

## STATE HUMAN RIGHTS COMMITTEE

Julie C. Allen, Chairperson  
Springfield  
David Boehm, Vice-Chairperson  
Marion  
Wil Childers  
Hardy  
Betty Crance  
Fincastle  
David Crews  
Chatham  
Monica Lucas  
Richmond  
Timothy Russell  
Williamsburg



# COMMONWEALTH of VIRGINIA

Department of Behavioral Health and Developmental Services  
Post Office Box 1797  
Richmond, Virginia 23218-1797  
NELSON SMITH, COMMISSIONER

Taneika Goldman  
State Human Rights Director  
Taneika.Goldman@dbhds.virginia.gov

Office of Human Rights  
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## State Human Rights Committee Meeting

### VIRTUAL MEETING

#### *Minutes*

Thursday, June 23, 2022

DBHDS

DBHDS

Service Source

10467 White Granite Drive

Oakton, Virginia

22124

Zoom for Government

<https://dbhds.zoomgov.com/j/1617839100>

Meeting ID: 161 783 9100

Passcode: \$HRCMet1ng

#### Convene

9:45 a.m.

#### SHRC Members Present Physically

Julie C. Allen, **Chair**; Will Childers; Betty Crance; David Crews

#### SHRC Members Present Virtually

David Boehm, **Vice-Chair**; Monica Lucas; Timothy Russell

#### Staff Present Physically

Taneika Goldman, State Human Rights Director  
Karen A. Taylor, Senior Assistant Attorney General, Counsel to the SHRC  
Mary Clair O'Hara, Associate Director for Facility Operations  
Ann Pascoe, Regional Advocate Manager, Region 2  
Kli Kinzie, Executive Secretary

#### Staff Attending Virtually

Artea Ambrose, Human Rights Advocate  
Tony Davis, Human Rights Advocate  
Amaya Henderson, Administrative Assistant Facility Operations  
Heather Hilleary, Human Rights Advocate  
Angela Dodson, Human Rights Advocate  
Latoya Wilborne, Human Rights Advocate  
Corie Reed, Human Rights Advocate  
Reginald Daye, Regional Advocate Manager, Region 5

	Mykala Sauls, Human Rights Advocate
<b>Others Present Physically</b>	Kathleen Baker, Program Compliance Administrator, Service Source Farazana Kennedy, LHRC Member Susan Evers, LHRC Member
<b>Others Attending Virtually</b>	Nicole Evans, Intern, Disability Law Center of Virginia Kerry Kruk, Team Lead Human Rights Coordinator, Virginia Beach Department of Human Services Stacy O'Toole, Counsel for Virginia Beach Department of Human Services Anthony Mercado, Individual Stephanie Nesbit, LHRC Member Nicole Evans, Intern, disAbility Law Center of Virginia Amanda Stephenson, Intern, disAbility Law Center of Virginia Jodi Diaz, Director of Performance Improvement, Virginia Beach Psychiatric Center Robert Herbert, Counsel for Virginia Beach Psychiatric Center
<b>Call to Order</b>	At 9:45, Julie C. Allen, SHRC Chair, called the June 23, 2022, SHRC meeting to order. Chair Allen welcomed everyone to the meeting. A call for introductions took place prior to proceeding.
<b>Welcome and Overview</b>	At 9:50, Kathleen Baker, Program Compliance Administrator, Service Source, welcomed the SHRC and provided an overview of programs and services offered by Service Source, in the area.
<b>Approval of Agenda</b>	At 10:03, the committee considered the agenda.  <i>At 10:03, a motion was made by David Crews and seconded by Betty Crance to approve the June 23, 2022 agenda. All members voted to pass the motion.</i>
<b>Information</b>	At 10:04, Taneika Goldman, State Human Rights Director, notified the SHRC that Central State Hospital has initiated the process to request variances. The facility sought and obtained approval from the DBHDS Commissioner, presented the variances to the LHRC and the information was posted to the VA Register on June 10, 2022, pursuant to the process outlined in 12VAC35-115-220. Public comments will be accepted from July 4 – August 3, 2022.  Mrs. Goldman is working on the draft SHRC Annual Report, which will be presented to the DBHDS State Board on July 13.
<b>LHRC Liaison Reporting</b>	At 10:13, Julie Allen, SHRC Chair, called for liaison reports.  <i>There were no Liaison reports at this time.</i>
<b>Review of Draft Minutes</b>	At 10:14, the SHRC reviewed the draft minutes of the May 19, 2022, meeting.  <i>At 10:14, a motion was made by David Crews and seconded by Betty Crance to approve the May 19, 2022, minutes as submitted. All members voted to pass the motion.</i>

