

STATE HUMAN RIGHTS COMMITTEE

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Richmond / Deltaville  
Ann Bevan, Vice-Chairperson  
Mechanicsville  
Julie Dwyer-Allen  
Leesburg  
David Boehm  
Marion  
Will Childers  
Hardy  
Pete Daniel  
Charlotte Court House  
Latesha Graham  
Portsmouth  
Monica Lucas  
Richmond  
Sandy Robbins  
Valentines



**COMMONWEALTH of VIRGINIA**  
*Department of Behavioral Health and Developmental Services*  
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S. HUGHES MELTON, MD, MBA, FFAFP, FABAM, COMMISSIONER

Deb Lochart  
State Human Rights Director  
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State Human Rights Committee Meeting  
**MINUTES**  
Friday, July 13, 2018

Good Neighbor Homes  
7501 Boulder View Drive  
Nationwide Building, Suite 601  
North Chesterfield, Virginia  
23225

**Administrative Session**  
8:30 a.m.

**Members Present** John Barrett, **Chairperson**; Ann Bevan **Vice-Chairperson**; David Boehm;  
Will Childers; Pete Daniel; Monica Lucas; Sandy Robbins

**Members Excused** Julie Dwyer-Allen; Latesha Graham

**Staff Present** Deb Lochart, State Human Rights Director  
Taneika Goldman, Assistant State Human Rights Director  
Karen Taylor, Senior Assistant Attorney General  
Cassie Purtlebaugh, Regional Human Rights Manager, Region 1  
Sharae Henderson, Regional Human Rights Manager, Region 4  
Kli Kinzie, Executive Secretary

**Others Present** George F. Daniel, Charlotte Court House

**Call to Order** At 8:32, John Barrett, Chairperson, called the administrative session of the  
July 13, 2018 State Human Rights Committee meeting to order.

**Address from the Chair** John Barrett addressed the committee regarding SHRC meetings and  
expectations of membership. SHRC members are expected to attend at least 2  
LHRC meetings per year in their catchment areas. Members were encouraged  
to reach out to the Regional Managers for meeting dates and locations.

Chairman Barrett announced that he will appoint 4 subcommittees:  
membership committee; officer committee; policy committee; and bylaws

committee. Members should email John Barrett to let him know their preference for membership on the subcommittees.

### **Approval of Agenda**

At 8:38, the SHRC considered the agenda.

*Upon a motion by Pete Daniel and seconded by Sandy Robbins the agenda was approved unanimously.*

### **Correspondence and Information**

At 8:39, Deb Lochart, State Human Rights Director, led the review of correspondence and information. She talked briefly to the new members about travel arrangements for SHRC meetings.

Some SHRC meeting agendas focus on DBHDS facilities. Ms. Lochart and John Barrett met on July 3 and discussed the committee's monitoring efforts on seclusion and restraint as well as other issues. Ms. Lochart commented that it is important to note the positive things going on as well as the issues needing attention. To this end, Deb Lochart and Taneika Goldman invite the human rights advocates to SHRC meetings to provide an overview of facilities and to report on system issues.

Deb Lochart and Taneika Goldman are evaluating LHRC tasks such as the review of barriers to discharge, in consideration of how the LHRCs can support our staff's efforts to advocate for our individuals. There are ongoing efforts to identify issues as we consider the long term effects of services being provided. The human rights office is excited to move forward with constant improvements in how we do business.

During the October SHRC meeting we will develop an agenda for the December meeting. At that time we should take the opportunity to review reports and consider what changes would be appropriate. Ms. Lochart provided a one-page report on Virginia Center for Behavioral Rehabilitation (VCBR) and asked the SHRC to consider whether it would like a similar report as a regular submission for SHRC meetings. Taneika Goldman said that the advocates have this report for the other facilities. Deb Lochart added that she can do this report for the SHRC on each facility including VCBR.

Deb Lochart asked the SHRC to look at the Goals Workplan. At the June 15 meeting Mary Clair O'Hara, Clinical Training Manager in the Office of Clinical Quality & Risk Management, DBHDS, talked about seclusion and restraint. At that time Ms. O'Hara gave Deb Lochart a three-page monthly report. Ms. Lochart provided the report to the SHRC and asked if this is something they find valuable and would want to see at future meetings. She went on to say that we are making efforts to cut down on unnecessary submissions.

Deb Lochart talked about the temporary relocating of a VCBR resident while reconstruction on the facility is completed.

**OHR Initiatives**

At 8:53, Taneika Goldman, Assistant State Human Rights Director, provided an update on initiatives of the office of human rights. Taneika Goldman and Deb Lochart attended the July 11, 2018 DBHDS State Board meeting to present the recommendations for SHRC appointments and to report on the annual Executive Summary.

Deb Lochart reported that the human rights office welcomes Heather Oakes as the new human rights advocate in the southwest region (Region 3). Ms. Oakes brings with her a lot of knowledge about post-move monitoring.

**BREAK**

At 8:57, Chairman Barrett called for a brief break.

**Regular Session**

9:05 a.m.

