



STATE HUMAN RIGHTS COMMITTEE

Vicki Cash Graff, Chairperson
Staunton
John Barrett, Vice-Chairperson
Richmond / Deltaville
Ann Bevan
Mechanicsville
Pete Daniel
Charlotte Court House
Sam Dillon
Big Stone Gap
Salina Greene
Alexandria
Ann Pascoe
Manassas
Sandy Robbins
Valentines
Timothy Russell
Williamsburg

Deb Lochart
State Human Rights Director
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COMMONWEALTH of VIRGINIA
Department of Behavioral Health and Developmental Services
Post Office Box 1797
Richmond, Virginia 23218-1797
JACK BARBER., M.D., INTERIM COMMISSIONER

State Human Rights Committee Meeting
MINUTES

Central State Hospital
26317 West Washington Street
Building 113, Room 222
Petersburg, VA 23803-0030

Friday, March 9, 2018

Administrative Session

8:30 a.m.

- Members Present** Vicki Cash Graff, **Chairperson**; John Barrett, **Vice-Chairperson**; Ann Bevan; Pete Daniel; Salina Greene; Ann Pascoe; Sandy Robbins; Timothy Russell
- Member Excused** Sam Dillon
- Staff Present** Deb Lochart, State Human Rights Director
Taneika Goldman, Assistant State Human Rights Director
Karen Taylor, Senior Assistant Attorney General
Carrie Flowers, Human Rights Advocate
Samantha Fogt, Human Rights Advocate
Cheryl Young, Human Rights Advocate
Kli Kinzie, Executive Secretary
- Others Present** George F. Daniel, Charlotte Court House
Mariah Deshields, Interested Person
- Call to Order** At 8:31, Vicki Cash Graff, Chairperson, called the administrative session of the March 9, 2018 State Human Rights Committee meeting to order.

- Approval of Agenda** At 8:31, the SHRC reviewed the agenda.
Upon a motion by John Barrett and seconded by Ann Bevan the agenda was approved unanimously.
- Correspondence and Information** At 8:32, Deb Lochart, State Human Rights Director, led the committee's review of correspondence and information. Ms. Lochart spoke about response to requests of delegates during the General Assembly, and gave a summary of VCBR appeal responses.
- Goals Workplan** At 8:39, the SHRC reviewed the goals workplan.
- BREAK** At 8:46, Vicki Cash Graff called for a break until 9:00.

Regular Session

9:00 a.m.

- Members Present** Vicki Cash Graff, **Chairperson**; John Barrett, **Vice-Chairperson**; Ann Bevan; Pete Daniel; Salina Greene; Ann Pascoe; Sandy Robbins; Timothy Russell
- Member Excused** Sam Dillon
- Staff Present** Deb Lochart, State Human Rights Director
Taneika Goldman, Assistant State Human Rights Director
Karen Taylor, Senior Assistant Attorney General
Priscilla Smith, Office of the State Inspector General
Dr. Rebecca A Vauter, Psy.D., Director, Central State Hospital (CSH)
Becky L. Sterling, CPRS, Director of Recovery Services
Carrie L. Flowers, Human Rights Advocate
Cheryl Young, Human Rights Advocate
Samantha Fogt, Human Rights Advocate
Kli Kinzie, Executive Secretary, Office of Human Rights
- Others Present** C.M., Mother of S.M.
M.M., Father of S.M.
Virginia Pharis, Advocate, dLCV
Mellissa Charnes-Gibson, Staff Attorney, dLCV
George F. Daniel, Charlotte Court House
Mariah Deshields, Interested Person
- Call to Order** At 9:00, Vicki Cash Graff, Chairperson, called the regular session of the March 9, 2018 State Human Rights Committee meeting to order. A call for introductions took place prior to proceeding.
- Draft Minutes** At 9:01, the SHRC reviewed the draft minutes of the January 26, 2018,

SHRC meeting.

Upon a motion by Pete Daniel and seconded by Ann Bevan the minutes of the January 26, 2018, State Human Rights Committee meeting were approved unanimously.

VCBR

At 9:01, the SHRC discussed VCBR monthly variance reporting. Timothy Russell commented that information in the report is clear.

Update OHR

At 9:02, Taneika Goldman, Assistant State Human Rights Director, provided an update on activities of the office of human rights. Sharae Henderson has accepted the position of Regional Advocate for Region 4. Mrs. Goldman reported that the department is in conversation with an applicant for the position of Regional Advocate for Region 2.

The office has concluded a thirteen month look behind study of closed community provider abuse neglect investigations. A total of 329 reviews have been conducted. Mrs. Goldman is working with the office of Data Quality & Visualization to finalize a report to present to the DBHDS Quality Improvement Committee. She offered to share the report with the committee when ready.

Mrs. Goldman spoke briefly about investigations training.

Subcommittee Update

At 9:05, Timothy Russell, Chairperson of the SHRC membership subcommittee, provided an update on recruitment. Vicki Cash Graff offered to contact a DOC provider in region 1 who has experience with sex offenders. Sam Dillon has stepped down from the committee due to personal reasons. The committee will seek to fill his position as well as the two vacancies coming up in July. Timothy Russell will reach out to others who meet the criteria for geographic region and qualify for code mandated positions. A reminder email will go out to human rights advocates asking for their assistance with recruiting SHRC members.

