



KATRINA FOLEY

ORANGE COUNTY BOARD OF SUPERVISORS
SUPERVISOR, SECOND DISTRICT

ORANGE COUNTY HALL OF ADMINISTRATION
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November 30, 2021

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Michelle Baass, Director
State Department of Health Care Services
Department of Health Care Services
P.O. Box 997413, MS 0000
Sacramento, CA 95899-7413

Re: Request for Investigation of Licensed Facilities
20132 Redlands Drive & 20182 Kline Drive

Dear Ms. Baass:

I'm writing in response to a death in my supervisorial district that requires diligent and immediate oversight of two licensed addiction treatment facilities.

On August 26, 2021, a troubled young man tragically lost his life, and a neighborhood in my Supervisorial District was needlessly traumatized. Around 4:00 a.m., that morning, Henry Richard Lehr, 23, left his state licensed alcohol and drug treatment facility, Gratitude Lodge, located 20132 Redlands Drive in Newport Beach, California, and forced his way into a neighborhood home on a nearby cul-de-sac. He was shot and killed by the homeowner who was found to be acting in self-defense by the Orange County District Attorney. Two families and the surrounding community were devastated. Surveillance video shows Mr. Lehr breaking down the front door of the home where he was shot. Mr. Lehr's father commented to the *Orange County Register* that he believes his son was experiencing "a symptom of withdrawal, a psychotic episode." At a community event, the Orange County District Attorney shared that Mr. Lehr was highly medicated from the treatment facility, causing him to hallucinate.

In what was once a quiet, safe, and peaceful – indeed, idyllic – residential neighborhood, there are now two state licensed drug and alcohol treatment facilities (including Gratitude Lodge) and two unlicensed sober living homes. The negative social impacts resulting from the location of these licensed and unlicensed facilities in such close proximity have been evident in many communities for years, and, in fact, the close proximity of these facilities and their patients undermines the recovery from alcohol and drug addiction that residential settings are intended to promote. Families living near these facilities have reported to me yelling at all hours of the night, nudity, smoking, litter (including cigarette butts, beer cans, mini alcohol bottles, and needles), car and house break-ins, and loud swearing, all of which clearly and undeniably

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disturbs the right to quiet enjoyment that my constituents enjoy in their homes. This is unacceptable.

As the Orange County Supervisor for the area where these facilities are located, I am requesting that the Department of Health Care Services (DHCS) formally investigate both licensed facilities and provide written assurances to my office and the community that these facilities are in strict compliance with all regulations concerning state licensed alcohol and drug treatment facilities, including the requirement that Gratitude Lodge telephonically report Mr. Lehr's death. (9 Cal. Code Regs., § 10561.) Given the circumstances surrounding this incident, I am concerned that these facilities do not have policies, protocols, or security measures in place to ensure the appropriate supervision of patients who may be experiencing negative psychological effects while detoxing from alcohol or drug abuse. (See 9 Cal. Code Regs., § 10563.) The professional qualifications of the facility administrator and staff should be reviewed to assure that both facilities continue to comply with Title 9 California Code of Regulations Section 10564.

In addition, I request that, pursuant to Title 9 California Code of Regulations Section 10544, a site licensing compliance review take place immediately at both licensed facilities to review compliance with all aspects of the Health and Safety Code and accompanying regulations. Finally, DHCS should also review its own departmental regulations to confirm that it has the appropriate measures in place to prevent similar tragedies from happening again in connection with the licensed facilities that the DHCS – and no other government entity – is responsible for regulating.

Thank you for your time and consideration of this important matter. Please contact my office to discuss these issues further.

Sincerely,



Katrina Foley
Orange County Supervisor, Second District

cc:

Dave Min, State Senator – 37th District
Cottie Petrie-Norris, State Assemblywoman – 74th District
Sharon Quirk-Silva, Chair – Orange County Homelessness & Mental Health Services Committee
Jim Wood, Chair – Assembly Committee on Health
Richard Pan, Chair – Senate Committee on Health
Scott Wiener, Chair – Select Committee on Mental Health & Addiction

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