

BEFORE THE  
DEPARTMENT OF SOCIAL SERVICES  
STATE OF CALIFORNIA

In the Matter of the Accusation	)	No. 199621402
Against:	)	
	)	OAH No. L-9702083
JEANETTE ELLIS	)	
925 San Bernardino Avenue	)	99 CDSS 09
Pomona, California 91767,	)	
	)	
Respondent.	)	
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PROPOSED DECISION

This matter came on for hearing before Richard J. Lopez, Administrative Law Judge of the Office of Administrative Hearings, at El Monte, California, on April 9, 1997.

Manuel Romero, Staff Counsel, represented the complainant.

Respondent appeared in person and represented herself.

Oral and documentary evidence and evidence by way of stipulation and official notice was received and the matter then argued and thereafter submitted.

The Administrative Law Judge now finds, determines, and orders as follows:

PARTIES AND JURISDICTION

1

Complainant Martha Lopez, Deputy Director of the Department's Community Care Licensing Division, filed the accusation in her official capacity.

2

Jeanette Ellis, respondent herein, is licensed by the Department to operate a foster family home located at 925 San Bernardino Avenue, Pomona, California. Respondent was licensed to operate a foster family home at all times mentioned herein. Jeanette Ellis, now married, is now Jeanette Ellis Royston.

1

All prehearing requirements have been met.  
Jurisdiction for this proceeding does exist.

FINDINGS OF FACT

RE:

ACCUSATION

(A) On or about May 17, 1994, Steve O. Royston suffered a conviction for violation of Penal code section 191.5(A), gross vehicular manslaughter while intoxicated, a felony. Royston is on felony probation for this conviction through May 17, 1999. On or about July 5, 1996, the Department denied to Royston an exemption for this conviction.

(B) On September 1, 1995 respondent married Royston. At that time respondent had knowledge of said conviction and certain of the circumstances of the conviction.

(C) Between approximately September 1, 1995, and December 8, 1995, Steve O. Royston, respondent's husband, resided at the facility. Respondent failed to submit fingerprints for Royston to the Department of Justice. Respondent failed to submit to the licensing agency a statement that Royston had not suffered a conviction other than a minor traffic violation. Respondent failed to notify the licensing agency of Royston's presence in the facility.

(D) Respondent's conduct set forth in paragraph (C) is inimical to the health, safety, morals, and welfare of children receiving services from the facility and the people of the State of California.

SUPPLEMENTAL FINDINGS

Respondent has provided foster care services since 1986 and in that time has "raised nine boys" (children in foster care). She has lived in the City of Pomona for 25 years and there has established a good reputation in that community. However, by her omissions set forth in Finding 4 respondent has demonstrated a present inability to conform to all laws and regulations governing the foster care license. The crime set forth in Finding 4 involved the death of Steve O. Royston's former wife, in a vehicle driven by Royston, and followed a

violent physical confrontation between Royston and his then wife - both then in an impaired state (use of alcohol or controlled substances). Royston is still on probation and, as part of that probation, has been ordered to undergo therapy for alcohol abuse and is, further undergoing anger management counseling. Accordingly, at present, the health, safety and well-being of any children in care at the facility are at risk.

#### DETERMINATION OF ISSUES

##### I

The Department of Social Services is responsible, under a legislative mandate, for licensing and inspecting foster family homes. The licensing and operation of foster family homes is governed by the California Community Care facilities Act, Health and Safety Code (HSC) section 1500 et seq., and by Title 22 of the California Code of Regulations (CCR) section 87000 et seq.

##### II

Cause exists for revocation of respondent's license for violation of HSC sections 1522 and 1550(a)(b)(c) and (d) by reason of Finding 4.

#### ORDER

Respondent's license to operate a foster family home is hereby revoked.