up when the "red" light flashes. The Chairman adheres to a strict three (3) minutes per speaker. **Note: If you intend to give your time to a "Group/Organized Presentation", please state so clearly at the very bottom of the reverse side of this form.**

### Group/Organized Presentations:

Group/organized presentations with more than one (1) speaker will be limited to nine (9) minutes at the Chairman's discretion. The organizer of the presentation will automatically receive the first three (3) minutes, with the remaining six (6) minutes relinquished by other speakers, as requested by them on a completed "Request to Speak" form, and clearly indicated at the bottom of the form.

### Addressing the Board & Acknowledgement by Chairman:

The Chairman will determine what order the speakers will address the Board, and will call on all speakers in pairs. The first speaker should immediately step to the podium and begin addressing the Board. The second speaker should take up a position in one of the chamber aisles in order to quickly step up to the podium after the preceding speaker. This is to afford an efficient and timely Board meeting, giving all attendees the opportunity to make their case. Speakers are prohibited from making personal attacks, and/or using coarse, crude, profane or vulgar language while speaking to the Board members, staff, the general public and/or meeting participants. Such behavior, at the discretion of the Board Chairman, may result in removal from the Board Chambers by Sheriff Deputies.

NEWS

# Disabled man's lawyers try to block his separation from husband who exhibited 'abusive behavior'

'What are they doing to protect Ryan?' opposing attorney asked. "That's their job."



Ryan Morris, right, and husband Sean Spicer, at their wedding in 2014., Spicer became Morris' legal guardian. (Photo courtesy probate court file)

By **TERI SFORZA** | [tsforza@scng.com](mailto:tsforza@scng.com) | Orange County Register

PUBLISHED: May 24, 2019 at 3:04 pm | UPDATED: May 25, 2019 at 5:18 pm

Submitted by Monica Mukai  
8/27/2019 (date) Item Pub Comm

Love, the judge wrote, may not be the best yardstick for decision-making.

"Sometimes choices based upon love are not always choices made based upon best interest," Riverside Superior Court Judge Sunshine Sykes wrote last week, when she removed a disabled man's husband as his legal guardian.

But love is apparently one of the forces propelling an appeal of the judge's decision filed by lawyers for Ryan Morris, 25.

They also argue that her ruling is automatically stayed — meaning Morris should remain with his husband until that appeal is heard.

Morris, who has the intellectual ability of a young child, married Sean Spicer, a man of regular intelligence 18 years his senior, in a ceremony that the disabled man mistook for a baptism in 2014.

Morris' biological family in Orange County feared he was the victim of sexual abuse and began fighting to oust Spicer as legal guardian in 2016. They won on May 17.

The judge's sometimes-poetic order didn't question the love part of the equation, but said Morris doesn't have the capacity to understand or consent to marriage, and cited abusive behavior by Spicer as grounds for Spicer's removal as legal guardian, or "conservator."

She put the Riverside County Public Guardian in charge, and ordered that Morris be moved from the mobile home he shares with Spicer to a safe, neutral setting.

Morris' attorneys are trying to block that move, saying the order to remove him is automatically frozen until their appeal is heard. A hearing on that assertion is set for Tuesday, May 28. The county is proceeding nonetheless.

"We do not believe that an automatic stay is in place," said Riverside County spokeswoman Brooke Federico. "The county has been working closely with Inland Regional Center on the appropriate placement, as well as to ensure that the conservatee (Morris) is safe in the interim."

Charles Krolikowski, the attorney for Morris' identical twin brother Ronald Moore, asked the court to appoint a lawyer to look out for Morris' best interests, claiming his court-appointed attorneys are failing to do so.

"In light of all this evidence of abuse and threats, what are his court-appointed attorneys doing to protect Ryan?" Krolikowski asked. "That's their job, but they did nothing. I'm quite concerned about that."

Any effort by Spicer or Morris' attorneys to stop the relocation would be a direct and willful violation of a court order, Krolikowski said in the filing. A so-called guardian ad litem should be appointed immediately to protect Morris from any further abuse or harm, he argued.

## **Tough case**

Morris' court-appointed and county-funded attorneys have said their job is to fight for what Morris wants — and that the judge's ruling here is a blow to the rights of the disabled everywhere.

It was Morris' idea to get married, not Spicer's, they said. Morris understands what marriage is and is angry that his biological relatives are trying to separate him from the person he loves, they contend.

The core of the appeal, said attorney Jack Osborn, is Morris' right as a disabled person to choose who he's married to and who is his conservator.

"It's a tough case," Osborn said after the judge's order. "Obviously, his biological family is very passionate about this — they want to have a relationship with Ryan. I have no doubt that their actions have been in what they view as his best interest. The conflict really is, that's not what Ryan wants at this point."

The biological family doesn't buy that. Testimony during the trial over Morris' conservatorship showed he is easily manipulated, and both his husband and adoptive mother have told stories to make him fear his biological family.

"The evidence at trial was overwhelming that Mr. Spicer was not acting in Ryan's best interests, based upon a showing of 'numerous instances of abusive behavior,'" Krolikowski said by email.

That abuse included Spicer's threats to send Morris back to his adoptive mother when he misbehaved, threats to take off his ring and end the marriage, threats to send Morris away for emergency mental health treatment, and punishing Morris by restricting visits with his biological family and taking his phone away to prevent contact with them.

Spicer also continued to make their home in Romoland with Spicer's parents, despite violent episodes between Morris and Spicer's mother, and between Morris and Spicer himself. The judge also cited an episode in which Spicer's mother attempted to commit suicide by slitting her wrists in front of Morris.

Morris expressed many conflicting desires during the course of the proceedings — including that he didn't want to be married to Spicer any more, that he wanted someone else as his conservator, and that he did, indeed, want to visit with his identical twin and biological family.

"Ryan's lawyers knew all of this information directly from Ryan's own mouth, but did nothing," Krolikowski said. He wondered who's really directing the appeal — Morris or Spicer? — and called for an investigation.

