

Ellen Gutierrez, shown just a few years ago, recently lost a lot of weight and apparently suffers from dementia, her friends and neighbors say.



Widow, 84, a prisoner in her own apartment

Police allege 6 gang members dealt drugs from her S.F. home, even ate her senior meals

By Jason Van Derbeek
CHRONICLE STAFF WRITER

Six alleged gang members took over the Mission District apartment of an 84-year-old widow suffering from dementia and turned it into a full-scale drug house, using lockouts to keep social workers and police at bay for months, San Francisco authorities said Monday.

Police arrested the alleged gang members last week and rescued the woman, who neighbors and her landlord identified as Ellen Gutierrez. Her second-floor apartment at 2265 Mission St. was filled with drugs and crack pipes, and the walls were covered with gang graffiti, police and prosecutors said.

The gang members ate the free senior meals that were delivered to Gutierrez and even complained about the quality of the food, authorities said.

Gutierrez has been moved to another residence by the city's Adult Protective Services agency. Authorities said she did not appear to be severely neglected or malnourished, but there were signs she had not been cared for. Her pillow was filthy, authorities said, and her portable toilet had not been emptied.

"The house was just a pigsty," said police Sgt. Martin McDowell, who helped arrest the suspects Wednesday.

There were indications of trouble at the apartment building long before last week. Police said residents had called authorities 20 times in the past two months to complain about drug use and deals in the hallways. Every time officers responded, however, nothing was amiss, McDowell said.

Gutierrez herself apparently called 911 four times since March, each time hanging up without saying what the problem was, McDowell said. When officers

► **MISSION: Page A8**



BRANT WARD / The Chronicle

Cesar Garcia, a friend of Ellen Gutierrez, an 84-year-old widow, changed the locks on her apartment door.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 05-09-2011 BY 65179 DMH/RJS

Six held on elder abuse, burglary, gang, drug charges

► **MISSION**
From Page A1

came to check up on her, she assured them nothing was wrong.

Investigators now believe that when police checked out the complaints about drug dealing, a lookout would sound the alarm, and gang members would retreat to Gutierrez's one-bedroom apartment.

Police and prosecutors said Gutierrez was suffering from dementia. The owner of the apartment building, Marino Sandoval, who lives in Pleasanton, said he had complained repeatedly to police and other officials in recent months about gang problems and about what was happening to Gutierrez.

"It's a tragic story," Sandoval said. "We told the police about these people, we told the social people, we told her family. I told them they need to get her out of there."

He said social workers used to pay daily visits to Gutierrez, a widow for 15 years, but that after a while they rarely stopped by.

"All they would do was go there for five minutes," Sandoval said.

Gutierrez, who used to manage the building, befriended the gang members a couple of years ago, Sandoval said, and "they turned her into one of them — they literally made her like a gang member. It's hard to fathom."

Residents said five to 10 people had lived in Gutierrez's apartment for nearly a year. She had been friendly and energetic before they moved in but appeared increasingly weak and listless in recent months, said one man who asked not to be identified for fear of retaliation.

"She's a really nice lady," he said. "It's terrible that they did what they did."

Authorities and social workers defended their handling of the case, saying they did everything they could under the law.

Officials with Adult Protective Services said Monday that they were first alerted to the situation May 9, when a health-care worker for Gutierrez complained that several people appeared to have moved into her apartment and were eating the food she received from a program that provides meals to senior citizens.

Under the law, the agency has



The Chronicle

10 days to respond to an abuse report in which a person's life is not deemed to be threatened.

"We try to go out as soon as we can, but there are just realities of workload and volume. We try to do our best," said Mary Counihan, a manager for Adult Protective Services.

Before the agency could begin an investigation, a worker with the

senior meals program and a health-care worker went to Gutierrez's apartment May 13. Gang members met them at the door, McDowell said.

"They were threatened with being 'gang-banged,'" McDowell said.

"We believe they were eating her food," McDowell said. "One of them said it was pretty nasty food."

The two workers told Adult Protective Services officials what had happened, filed a police report and made it clear they weren't going back, McDowell said.

It is unclear what police did with that report. Counihan said she didn't know anything about the incident.

An Adult Protective Services caseworker called Gutierrez on Wednesday in response to the original May 9 report and told her someone was on the way. In the background, the caseworker heard voices telling her not to let anyone "come over," McDowell said.

Gutierrez put them off, and the caseworkers said they would come over the next day. Instead, however, they headed over immediately,

and after they got there they called police.

"We found narcotics, pipes, gang-type graffiti on the walls," McDowell said.

Two women who were arrested, Cristina Serrano, 23, and Karla Pena, 24, said they were caring for the woman with her permission, prosecutor Richard Hechler said. Jose Serrano, 22; Raul Reyes, 21; and Alberto Torres, 23, also were arrested, along with a 17-year-old male.

The adults were charged with felony elder abuse, residential burglary and gang charges. Jose Serrano was also charged with gun and methamphetamine possession charges. All the adults are being held on \$200,000 bail.

Sandoval said the system failed Gutierrez and that authorities have an obligation to take care of her. "She can't go back to the apartment," he said. "She can't take care of herself."

Counihan maintains that, ultimately, Adult Protective Services workers did their job.

"(They) are in a situation sometimes when they have to endanger their own safety," she said. "The fact that they are willing to do that,



The building where police arrested six suspects is on Mission Street near 19th St.

they don't balk, is because they put the client's needs before own."

"This is obviously an extraordinary situation," Counihan said. "I don't think we have encountered anything remotely like it."

Chronicle staff writer
Buchanan contributed to this report.

E-mail Jaxan Van Derbeek
jvanderbeek@chronicle.co