Subcommittee Update

At 9:15, Sandy Robbins, Chairperson of the officer nominating subcommittee, reported that the subcommittee recommends John Barrett as Chairperson and Ann Bevan as Vice-Chairperson for the upcoming term of July 1, 2018 to June 30, 2019. Ann Bevan asked Pete Daniels to consider serving as Vice-Chairperson. Vicki Cash Graff asked for nominations from the floor.

No further nominations were put to the floor. Voting will be conducted at a later meeting.

LHRC Business

At 9:18, the SHRC considered local human rights committee business.

Liaison Reports

Vicki Cash Graff called for LHRC liaison reports.

No LHRC liaison reports were offered.

SHRC members can reach out to staff for LHRC meeting times and locations.

**LHRC
Membership**

At 9:20, upon a motion by John Barrett and seconded by Pete Daniel the SHRC convened in closed session pursuant to Virginia Code §2.2-3711(A)(1) for the purpose of discussion and consideration of matters lawfully exempt from the Freedom of Information Act, namely to consider human rights committee membership.

Taneika Goldman presented the recommendations for membership.

Upon reconvening in open session all members of the SHRC certified that to the best of each member's knowledge, only public business matters lawfully exempt from statutory open meeting requirements, and only public business matters identified in the motion to convene the closed session, were discussed in the closed session.

At 9:25, upon a motion by Ann Bevan and seconded by Salina Greene the SHRC made the following local human rights committee reappointments per recommendations submitted by the human rights advocates. The motion passed unanimously.

Roanoke-Catawba LHRC

Reappoint:

Ms. Betty L. Crance and Ms. Lisa Hoyt

Appeal

At 9:30, the SHRC reviewed the appeal of Central State Hospital (CSH) v. CSH LHRC in the matter of S.M. SHRC members present for the appeal were Vicki Cash Graff, Chairperson; John Barrett, Vice-Chairperson; Ann Bevan; Pete Daniel; Salina Greene; Ann Pascoe; Sandy Robbins; and Timothy Russell. Dr. Rebecca A Vauter, Psy.D., Facility Director, was present on behalf of Central State Hospital. Present on behalf of S.M. were C.M., M.M., as well as Mellissa Charnes-Gibson, dLCV Staff Attorney. Carrie L. Flowers, Human Rights Advocate, CSH, was present to provide technical support. Also present were Deb Lochart, State Human Rights Director; Taneika Goldman, Assistant State Human Rights Director; Karen Taylor, Senior Assistant Attorney General; and Kli Kinzie, Executive Secretary, Office of Human Rights. At the request of C.M. and M.M. the appeal was conducted in Closed Session.

Upon a motion by John Barrett and seconded by Pete Daniel, the SHRC convened in closed session pursuant to Virginia Code § 2.2-3711(A) (1) for the purpose of discussion of matters lawfully exempt from the Freedom of Information Act.

Upon reconvening in open session, the State Human Rights Committee certified that to the best of each member's knowledge, only public business matters lawfully exempt from statutory open meeting requirements, and only public business matters identified in the motion to convene the closed session, were discussed in the closed session.

Upon a motion by Ann Bevan and seconded by Salina Greene the SHRC upholds the LHRC's findings of both violations, but also corrects the citation that references 12VAC35-115-30, the section containing the definition of "abuse," to the actual provision prohibiting abuse, which is section 12VAC35-115-50(B)(2), Dignity.

The SHRC recommends that CSH provide annual training on its policies governing searches.

Presentation

At 10:41, Becky Sterling, Director of Recovery Services, DBHDS, gave a presentation on peer support recovery. Ms. Sterling opened with a general description of the role and duties of her office and spoke about the changing culture of the system and the relationships fostered by Peer Specialists in supporting the recovery of people in the community.

Public Comments

At 11:17, Vicki Cash Graff called for public comments.

Virginia Pharis, Advocate, Disability Law Center of Virginia (dLCV), addressed the SHRC on the status of the extraordinary barriers to discharge list (EBL). Ms. Pharis provided a summary of the progress of moving individuals into appropriate placements. The EBL is down to 157 people with an average wait of 197 days. As the system is shifting from facilities to a local approach, dLCV has been advocating and facilitating wider access to services in the community. The SHRC thanks dLCV for their vigilance in assuring services delivery in least restrictive environments.

Vicki Cash Graff called for additional public comments. *No further public comments were offered.*

LUNCH

At 11:30, Vicki Cash Graff called for a break for lunch.

Bylaws

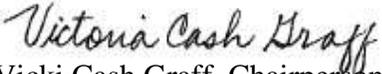
At 11:51, the Taneika Goldman presented notices of updated bylaws from the following four local human rights committees in Region 4: Goochland-Powhatan LHRC; ANUE LHRC; Central State Hospital LHRC; and Chesterfield LHRC. All four of the noted LHRCs utilized language of the model bylaws. Mrs. Goldman reported that the committee has now received notice of updated bylaws from all existing local human rights committees.

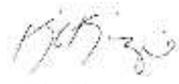
Other

Taneika Goldman reported that Ann Pascoe has accepted the position of DBHDS Regional Advocate for Region 2. Ms. Pascoe's resignation from the SHRC leaves an additional vacancy on the committee.

Adjournment *At 12:03, the March 9, 2018 SHRC meeting adjourned.*

Respectfully Submitted,


Vicki Cash Graff, Chairperson
State Human Rights Committee


Kli Kinzie,
Executive Secretary

Next Meeting
Friday, April 20, 2018
Region 5, Tidewater