"This is a monumental victory for disabled dependent adults, who can be subjected to years of abuse, and do not have the ability to stand up for themselves because they are being conserved by and living with their abuser — a conflict that the court identified as a 'grave concern' as it pertains to the well-being of Ryan," he said.

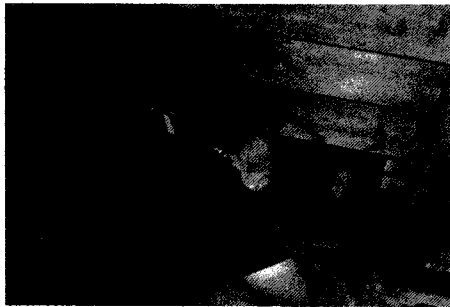
This highly unusual case raises profoundly uncomfortable issues, pitting two fundamental rights squarely against one another: the hard-won right for the disabled to marry and have sex lives, just like everyone else, and their right to be protected from abuse and undue influence. The nettlesome issues were probed in a three-part series by the Southern California News Group in 2017.

Morris and identical twin Moore were taken into state custody shortly after birth due to their parents' mental illness. Their grandmother fought for custody of both boys, but got only Moore, the healthy baby. Morris had so many special needs he was kept in foster care.

Morris' foster mother adopted him over the biological family's vehement objections, then cut off communication. The foster mother surrendered her license this month after the death of a 16-year-old at her facility.

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## **Man Pulls Hidden String In Attic And Discovers Secret Room Filled With...**



By Upbeat News

**upbeat**

Man pulls a mysterious string in his attic which opens to a crawl space filled with mysterious



## **Teri Sforza**

Teri Sforza is one of the lead reporters on the OCR/SCNG probe of fraud, abuse and death in the Southern California addiction treatment industry. Our "Rehab Riviera" coverage won first place for investigative reporting from the California Newspaper Publishers Association, first place for projects reporting from Best of the West and is a finalist for the National Institute for Health Care Management Foundation's print award, competing with the New York Times, the Washington Post and ProPublica. Sforza birthed the Watchdog column for The Orange County Register in 2008, aiming to keep a critical (but good-humored) eye on governments and nonprofits, large and small. It won first place for public service reporting from the California Newspaper Publishers Association in 2010. She also contributed to the OCR's Pulitzer Prize-winning investigation of fertility fraud at UC Irvine, covered what was then the largest municipal bankruptcy in America's history, and is the author of "The Strangest Song," the first book to tell the story of a genetic condition called Williams syndrome and the extraordinary musicality of many of the people who have it. She earned her M.F.A. from UCLA's School of Theater, Film and Television, and enjoys making documentaries, including the OCR's first: "The Boy Monk," a story that was also told as a series in print.

**NEWS**

# **Controversial Murrieta foster home operator surrenders license after girl's death**

State investigation into death of 16-year-old Diane Ramirez will continue, officials say



Michelle Morris yells at reporters to get off her property, a \$1.57-million, 7,000-square-foot house in Murrieta on Wednesday, September 21, 2016. (Photo by Mindy Schauer, Orange County Register/SCNG)

By **TERI SFORZA** | [tsforza@scng.com](mailto:tsforza@scng.com) | Orange County Register

**PUBLISHED:** May 22, 2019 at 6:04 pm | **UPDATED:** May 23, 2019 at 3:53 pm

Michelle Morris, whose foster homes in Orange and Riverside counties were hailed as a godsend by some and denounced as a nightmare by others, has surrendered her license in the aftermath of a 16-year-old girl's death.

Adam Weintraub, a spokesman for the California Department of Social Services, said the license was voluntarily handed over effective May 10. The state's query into the death of Diane Ramirez, a foster child who died at Morris' Murrieta home on April 6, will continue, he said.

The foster children in Morris' care have been placed elsewhere, Weintraub said. Her home was licensed for five children.

Morris' husband, Larry Kerin, referred questions to attorney John Vega. Vega did not immediately respond to requests for comment.

Diane's mother, Angel Cadena, is gratified that Morris is out of the foster care business, but bereft that it's too late for her daughter.

"They should not be allowed to get away with this," said Cadena, who can't shake images of her "Princess Diane" in her casket.

"The county, they should have been aware. I don't understand how you can allow more children to go to that home after all these allegations. My daughter's life matters."

## **Licensed in 1994**

Morris was an adoption social worker in Los Angeles who wrote "If I Should Die Before I Wake," a graphic novel about father-daughter incest published in 1982. It evolved into an off-Broadway play, and Morris became a regular at benefits for abused children.

That led her to Marisol, a home for medically fragile children in Costa Mesa. There she fell for Katie, then a lanky 7-year-old with cerebral palsy. Learning to love Katie and the others taught Morris a great deal, she told the Los Angeles Times in 1992: "If you're a religious person, when you leave Marisol, you feel closer to God. These children call out the best in us."

Morris earned her foster care license in Orange County on Aug. 9, 1994. Her home filled up quickly and earned a "pass with flying colors" review from the Orange County Regional Center, which distributes state funding for the disabled.

## **Complaints begin to emerge**

But many complaints were soon investigated, from neglect and lack of supervision to improper record-keeping, according to licensing records.

One report said a frustrated Kerin had abandoned a 9-year-old, nonverbal child at a social services office in August 1997 after the state failed to pay for his care for two consecutive months.

In May 1999, Morris took a child in for surgery but the hospital refused to operate because the child's legal parents had not been informed. The parents were upset they hadn't been contacted, and said they had difficulty communicating with the facility. Morris said she was in the process of adopting the child and had the authority to approve surgery, the Regional Center report said.

In May 2001, a male staff member allegedly was found naked in bed with a female child. A report of sexual abuse was made to authorities, but medical evidence wasn't found, a report said. In 2002, the Regional Center said it had "serious concerns about the quality of care and health and safety of the consumers residing at the Michelle Morris Home" in a letter to a state agency.