**Members Present**

John Barrett, **Chairperson**; Ann Bevan **Vice-Chairperson**; David Boehm; Will Childers; Pete Daniel; Monica Lucas; Sandy Robbins

**Members Excused**

Julie Dwyer-Allen; Latesha Graham

**Staff Present**

Deb Lochart, State Human Rights Director  
Taneika Goldman, Assistant State Human Rights Director  
Karen Taylor, Senior Assistant Attorney General  
Cassie Purtlebaugh, Regional Human Rights Manager, Region 1  
Sharae Henderson, Regional Human Rights Manager, Region 4  
Kli Kinzie, Executive Secretary

**Others Present**

George F. Daniel, Charlotte Court House

**Present for Tour**

Crystal K. Lipford, Associate DD Director, Good Neighbor Homes  
Bernetta Weels, In-Home House Supervisor, Good Neighbor Homes  
Shanticia McFarland, Regional Manager and Team Leader, Good Neighbor Homes

**Present for the Appeal**

Don Sherman, Director of Corporate Integrity/CECO, Rockbridge Area CSB  
SS1, Complainant and Mother of SS2  
SS2, Client  
JS, Father of SS2  
CS, Sister of SS2  
JS, Brother of SS2

<b>Call to Order</b>	At 9:05, John Barrett, Chair, called the regular session of the July 13, 2018 State Human Rights Committee meeting to order. A call for introductions took place prior to proceeding.
<b>Draft Minutes</b>	<p>At 9:06, the SHRC reviewed the draft minutes of the June 15, 2018 SHRC meeting.</p> <p><i>Upon a motion by Ann Bevan and seconded by Sandy Robbins the minutes of the June 15, 2018 State Human Rights Committee meeting were unanimously approved.</i></p>
<b>Request for Extension</b>	<p>At 9:07, Deb Lochart asked for an extension on rendering the decision for SHRC Appeal 18-03 in accordance with section 150 E of the human rights regulations.</p> <p><i>Upon a motion by Sandy Robbins and seconded by Ann Bevan the SHRC unanimously granted the request for an extension to submit the appeal finding for SHRC Appeal 18-03 until July 27, 2018.</i></p>
<b>Welcome</b>	At 9:09, John Barrett called for introductions. Crystal Lipford, Associate DD Director at Good Neighbor Homes joined the meeting and welcomed the committee. Ms. Lipford spoke briefly about the services provided by the program and the populations served.
<b>Tour</b>	At 9:12, Crystal Lipford accompanied the SHRC and others on a tour of a group home on River Road.
<b>Appeal</b>	<p>At 10:23, the committee considered the appeal of SS1 versus Shenandoah Area LHRC in the Matter of SS2 and Rockbridge Area Community Services. A call for introductions took place prior to proceeding.</p> <p>Don Sherman, Director of Corporate Integrity/CECO, Rockbridge Area CSB, was present on behalf of the program. SS1, Complainant and mother of SS2, was present on behalf of SS2. Also present were SS2, Client; JS, father; CS, sister; and JS, brother of SS2. Cassie Purtlebaugh, Human Rights Regional Manager, Region 1, was present to provide technical assistance.</p> <p>SHRC members present were John Barrett, Chair; Ann Bevan, Vice-Chair; David Boehm; Will Childers; Pete Daniel; Monica Lucas; and Sandy Robbins. Also present in the room 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 for the Office of Human Rights.</p> <p>At the request of SS1 the appeal was conducted in Closed Session.</p>

*Upon a motion by Sandy Robbins 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.*

Parties to the appeal gave their statements followed by questions from the committee.

At 11:42, 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 made by Ann Bevan and seconded by Pete Daniel the SHRC determines that the LHRC hearing procedure was inadequate because the LHRC failed to consider the request by petitioner that additional recommendations be made for corrective action. The LHRC did not provide written findings of fact and recommendations to the parties and their representatives on petitioner's request for staff changes or disciplinary action.

Although the SHRC recognizes that neither it nor the LHRC has the authority to actually make or compel staff changes on its own accord, the SHRC believes the LHRC should have at least acknowledged this request by petitioner, since it was clearly brought forth in her petition for the May 3, 2018 LHRC hearing. The SHRC therefore recommends that RACS review its action plan and consider staffing patterns and trends.

**Public Comment** At 11:43, John Barrett called for public comments. *No public comments were offered.*

**LUNCH** At 11:43, John Barrett called for a break for lunch.

**LHRC Business** At 11:56, the SHRC considered local human rights committee business.

**Liaison Reports** John Barrett called for LHRC Liaison Reports. *No reports were offered.*

**LHRC Membership** *At 11:56, upon a motion by Sandy Robbins and seconded by Ann Bevan 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 committees and membership.*

Taneika Goldman presented a recommendation for appointment in Region 1, and a recommendation for disbandment of a LHRC in Region 1.

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 12:00, upon a motion by Ann Bevan and seconded by John Barrett the SHRC unanimously approved the disbandment of Shenandoah Area LHRC and made the following LHRC appointment as recommended:*

Region 1                      Western State Hospital LHRC  
   Appoint: Ms. Teresa Bouthillier

**Orientation**                      At 12:04, Deb Lochart provided a refresher to the experienced committee members and an orientation for the new members.

**Adjournment**                      *At 12:34, upon a motion by David Boehm and seconded by Will Childers the July 13, 2018 SHRC meeting adjourned.*

The next meeting is scheduled for September 14, 2018 at Commonwealth Center for Children and Adolescents in Staunton.

Respectfully Submitted,

John Barrett, Chair  
State Human Rights Committee

Kli Kinzie,  
Executive Secretary