<b>LHRC Membership</b>	At 10:14, Taneika Goldman discussed the LHRC appointment/reappointment applications. After some discussion, the committee decided to table the discussion until later on the agenda.
<b>Public Comment Period</b>	At 10:27, Julie Allen called for public comments. <i>No public comments were offered.</i>
<b>Appeal: AM v Rappahannock Area CSB</b>	At 10:30, the SHRC reviewed the Appeal of Charlottesville Area LHRC's Findings in the Matter of AM v Rappahannock Area CSB. A call for introductions took place prior to proceeding.

The SHRC honored the request of AM to hear the appeal in closed session.

AM was present to speak on his own behalf. Stephanie Terrell, Director of Compliance and Human Rights and Joe Wickens, Executive Director were virtually present representing Rappahannock Area CSB. SHRC members present in person were Julie Allen, Chair; Will Childers; Betty Crance; and David Crews. SHRC members present virtually were David Boehm, Vice Chair; Monica Lucas; and Timothy Russell. Heather Hilleary, Human Rights Advocate, Artea Ambrose, Human Rights Advocate and Amaya Henderson, Administrative Assistant to Operations was present virtually to provide technical assistance. Also present in the room were Taneika Goldman, State Human Rights Director; Karen A. Taylor, Senior Assistant Attorney General, Counsel to the SHRC; and Kli Kinzie, Executive Secretary.

<b>Closed Session</b>	<i>At 10:36, upon a motion by Will Childers and seconded by David Crews the SHRC convened in closed session pursuant to VA CODE § 2.2-3711 (A) (4) (8) and (16), for the protection of the privacy of individuals in personal matters not related to public business, discussion of their medical records, and for consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel.</i>
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*Upon a motion by Will Childers, the SHRC returned to open session. Upon reconvening in open session each member certified that, to the best of their knowledge, only matters lawfully exempted from open meeting requirements and only such matters related to the stated reason for going into closed session were heard, discussed, or considered.*

The SHRC's written response will be issued to all parties within 20 working days.

**Appeal:** S v Va Beach Department of Human Services At 11:35, the SHRC considered the Appeal of Health Planning Region 5 LHRC in the Matter of S. v Virginia Beach Department of Human Services. A call for introductions took place prior to proceeding.

The SHRC honored the request of SS to hear the appeal in closed session.

WS, petitioner, was present virtually along with the individual, SS. Kerry Kruk, Team Lead Human Rights Coordinator, and Stacy O'Toole, Behavioral Health Services Division Administrator, Allison James, Virginia Beach Department of Human Services, Continuous Quality Improvement, Human Rights Coordinator and Christianna Dougherty-Cunningham, City of Virginia Beach, City Attorney, were present virtually to represent Virginia Beach Department of Human Services. SHRC members present in person were Julie Allen, Chair; Will Childers; Betty Crance; and David Crews. SHRC members present virtually were David Boehm, Vice Chair; Monica Lucas; and Timothy Russell. Reginald T. Daye, Regional Advocate Manager for Region 5; Latoya Wilborne, Human Rights Advocate; Angela Dodson, Human Rights Advocate and Corie Reed, Human Rights Advocate, were present virtually to provide technical assistance for the appeal. Amaya Henderson, Administrative Assistant to Operations, was present virtually to provide technical assistance. Also present in the room were Taneika Goldman, State Human Rights Director; Karen A. Taylor, Senior Assistant Attorney General, Counsel to the SHRC; and Kli Kinzie, Executive Secretary.

**Appeal:** S v Va Beach Psychiatric Center At 12:02, the SHRC considered the Appeal of Health Planning Region 5 LHRC in the Matter of S. v Virginia Beach Psychiatric Center. A call for introductions took place prior to proceeding.

The SHRC honored the request of SS to hear the appeal in closed session.

WS, petitioner, was present virtually along with the individual, SS. Jodi Diaz, Director of Performance Improvement, Virginia Beach Psychiatric Center, and Robert Herbert, Counsel for Virginia Beach Psychiatric Center, were present virtually to represent the program. SHRC members present in person were Julie Allen, Chair; Will Childers; Betty Crance; David Crews. SHRC members present virtually were David Boehm, Vice Chair; Monica Lucas; and Timothy Russell. Reginald T. Daye, Regional Advocate Manager for Region 5; Latoya Wilborne, Human Rights Advocate; Angela Dodson, Human Rights Advocate and Corie Reed, Human Rights Advocate, were present virtually to provide technical assistance for the appeal. Amaya Henderson, Administrative Assistant to Operations, was present virtually to provide technical assistance. Also present in the room were Taneika Goldman, State Human Rights Director; Karen A. Taylor, Senior Assistant Attorney General, Counsel to the SHRC, and Kli Kinzie, Executive Secretary.