## **Accuse Regional Center of lies**

Morris and Kerin said the agency spread lies about them and was malicious, fraudulent and oppressive. They sued the Regional Center in 2004, saying officials had wrongfully accused them of sexually and physically abusing children in their care and of operating an unsafe home.

Regional Center officials also asserted that Morris suffered from Munchausen syndrome by proxy, a behavioral disorder in which caretakers exaggerate, fabricate or inflict health problems on children to gain attention and sympathy.

In their suit, Morris and Kerin accused Regional Center officials of inappropriately touching the children's genital areas and repeatedly "interrogating" them regarding the alleged sexual abuse. The Regional Center's insurer settled the suit in 2007 for \$750,000, seeking to avoid putting disabled children on the stand, officials said at the time. There were no admissions of wrongdoing.

After that, Morris and Kerin moved to Murrieta to escape the harassment they said they received in Orange County. Licensing files show complaints continued, including allegations that an adult in the home had inappropriate interactions with a minor, that a client's personal hygiene needs were going unmet, that parents weren't allowed to visit their children, that a child in a wheelchair was left in a bedroom closet unattended.

Many complaints, however, were found to be inconclusive because the children involved are nonverbal.

Morris has adopted at least eight disabled children, including Ryan Morris, a man with the intellectual abilities of a young child who married a man of regular intelligence, 18 years his senior, in Morris' backyard. Morris was one of Ryan Morris' legal guardians at the time. Last week, a judge ruled that Ryan Morris doesn't have the capacity to understand marriage, and ordered that he be removed from the home he now shares with his husband.

Licensing documents show Morris also has an adopted son and daughter who are married to one another and share a bedroom.

## Hoping for justice

Critics contend that the home should have closed long ago.

"It is unfortunate that a death was necessary for Michelle Morris' foster home to be investigated. Signs of abuse were present for years," said Linda Kincaid of the Coalition for Elder and Disability Rights, which has been following the Ryan Morris case.

Testimony in that case was that Ryan Morris and others were sexually abused as residents in Morris' home, "yet the county chose not to intervene. Law enforcement often fails to protect society's most vulnerable members, the elderly and disabled," Kincaid said.

Ryan Morris' biological relatives had fought Morris through the years, and now hope for justice.

"I pray that Ryan's suffering and Diane's death while under Michelle's watch pave the way for officials to take the issues of safety and dependent adult abuses more seriously, to serve the people in need with utmost care, timing and due diligence," said Monica Mukai, Ryan Morris' aunt.

Meanwhile, Diane's mother worries about the adopted children in Morris' care.

"I want to be their voice, my daughter's voice, even though she's gone," Cadena said. "I want to do something in Diane's name to protect those who don't have voices, and the ones who have been kept quiet."

Tags:  
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**SoCal Watchdog,**  
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**NEWS**

# **A year after her ‘Spectacular Prom,’ 16-year-old dies in care of controversial Murrieta foster home**

**‘I’m so confused. I just don’t understand,’ says mother of Diane Ramirez, who had cerebral palsy but was otherwise healthy**



Jeff Miller kisses Diane Ramirez at the Spectacular Prom in 2018. (Courtesy Jeff Miller)

By **TERI SFORZA** | [tsforza@scng.com](mailto:tsforza@scng.com) | Orange County Register

**PUBLISHED:** April 30, 2019 at 5:30 pm | **UPDATED:** May 1, 2019 at 2:15 pm

An explosion of colorful balloons bobbed from her wheelchair. Diane Ramirez squealed with delight as she rolled into the classroom, her loyal entourage in tow with a football-shaped sign. "Jeff, wanna tackle prom with me?" it said.

Jeff Miller, star quarterback for Murrieta Mesa High School and special education teaching assistant, rose in slow motion with a stunned smile. "I had no clue," said Miller, now a freshman at Towson University in Maryland. "The little stinker stole the show. I was actually going to ask *her* — I was working on a poster."

That was March 2018 — just as officials were removing Diane from her parents' care and placing her in the Michelle Morris Small Family Home in Murrieta, one of the few foster homes catering to the severely disabled.

On April 6 this year, "Princess Diane" Ramirez, 16, was dead.

Diane had cerebral palsy but was otherwise healthy, said her parents. Her father, Albert Ramirez, was told she had trouble breathing and choked on bile. Mother, Angel Cadena, was told that then her heart stopped.

"She has never had heart problems," Cadena said. "I'm so confused. I just don't understand."

An autopsy is pending, but officials later told them Diane had a kink in her intestines.

Diane is not the first client of the Morris home to die, according to records. One died in 2010 while receiving hospice care. An adopted daughter died in 2015.

That's not necessarily unusual, as many of the home's residents have complicated health issues. But Diane's parents believe something went terribly awry and want to know why their "Princess Diane" is gone.

The California Department of Social Services, which licenses foster homes, is looking into Diane's death, and the Riverside County coroner is conducting the autopsy, officials said.

"She was supposed to be protected and she wasn't protected," Albert Ramirez said, voice cracking.



Morris did not respond to a request for comment on Diane's death.

Diane left a deep impression on those who knew her. "I had seen Diane around campus, but I didn't understand how high-functioning she was," said Miller, her prom date. "The first day I walked into the classroom — she had a communication device — she smiled at me and said, 'Football game?' She wanted to talk."

Diane's joy was infectious, he said, and they became fast friends. Miller donned a tux, Diane a billowy confection of pearls and tulle, and they wheelchair-danced the night away at the Spectacular Prom on April 12, 2018.

"That's one of the best memories of my life," Miller said. "Heaven has gained another beautiful angel."

Teachers loved how sassy Diane was, poking gentle fun at staff members even as they teased her about her many boyfriends. "She was just pure joy," said Kelli Swanson, one of Diane's teachers at Antelope Hills Elementary in Murrieta. "She was knew exactly what was going on all the time and had the best sense of humor."

