

**State Human Rights Committee
Meeting Minutes**

Department of Behavioral Health and Developmental Services (BHDS)
STATE HUMAN RIGHTS COMMITTEE
Advanced Learning Center
RCATT Building
121 Slayton Avenue
Danville, Virginia 24540
April 16, 2010

Administrative Meeting

Committee Members Present	Kirby Wright, Chair ; Christina Delzingaro, Vice-Chair , Carolyn M. DeVilbiss, Randy Johnsey, Joseph Lynch Donald Lyons, Jannie Robinson
Members Not Present	Delores Archer, Frank Royal
Human Rights Staff	Margaret Walsh, State Human Rights Director Kli Kinzie, Executive Secretary Deb Lochart, Regional Human Rights Advocate, Region 2 Nancy C. Neese, Regional Human Rights Advocate, Region 3 Michael Curseen, Human Rights Manager, Region 4 and Central State Hospital Beverly W. Garnes, Human Rights Manager, Region 4 and Southside Virginia Training Center Sherry C. Miles, Regional Human Rights Advocate, Region 6 Roanna Deal, Human Rights Advocate, Southern Va Mental Health Institute Carrie Flowers, Human Rights Advocate, Southside Virginia Training Center , Hiram Davis Medical Center and Eastern State Hospital J. Beth Lee, Human Rights Advocate, Central Virginia Training Center Stewart Prost, Human Rights Advocate, Southeastern Virginia Training Center Timothy Simmons, Human Rights Advocate, Northern Va Mental Health Institute
Other Staff	Karen DeSousa, DBHDS Special Counsel
Others	Thomas "TC" Bullock, Interested Person Josephene Johnsey, Interested Person

Call to Order At 8:33 a.m. Mr. Kirby Wright, Chair, opened the administrative session of the State Human Rights Committee meeting. A call for introductions took place before proceeding.

Review of July SHRC meeting date At 8:36 the Committee considering changing the July meeting date from July 16 to July 9, 2010. The Committee decided to change the date to July 9. Deb Lochart confirmed availability of the meeting room at Rappahannock Area Community Services Board in Fredericksburg.

SHRC Workplan At 8:38 the Committee reviewed goals for the upcoming year.

The Committee confirmed that members should attend at least two LHRC meetings a year.

The Communications Subcommittee was appointed during the March 5, 2010 meeting. Carolyn DeVilbiss, Communications Chair, Randy Johnsey and Frank Royal will work on how to enhance communication foster greater news and idea sharing among the SHRC and the LHRCs.

Variance Tracking Sheet and Ticker System At 8:42 the Committee reviewed information added to the Variance tracking sheet. The revised tracking sheet informs about actions performed and closing loops on decisions made.

Draft SHRC Annual Report At 8:45 Margaret Walsh reviewed progress on the SHRC 2009 Annual Report. Ms. Walsh will finalize the report for presentation to the State Board of DBHDS on June 25, 2010 at Rappahannock - Rapidan Community Services Board in Culpeper.

A motion was made by Carolyn DeVilbiss and seconded by Jannie Robinson to approve the SHRC 2009 Annual Report for submission to the State Board of DBHDS on June 25, 2010.

Christina Delzingaro suggested follow-up to the Retreat meeting held on Thursday, April 15, 2010. The Committee decided to meet on Thursday evening, June 10, at 6:30 p.m., at Southside Virginia Training Center. This would be the evening before the next regularly scheduled SHRC meeting in Petersburg.

Break At 8:55 a.m. Chairman Wright called for a break until 9:15.