*Closed Session* At 12:04, upon a motion by Will Childers the SHRC convened in closed session pursuant to VA CODE § 2.2-3711 (A) (4) (8) and (16), for the protection of the privacy of individuals in personal matters not related to public business, discussion of their

*medical records, and for consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel.*

*Upon a motion by Will Childers, the SHRC returned to open session. Upon reconvening in open session each member certified that, to the best of their knowledge, only matters lawfully exempted from open meeting requirements and only such matters related to the stated reason for going into closed session were heard, discussed, or considered.*

The SHRC's written response will be issued to all parties within 20 working days.

**BREAK** At 12:34, Julie Allen called for a break.

**Closed Session** At 1:00, upon a motion by Will Childers the SHRC convened in closed session pursuant to VA CODE § 2.2-3711 (A) (4) (8) and (16), for the protection of the privacy of individuals in personal matters not related to public business, discussion of their medical records, and for consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel.

**Consent Review:** MR v SWVMHI At 2:00, the SHRC considered a Consent review. SHRC members present in person were Julie Allen, Chair; Will Childers; Betty Crance; and David Crews. SHRC members present virtually were David Boehm, Vice Chair; Monica Lucas; and Timothy Russell. Also present in the room were Taneika Goldman, State Human Rights Director; Karen A. Taylor, Senior Assistant Attorney General, Counsel to the SHRC; Mary Clair O'Hara, Associate Director for Facility Operations; and Kli Kinzie, Executive Secretary. Mykala Sauls, Human Rights Advocate; was present virtually on behalf of the individual, MR. Amaya Henderson, Administrative Assistant to Operations, was present virtually to provide technical assistance.

**LHRC Business** At 12:13, the SHRC considered LHRC business.

**LHRC Membership** At 2:13, the SHRC resumed discussion and reviewed recommendations for LHRC membership. Taneika Goldman presented the recommendations.

*Upon a motion by Will Childers, the SHRC returned to open session. Upon reconvening in open session each member certified that, to the best of their knowledge, only matters lawfully exempted from open meeting requirements and only such matters related to the stated reason for going into closed session were heard, discussed, or considered.*

*At 2:18, upon a motion by Will Childers and seconded by David Crews the SHRC unanimously made the following reappointment and acknowledged the resignation of Cheryl Wacker from NVH LHRC.*

Region 1

Staunton Area LHRC

Reappoint: Doug Cochran

*At 2:18, upon a motion by Will Childers and seconded by David Boehm the SHRC unanimously voted not to reappoint Celia Kellerman to the NVH LHRC. A letter of explanation will be sent to the applicant. Julie Allen abstained from the vote.*

*At 2:19, upon a motion by Timothy Russell and seconded by David Crews the SHRC unanimously made the following appointment and reappointment.*

Region 4

Tri-City LHRC

Appoint: Laurel Borrell

Reappoint: Juanita Coleman

**Facility Reports** *At 2:20, Julie Allen, SHRC Chair, tabled facility reports until the next meeting. Mary Clair O'Hara, Associate Director for Facility Operations, said VCBR individuals are occupying the new building. The SHRC may be able to meet at VCBR in September or October 2022.*

Seclusion/  
Restraint &  
Death Data

Violation Letters *Tabled*

VCBR Report *Tabled*

Community  
Operations  
Report *Tabled*

**Sub-committees** *At 2:26, Taneika Goldman talked briefly about recruitment for 2 new SHRC members.*

Policy David Boehm; Mary Clair O'Hara, Staff  
Subcommittee *Nothing to report at this time.*

Workplan / Membership Subcommittee Timothy Russell, Chair; David Boehm; and David Crews  
*Nothing to report at this time.*

Bylaws Subcommittee Monica Lucas, Chair; Cora Swett; Jennifer Kovack, Staff  
*Nothing to report at this time.*

Officer Subcommittee Officer Subcommittee: Will Childers and Betty Crance  
*Nothing to report at this time.*

**Adjournment** *At 2:28, having no further business to discuss the June 23, 2022, SHRC meeting adjourned.*

Next Meeting

August 18, 2022

City of Virginia Beach Department of Human Services  
Region 5