She loved playing practical jokes, and would place fake spiders in her locker to stun the teachers who helped her open it, her father said.

Diane taught her prom date — and everyone she met — what it means to live life to the fullest, Miller said. In a tweet shortly after her death, he said, "You still inspire me so much and you will be in my heart forever Diane," [Miller tweeted](#). "Thank you for all the memories, and changing my life."

## **Controversy over foster home**

The Morris home, which started out in Santa Ana but moved to Murrieta more than a decade ago, has had a series of troubles through the years.

Morris is the adoptive mother of Ryan Morris, a disabled young man with the abilities of a kindergartner whom she adopted over his biological family's vehement objections in 2002. Ryan has an identical twin brother who longed to stay in contact, but Morris cut off communication shortly after the adoption was finalized. His biological relatives caused him stress and increased his chances for seizures, she said at the time.

Soon, managers with the Regional Center of Orange County wrongfully accused Morris and her husband, Larry Kerin, of sexually and physically abusing children in their care and of operating an unsafe home, according to a lawsuit Morris filed against the Regional Center in 2004.

The Regional Center — which distributes state funding for care of the disabled — also said Morris suffered from Munchausen syndrome by proxy, a behavioral disorder in which caretakers exaggerate, fabricate or inflict health problems on children to gain attention and sympathy, the suit said.

In the suit, Morris and Kerin accused Regional Center officials of inappropriately touching the children's genital areas and repeatedly "interrogating" the children regarding the alleged sexual abuse. The Regional Center's insurer settled the suit in 2007 for \$750,000, seeking to avoid putting disabled children on the stand, officials said at the time. There were no admissions of wrongdoing.

Kerin also ran a state-funded "nonpublic" school for their disabled foster and adopted children for years before the state shut it down in 2007. Irregularities included a student whose hands were bound with duct tape and a teacher unqualified to instruct all the students. Kerin himself was "not found fully competent or credible" as he "repeatedly and adolescently sought to shift responsibility for deficiencies to others" and "does not shy from using litigation ... to compel others' actions," said an opinion written by an administrative law judge in 2008, upholding the Department of Education's revocation of the school's license.

The conflict led to a new law forbidding the quick relicensing of problematic nonpublic schools.

Morris and Kerin moved to Murrieta to escape the harassment they said they received in Orange County. It was there that Ryan Morris grew up and fell in love with Sean Spicer, a man of regular intelligence who soon worked as a caretaker in the home. Ryan Morris was promised a cellphone if he married, he told court investigators, and his wedding video suggests he mistook the wedding for a baptism. Ryan Morris' biological family is fighting to step in as legal guardian, saying Ryan Morris has the intellectual ability of a kindergartner, lacks the capacity to consent to marriage and is the victim of sexual abuse.

## **Heartache for parents**

Diane Ramirez's parents were going through a difficult divorce and having other personal issues when the girl was removed from their care last year. They didn't know the extent of the controversies involving the Morris home at the time.

The parents never lost their parental rights, they said, and were working to stabilize their lives and get their princess back. They objected to some of the care Diane was getting at the Morris home — her hair was uncombed, she missed at least one doctor's appointment, she wasn't using her communication device. And the girl who had always eaten food the way everyone else does — by mouth — had a feeding tube inserted into her abdomen while at the Morris home.

"She always ate with her mouth. Why would she need a tube?" Cadena asked.

State records show that workers with the California Department of Social Services' Community Care Licensing division were at the Morris home 13 times in the past four years. They responded to five complaints with a total of nine allegations, including that a girl was duct-taped to her wheelchair, a client had "red marks from staff," and that another was denied visits with parents, was losing weight, and did not receive therapy.

Most investigations happened a year or more after the complaints were made, however, and many of the children involved were nonverbal and could not be interviewed. Six of the allegations were found to be inconclusive and three were found to be unsubstantiated.

Cadena and Ramirez are trying to understand it all.

"I was so close to bringing her home," her father said. "I got her room all set up. I look at it every day. She'll never see it."

In an online tribute, her mother wrote: "I just want you back in my arms, my princess."

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## **Man Pulls Hidden String In Attic And Discovers Secret Room Filled With...**



By Upbeat News

**upbeat**

**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
 COUNTY OF RIVERSIDE**

MAY 17 2019

J. Castillo

<b>TITLE:</b> CONSERVATORSHIP OF RYAN MORRIS	<b>DATE &amp; DEPT.</b> May 17, 2019 Department 06	<b>CASE NUMBER</b> MCP1100783
<b>APPEARING</b> MONICA MUKAI SEAN SPICER Mark Flory, BROWN, WHITE & OSBORN PANEL Charles Krowlikowski, NEWMAYER & DILLON	<b>COURTROOM ASSISTANT</b> J. CASTILLO  <b>REPORTER</b> Y. SOTO	
<b>COURT'S RULING ON</b> PETITION TO REMOVE SEAN SPICER AS CONSERVATOR OVER RYAN MORRIS		

Life is fluid and ever changing. It is not stagnant. Although the Court previously appointed Sean Spicer as Ryan's conservator, evidence has been presented that warrants the Court to reassess that determination pursuant to Probate Code Section 2650.

It is important to remember that the appointment of Sean Spicer as Ryan's conservator was uncontested. At the time the adoptive family and the biological family determined that Sean Spicer would be the best person in Ryan's life to fulfill the duties of being Ryan's conservator. Perhaps it made the most logical sense as Sean was Ryan's husband. However, I do not truly know the extent of the family's reasoning. Equally, Ryan agreed to Sean's appointment.

At the time the issue of what powers Ryan would retain and the powers Sean would be granted was also uncontested. Sean was appointed as a limited conservator over Ryan, with Ryan retaining his right to marry and the right to control his own social and sexual contacts and relationships. Sean was granted the right to fix the residence of Ryan, right to access confidential records of Ryan, the right to contract, and the right to make educational decisions. There was no trial, no expert testimony, but an uncontested

S. SYKES, Judge.  
J. Castillo, Clerk  
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appointment that was made in accordance with the wishes of the family and Ryan. That was in 2015.