Regular Meeting

Committee Kirby Wright, Chair; Christina Delzingaro, Vice-Chair, Carolyn

Members Present	M. DeVilbiss, Randy Johnsey, Joseph Lynch, Donald Lyons, Jannie Robinson
Members Not Present	Delores Archer, Frank Royal
Human Rights Staff	<p>Margaret Walsh, State Human Rights Director Kli Kinzie, Executive Secretary Deb Lochart, Regional Human Rights Advocate, Region 2 Nancy C. Neese, Regional Human Rights Advocate, Region 3 Michael Curseen, Human Rights Manager, Region 4 and Central State Hospital Beverly W. Garnes, Human Rights Manager, Region 4 and Southside Virginia Training Center Sherry C. Miles, Regional Human Rights Advocate, Region 6 Roanna Deal, Human Rights Advocate, Southern Va Mental Health Institute Carrie Flowers, Human Rights Advocate, Southside Virginia Training Center , Hiram Davis Medical Center and Eastern State Hospital J. Beth Lee, Human Rights Advocate, Central Virginia Training Center Stewart Prost, Human Rights Advocate, Southeastern Virginia Training Center Timothy Simmons, Human Rights Advocate, Northern Va Mental Health Institute</p>
Other Staff	Karen DeSousa, DBHDS Special Counsel
Others	<p>Thomas “TC” Bullock, Interested Person Scott Cook, CEO, Hallmark Youthcare Charles Hodges, Consultant to Hallmark Youthcare Josephene Johnsey, Interested Person</p>
Call to Order and Welcome	Kirby Wright called the meeting to order at 9:20 a.m. A call for introductions took place prior to proceeding.
Minutes	<i>At 9:21 Upon a motion by Jannie Robinson and seconded by Christina Delzingaro the minutes of the March 5, 2010 SHRC meeting were approved with one abstention.</i>
Approval of Agenda	At 9:22 Chairman Wright announced a correction to the agenda. The agenda item “Election of Officers” was revised to “Nomination of Officers”.

Nomination of Officers

At 9:23 Jannie Robinson reported that the Nominating Committee is recommending Christina Delzingaro as Chair and Randy Johnsey as Vice-Chair for the upcoming term of July 1, 2010 thru June 30, 2011. Kirby Wright called for nominations from the floor. No other nominations were offered. The Committee will vote for officers during the June 11, 2010, meeting in Petersburg.

SHRC Membership

At 9:24 a motion was made and passed to go into closed session pursuant to 2.2-3711.A.1 and 4 for the purpose of discussion, consideration and interview of a prospective candidate to recommend for appointment to the SHRC, and the protection of that individual in personal matters not related to public business.

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 closed session.

Christina Delzingaro reported on the activities of the membership committee. The committee reviewed applications to fill two vacancies that will open on July 1, 2010 upon expiration of the terms of Kirby Wright and Delores Archer.

At 9:35 the SHRC interviewed Ms. Penny Cameron via teleconference.

At 9:55 the SHRC interviewed Mr. Thomas "TC" Bullock.

Upon a motion by Christina Delzingaro and seconded by Donald Lyons the SHRC unanimously voted to recommend that the State Board of DBHDS appoint Ms. Penny Cameron and Mr. Thomas C. Bullock to the SHRC.

Communications Committee

At 10:12 Carolyn DeVilbiss provided a summary of her visits to Local Human Rights Committee meetings. Ms. DeVilbiss highlighted concerns and challenges faced by the LHRCs and complemented them on the hard work they do.

Public Comment

At 10:25 Kirby Wright called for Public Comments. *There were no Public Comments.*

Region 6 Annual Report

At 10:25 Staff of Region 6 presented their Annual Report. Sherry Miles, Roanna Deal and Beth Lee highlighted systemic issues and

discussed some concerns with activities in the region.

Variance: Hallmark Youthcare

At 11:15 Sherry Miles introduced Mr. Scott Cook, CEO, and Mr. Charles Hodges, Consultant, for Hallmark Youthcare. The program is requesting a Variance to 12 VAC 35-115-50 3 a, Dignity for the use of Video Monitoring in bedrooms. Mr. Cook reported that the program provides treatment to adolescent sex offenders. Mr. Cook and Mr. Hodges reported that they surveyed other similar programs and explored alternate means of monitoring in the interest of maintaining a safe environment and emotional security for their residents.