Fast forward to 2018. The Court conducted a 9 day trial on the Petition to remove Sean as Ryan's conservator in late February and March of 2018. At the conclusion of trial the Court determined that based upon the lack of evidence as to Ryan's mental capacity, it wanted expert testimony to be provided through a 730 evaluation. Obtaining the 730 evaluation took several months and delayed the continuance of trial until this week, the week of May 13. The Court does not render its decision lightly. It has spent many of a moment since trial in 2018 until the present thinking and contemplating this case. In reaching my decision, I have considered the trial testimony from 2018 and present, the written closing arguments from 2018, the trial testimony from 2019, and all exhibits admitted into evidence, the court file, and all reports ordered by the court.

There is no doubt that Ryan loves his spouse, Sean, and Sean loves his spouse Ryan. Also there is no doubt that Ryan's biological family and adoptive family love Ryan. If this case was solely about love it would be an easy call. But this case goes beyond love and looks towards what is in the best interest of Ryan. Sometimes choices made based upon love are not always choices made based upon best interest. Love can cloud what may be the best choice for the person one loves. Love can mean sacrificing one's own wants and desires for the betterment of another person. That choice in everyday loving relationships can be a hard choice. However, that choice having to be made in a relationship by a spouse that is not only relating to their spouse as a loving partner but as a conservator can be difficult. And even further difficult can be when one spouse in the

S. SYKES, Judge.  
J. Castillo, Clerk  
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COURT'S RULING

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relationship has developmental disabilities including mental and verbal limitations, such as Ryan.

As a conservator, Sean has an affirmative duty to care, protect, and provide support to Ryan. The same responsibilities that one might say a spouse should have, albeit not a legal duty. As I stated before I have no doubt that Sean loves Ryan and wants to fulfill his duties as his conservator and his spouse, however the evidence presented provides proof that Sean is incapable of performing his duties as a conservator suitably and that removal of Sean as Ryan's conservator is in the best interest of Ryan.

It is clear that Sean has difficulty distinguishing his role as a spouse from his role as a conservator. A difficulty that arises as testified to by both Dr. De Leon and Dr. Freedman-Harvey, when a spouse is acting as a conservator. However, although it may be difficult for any spouse in that position, that difficulty should not interfere with the role of a conservator to the extent the spouse is no longer properly caring for and protecting their conservatee.

The evidence presented shows that Sean is unable to suitably perform the duties of Ryan's conservator. The lines between spouse and conservator have been blurred to such an extent that it is no longer in Ryan's best interest to have Sean in the role of conservator. This is evidenced by numerous instances of abusive behavior such as: Sean threatening (threats to send Ryan back to Michelle Morris, threats to take his ring off and end the marriage, threats to send to Ryan ETS); Sean punishing (restricting visits to biological family if he did not behave, taking his phone away to prevent contact with bio family if didn't behave); Sean exerting undue influence (telling Ryan to scream at depo, telling Ryan to win the battle, influencing Ryan to dislike his biological family); Sean

S. SYKES, Judge.  
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isolating (preventing Ryan from visiting his biological family); and Sean continuing to fix the residence of Ryan in a volatile home (violent episodes between Ryan and Teresa Spicer and Sean himself, the suicide attempt of Teresa in front of Ryan).

However, most telling was the deposition clip from yesterday in which Ryan says that Sean told him to win the battle and to scream at his deposition. After Ryan screams, you can visibly see the extreme distress of Ryan's face when he says "I'm worried. I'm worried" and then asks if "are you going to call the police? Am I in trouble?" It is clear that Ryan is extremely vulnerable and can be easily manipulated and influenced by those around him.

It is undisputed that Ryan has developmental disabilities including mental and verbal limitations. Inconsistencies in his desires and wishes at trial, at deposition, during the 730 evaluations, and in multiple reports abounded. Dr. De Leon appeared to base an enormous weight in rendering her opinion to the wishes of Ryan. Although understanding Ryan's desires were inconsistent, Dr. De Leon determined Ryan's desires expressed during her evaluation, with Sean sitting next to Ryan, held the most weight. The Court does not give much weight, if any, to the testimony of Dr. De Leon.

Ryan's developmental disabilities render Ryan incapable of caring for himself solely by himself. Dr. Freeman-Harvey testified that Ryan has the cognitive capacity of a 5-7 year old. And although I agree to some extent with Dr. De Leon that an individual with mental disabilities should not be pigeon-holed into such a category, the designation can be beneficial to understanding Ryan's cognitive capabilities in his understanding of certain things, such as his marriage and his role as a spouse.

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Based upon all of the evidence, including the wedding video, it appears that Ryan does not have the mental capacity to understand what a marriage is and therefore does not have the capacity to understand consent to be and remain married. That in and of itself places him in a vulnerable position as Sean is not only his spouse, but his conservator. Ryan expressed at deposition that he no longer wanted to be married to Sean, but wanted to be friends. Ryan retains the right under the conservatorship to make that decision, but practically speaking would have to rely upon Sean in the role as his conservator to make that happen. Hence one of the multiple conflicts.

Equally, it is clear that continuing to live in the Spicer home is detrimental to Ryan, however, the home is with Sean's parents. With the conservator hat on it would be in the best interest of Ryan for Sean to move Ryan from the residence, but with the spouse hat on it may be difficult to do. Hence another conflict. A conflict that at present causes grave concern for the well-being of Ryan.

Ryan is fortunate to have so many people in his life that love and care for him. It is evident that no one purposely intends to harm Ryan or cause him distress. However, it is clear that "this battle" as Ryan calls it does need to end to bring stability and peace back into Ryan's life. And I see only one way at achieving that which falls in line with Dr. Freedman-Harvey's recommendation.

Based upon all the evidence presented I am removing Sean Spicer as the conservator of Ryan Morris. I am appointing the public guardian as the temporary guardian over Ryan Morris having determined that there is no other suitable conservator to be appointed at present. Further, I am ordering the temporary guardian to remove Ryan Morris from the home of Sean Spicer and to place him in the least restrictive suitable

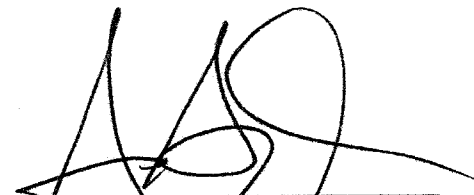
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environment in consultation with the Inland Regional Center. Lastly, I am ordering that Ryan be provided with family visitation to include adoptive and biological family, and visitation with his spouse, with all visitation to be conducted in a therapeutic setting.

The Court sets an OSC hearing to determine whether to make the temporary conservatorship into a permanent conservatorship on July 19, 2019 at 9am in Department 6 as well as sets on the same date an OSC hearing to determine whether a general conservatorship would be more appropriate and directing the Inland Regional Center to prepare a report which specifically addresses the issue of the two powers granted to the conservatee, and whether those powers should remain with the conservatee.

I hope you all keep in my mind, how I began today, life is fluid and ever changing, what may be in Ryan's best interest today may change over time. I do know that this change will be hard not only for Ryan but for those that love him, but this change is temporary, we do not know what the future holds for Ryan but we all want that future to be filled with love, happiness, and peace.

Date: May 17, 2019



Sunshine S. Sykes  
Judge of the Superior Court  
County of Riverside

S. SYKES, Judge.  
J. Castillo, Clerk  
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**RE: URGENT: RE: Follow-up-public comment testimony of 5/1/18**

von Zabern, Susan K <SVonzabe@RIVCO.ORG>

Thu 5/24/2018 12:46 PM

**To:** monica mukai <monica@monicamukai.com>; Mack, Sarah S <SSMack@rivco.org>

**Cc:** Johnson, George <GAJohnson@RIVCO.ORG>

Ms. Mukai,

I was in the process of responding to your earlier email when we received the message below.

Thank you for your questions.

I can assure you that our investigation will take into consideration the information that you have provided as well as any other information that is obtained in the course of the investigation. We take all allegations seriously and have involved the appropriate social workers and other professionals to conduct this review.

Pursuant to State regulations, the Adult Protective Services (APS) program is a **voluntary program**. It is the choice of the elder or dependent adult to accept assistance and he or she may refuse or withdraw consent at any time. To the extent that the client agrees to receive assistance and services, APS may offer emergency shelter and in-home protection on a temporary basis. APS is required to give priority to providing in-home protection rather than removing the client from his/her home, to the extent that it is feasible for the individual to remain safely in the home.

If a client does not have the capacity to make those decisions, the Probate Court will make a determination regarding the appointment of a conservator who will have the authority take action on behalf of the client.

In this case, any decision to be made lies with the Probate Court.

I hope that this addresses your questions.

Sincerely,

Susan von Zabern

**From:** monica@monicamukai.com [mailto:monica@monicamukai.com]

**Sent:** Thursday, May 24, 2018 10:07 AM

**To:** Mack, Sarah S <SSMack@rivco.org>; von Zabern, Susan K <SVonzabe@RIVCO.ORG>

**Cc:** Johnson, George <GAJohnson@RIVCO.ORG>

**Subject:** RE: URGENT: RE: Follow-up-public comment testimony of 5/1/18

**Importance:** High

Dear Mrs. Mack & Mrs. Von Zabern,

I appreciate both of your email responses on May 11 about the two of you working together and looking into Ryan's situation including the details, documents and 13 minute video link I have provided about the dependent adult abuse and criminal actions taken against Ryan Morris, as outlined so well in the documents provided. On May 16, we discovered at the Court Hearing that

there has been another Adult Protection Services referral made with regards to "physical abuse" and the Court ordered a "Long Form Report" in regards to the investigations of abuse. As I've indicated in my email response on May 11, 2018, I expect that the County recognize my emailed details, documents, and video as a formal APS referral (indicating several forms of abuse) and this is included as part of the overall investigation and "Long Form Report" due back to Judge Sykes who will be making decisions on Ryan's safety and well being. Please confirm.

Also, for clarification, please help me understand the following about APS's role:

1. Does APS have the authority and capacity to remove an adult from their home in the event of abuse?
2. Does APS have the ability to make these decisions independently?
3. If not, who does?

Lastly, as you already know, Ryan's situation is very complicated and I would hope that a well seasoned social worker (who is also well experienced in sexual abuse matters) is thoroughly reviewing the allegations presented and conducting the investigations with Ryan outside of the home and completely away from others so that he may speak more liberally without fear of any consequences of what is said. Thank you, again, for your time and care with these serious matters and thanks in advance for a detailed response.

~Monica

## **Monica Mukai**

**949.661.7500** Direct

**949.315.3311** Fax

----- Original Message -----

Subject: RE: URGENT: RE: Follow-up-public comment testimony of 5/1/18

From: "Mack, Sarah S" <[SSMack@rivco.org](mailto:SSMack@rivco.org)>

Date: Fri, May 11, 2018 2:04 pm

To: "[monica@monicamukai.com](mailto:monica@monicamukai.com)" <[monica@monicamukai.com](mailto:monica@monicamukai.com)>, "Johnson, George" <[GAJohnson@RIVCO.ORG](mailto:GAJohnson@RIVCO.ORG)>

Dear Ms. Mukai,

Thank you for your email. We are reviewing the information and I am in communication with the Susan von Zabern, Director of the Department of Public Social Services in follow up to this email.

Furthermore, if you believe a crime has been committed, I encourage you to report the crime to the local police.

If you have any questions or comments while we review this matter, please feel free to contact me directly.

Regards,

Sarah S. Mack

Assistant CEO, Human Services  
Riverside County  
951-955-1110

[ssmack@rivco.org](mailto:ssmack@rivco.org)

**From:** [monica@monicamukai.com](mailto:monica@monicamukai.com) <[monica@monicamukai.com](mailto:monica@monicamukai.com)>  
**Sent:** Friday, May 11, 2018 11:55 AM  
**To:** Johnson, George <[GAJohnson@RIVCO.ORG](mailto:GAJohnson@RIVCO.ORG)>; Mack, Sarah S <[SSMack@rivco.org](mailto:ssmack@rivco.org)>  
**Subject:** URGENT: RE: Follow-up-public comment testimony of 5/1/18  
**Importance:** High

Dear Mr. Johnson & Mrs. Mack,

Apparently, Mrs. Jennifer Sargent will not be in the office until May 16, according to her automatic reply that came in about 40 minutes after I delivered the email below. However this matter is urgent and requires immediate attention. Please advise.

~Monica

----- Original Message -----

Subject: RE: Follow-up-public comment testimony of 5/1/18  
From: <[monica@monicamukai.com](mailto:monica@monicamukai.com)>  
Date: Fri, May 11, 2018 10:58 am  
To: "Sargent, Jennifer" <[jsargent@RIVCO.ORG](mailto:jsargent@RIVCO.ORG)>  
Cc: "Charles Krolikowski" <[Charles.Krolikowski@ndlf.com](mailto:Charles.Krolikowski@ndlf.com)>, [GAJohnson@rivco.org](mailto:GAJohnson@rivco.org), [ssmack@rivco.org](mailto:ssmack@rivco.org), [LBrandl@rivco.org](mailto:LBrandl@rivco.org), [GPriamos@rivco.org](mailto:GPriamos@rivco.org), [SVonZab@rivco.org](mailto:SVonZab@rivco.org), [SRSteinberg@rcmhd.org](mailto:SRSteinberg@rcmhd.org), [District1@rivco.org](mailto:District1@rivco.org), [District2@rivco.org](mailto:District2@rivco.org), [District3@rivco.org](mailto:District3@rivco.org), [District4@rivco.org](mailto:District4@rivco.org), [District5@rivco.org](mailto:District5@rivco.org)

Dear Mrs. Sargent,

On May 1, 2018 I addressed the Board of Supervisors about monumental concerns pertaining to dependent adult abuse with the conservatorship of my nephew, Ryan Morris. Thank you for your email response and I wish to address the problem in detail here so that there is no confusion of the immediate action I am requesting the Executive Office/County to take in making a referral with Adult Protection Services (APS), the Public Guardian and District Attorney Offices.

On February 9, 2018, Honorable Judge Thomas Cahraman issued a Court Order for APS to "review the document and investigate the allegations mentioned" from the document dated January 6, 2018 from Thomas Coleman (Legal Director) and Dr. Nora Baladerian (Licensed Psychologist) of the Disability and Abuse Project of the Spectrum Institute. Judge Cahraman ordered APS to "file a long-form report

in response by 2/23/2018." Please see Attachment "A," the Minute Order from the Court & Attachment "B" the document submitted to the Court by Mr. Coleman which outlines serious concerns of possible Dependent Adult Abuse and a potential Criminal Conspiracy against Ryan Morris by his current and past Conservators.

I had made contact with the APS Social Worker Elsa Madrid on February 21, 2018, who was assigned to investigate and address the Judge's Court Order. Please note that this was just **two days prior to the due date**, and SW Madrid had indicated that she had not read the 19 page document submitted with the referral, that she had not made contact with Ryan Morris, nor had she made contact with any of the three alleged perpetrators naming Sean Spicer, Michelle Morris, and Susan Bird-Santo for possible Dependent Adult Abuse, Undue Influence, Isolation, Neglect, Psychological/Mental/Sexual Abuse, Financial Exploitation, and a Criminal Conspiracy.

On February 23, 2018 SW Madrid submitted the APS report to the court and during the March 2018 trial she was asked to testify and acknowledged the following:

1. This was the first and only sexual abuse case she has investigated;
2. SW Madrid only had a few minutes with Ryan alone, as Sean and Sean's mother were present and answering most all of the questions during the investigation;
3. SW Madrid indicated that her findings left an "Undetermined" conclusion as to the allegations and the case was "Closed."

I, along with Ryan's extensive biological family members, continue to have grave concerns for Ryan Morris' health, safety and well being. Only one of the three suspected perpetrators of dependent adult abuse and a criminal conspiracy ordered by Judge Cahraman was interviewed and investigated. Not a single qualified, independent expert with knowledge and experience in these sexual abuse matters (including the Sheriff's Department and District Attorney's Office) were involved during this investigation and yet it was closed after less than two days of a social worker's partial investigation. Judge Carahman's investigative Court Order has clearly been inadequately addressed.

I am requesting that this matter be forwarded by the Board of Supervisor's Executive Office to the Adult Protection Services, Public Guardian, and the District Attorney's offices for thorough dependent adult abuse and criminal investigation. Along with Attachments "A" & "B," I have included Ryan's own testimony at his wedding and clips from his own deposition under oath in the **Video Link** below. I am requesting all four of these Attachments to be included in the review and investigation with the appropriate County, State and Federal agencies this Office sees appropriate to include. As you'll see for yourself, Ryan's own testimony in video clips clearly support concern of dependent adult abuse and a criminal conspiracy. If Ryan's calls for help are not addressed properly and thoroughly, it would not come to surprise that Ryan turn his fears and trauma against himself or others, and this matter ends in a homicide/suicide case. Then, *who will be held accountable?*

**Video Link of Ryan's Own Testimony (Please copy and paste in the search**

engine):

[https://www.youtube.com/playlist?list=PLDMcbjDKaePW1Xjam7cxSFSB\\_eJKnAUdI](https://www.youtube.com/playlist?list=PLDMcbjDKaePW1Xjam7cxSFSB_eJKnAUdI)

**People Named in the Video:**

Michelle Morris is the adopted mother who was co-conservator with Susan Bird-Santo (Michelle's staff member) and the person who solemnized the wedding ceremony at Michelle's house/facility.

Sean Spicer is the staff member Michelle and Susan married Ryan to.

Greg is Michelle's brother and former co-conservator of Ryan.

Mike is Sean's ex-boyfriend and Greg's roommate.

Ronald is Ryan's identical twin brother.

Zia Monica is me, the biological aunt.

**Attachments Included:**

"A" Judge Cahraman's Court Order dated February 9, 2018

"B" Thomas Coleman packet dated January 6, 2018

"C" Video Link from Ryan & Sean's Wedding (October 2014) & Ryan's Deposition (July 2017)

[https://www.youtube.com/playlist?list=PLDMcbjDKaePW1Xjam7cxSFSB\\_eJKnAUdI](https://www.youtube.com/playlist?list=PLDMcbjDKaePW1Xjam7cxSFSB_eJKnAUdI)

**CC:**

George A. Johnson, County Executive Officer

Sarah S. Mack, Assistant County Executive Officer/Human Services

Lisa Brandl, Chief Operating Officer

Gregory Priamos, County Counsel

Susan von Zabern, Dept. of Public Social Services

Steve Steinberg, Director, Riverside University Health System-Behavioral Health  
Supervisor Kevin Jeffries

Supervisor John F. Tavaglione

Supervisor Chuck Washington

Supervisor V. Manuel Perez

Supervisor Marion Ashley

**Monica Mukai**

**949.661.7500** Direct

**949.315.3311** Fax

----- Original Message -----

Subject: Follow-up-public comment testimony of 5/1/18

From: "Sargent, Jennifer" <[jsargent@RIVCO.ORG](mailto:jsargent@RIVCO.ORG)>

Date: Thu, May 03, 2018 6:07 pm

To: "[Monica@MonicaMukai.com](mailto:Monica@MonicaMukai.com)" <[Monica@MonicaMukai.com](mailto:Monica@MonicaMukai.com)>

Dear Ms. Mukai,

Please find attached a coordinated letter from the County of Riverside in response to your public comment testimony during the May 1, 2018

Board of Supervisors meeting.

Please let me know if additional information/clarification is needed.

Sincerely,  
Jennifer

## Jennifer Sargent

Principal Management Analyst

Riverside County Executive Office

4080 Lemon Street, 4th Floor

Riverside, CA 92501

951.955.1115 Direct

951.955.1105 Fax

Please note my new email address: [JSargent@RivCo.org](mailto:JSargent@RivCo.org)

### Confidentiality Disclaimer

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**County of Riverside California**





# COUNTY OF RIVERSIDE

## EXECUTIVE OFFICE

**GEORGE A. JOHNSON**  
COUNTY EXECUTIVE OFFICER



**LISA BRANDL**  
CHIEF OPERATING OFFICER

**DON KENT**  
ASSISTANT COUNTY EXECUTIVE OFFICER  
COUNTY FINANCE OFFICER

May 3, 2018

Dear Ms. Mukai,

Following your public comment testimony during the May 1, 2018 Board of Supervisors meeting, you and I met to discuss your concerns pertaining to the conservatorship of your nephew, Ryan Morris. Subsequently, your concerns were reviewed with the County's executive leadership team, County Counsel and Directors of the Public Social Services and Behavioral Health departments.

It is our understanding that you and your family have a pending conservatorship matter in the Riverside County Superior Court and that you are dissatisfied with a report that may have been submitted to the court, pursuant to the court's request. The County recognizes your request to re-open any APS investigation concerning your nephew and your concerns about the length/thoroughness of any APS report and experience of the Social Worker.

Although the County is not permitted to discuss matters that are confidential, the department reviewed its processes and will continue to consider and act on any new evidence or information indicating abuse or neglect of an elder or dependent adult, should a referral be made to APS for investigation.

During the period March 1–19, 2018, the Superior Court conducted a trial, including weeks of testimony, numerous reports and evidence collection to determine whether cause for removal of the conservator(s) exists. In addition, each party in the matter was represented by legal counsel. On May 4, 2018, Judge Sykes is due to render a decision in the case.

During our conversation, you expressed concern about the length/thoroughness of an APS report that was disclosed to you by the court in your conservatorship proceeding and the experience of the Social Worker referenced in such report. It is our understanding from the trial proceedings in your matter that, although the Social Worker was relatively new to Riverside County, the individual is highly regarded and specialized in these types of cases for nearly a decade while employed by a neighboring county, before coming to Riverside County.

The Public Guardian also conducted an investigation and filed two reports on the matter. In both reports, conservatorship for Ryan was recommended and a statement was included that if the court found Ryan's current conservator unable or inappropriate to continue serving, the biological family (including Monica and Oliva Mukai and Ronald Moore) may be viable alternatives to the appointment of the Public Guardian.

You also expressed concern regarding the competence of the legal team provided to represent your nephew. Brown, White & Osborn, LLP, is a reputable law firm and highly sought for conservatorship cases, as their attorneys are recognized as experts in this area of law. The court, rather than the county, is responsible for appointing the attorney for your nephew, so concerns over their legal representation should be directed to the court.

Finally, any decisions made by the trial court may be referred to an appellate court for review, should you be dissatisfied with the outcome.

Please let me know if additional information/clarification is needed.

Sincerely,



Jennifer L. Sargent  
Principal Management Analyst

cc: George A. Johnson, County Executive Officer  
Lisa Brandl, Chief Operating Officer  
Sarah Mack, Assistant County Executive Officer  
Gregory P. Priamos, County Counsel  
Susan von Zabern, Director, Department of Public Social Services  
Steve Steinberg, Director, Riverside University Health System-Behavioral Health