A motion was made by Joseph Lynch and seconded by Randy Johnsey to postpone the decision on until the SHRC can review more information on best practices for this population.

Margaret Walsh will contact the Office of Sexually Violent Predator Services. The SHRC will review additional information during the June 11, 2010, meeting in Petersburg and then communicate again with Hallmark Youthcare. The program is directed to cease the use of the video cameras in bedrooms until further notice. The program was asked also to document the less restrictive methods tried prior to the implementation of video monitoring in bedrooms.

Kirby Wright thanked Scott Cook Charles Hodges for coming to speak with the committee. The SHRC will follow-up with the program after more information is reviewed.

Variance: Virginia Beach Psychiatric Center

At 11:45 Stewart Prost presented the annual report for Variance to 12 VAC 35-115-110, Structured Living Program, for Virginia Beach Psychiatric Center. Mr. Prost reported that the variance has been on-going since June of 1995. The program has not gone beyond the time frames and the variance continues to be beneficial.

Kirby Wright thanked Stewart Prost for the report.

FOIA Training, including Rules for attending meetings via telecom

At 11:55 Karen DeSousa reviewed the significant changes made to the Freedom of Information Act since the last legislative session. All members of public bodies should read and be familiar with the Act. Ms. DeSousa highlighted also the rules for attending public meetings via teleconference, both for members of the public body and for people interested in attending public meetings remotely.

Health Care Decisions Act At 12:25 Karen DeSousa provided training on the Health Care Decisions Act.

Bylaws: Central Area LHRC At 12:44 Beverly Garnes presented the bylaws for the Central Area LHRC.

Upon a motion by Christina Delzingaro and seconded by Jannie Robinson and Carolyn DeVilbiss the SHRC unanimously approved the bylaws for Central Area Local Human Rights Committee as submitted.

Bylaws: Genesis LHRC At 12:45 Stewart Prost presented the modification to the Genesis LHRC Bylaws.

Upon a motion by Christina Delzingaro and seconded by Carolyn DeVilbiss the SHRC unanimously approved the Bylaws modification for Genesis LHRC.

Bylaws: Bay Regional LHRC At 12:46 Stewart Prost presented the Bylaws for Bay Regional LHRC.

Upon a motion by Christina Delzingaro and seconded by Randy Johnsey the SHRC unanimously approved the Bylaws for Bay Regional LHRC as submitted.

LHRC Membership At 12:48 upon a motion by Christina the SHRC convened in closed session pursuant to Virginia Code §2.2-3711(1) for the purpose of discussion and consideration of appointments Local Human Rights Committees.

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 closed session.

Removals: *Upon a motion by Christina Delzingaro and seconded by Jannie Robinson the SHRC unanimously removed Mr. Robbin L. Belfield from Hampton Roads Regional LHRC and Ms. Wendy DeMarzio from the Central Area LHRC.*

Resignation: The SHRC acknowledged the resignation letter of Mr. Lewis Newbill from Southside Virginia Training Center LHRC.

Upon a motion made by Christina and seconded by Randy and Jannie the SHRC unanimously appointed the following applicants to the specified local human rights committees.

- Region 2
Arlington LHRC
 Appoint: Mr. Christopher Harding,
Northern Virginia Regional LHRC
 Reappoint: Ms. Susan R. Lowery
Fairfax-Falls Church CSB
 Reappoint: Mr. Chris Harrison

- Region 4
Southside Virginia Training Center LHRC
 Reappoint: Ms. R. Jean Grim
Crater LHRC
 Reappoint: Ms. R. Jean Grim

- Region 5
Ocean View Regional LHRC
 Reappoint: Ms. Rosalyn L. Wiggins
Suffolk Regional LHRC
 Reappoint: Ms. Joan E. Edwards
Virginia Beach Area LHRC
 Appoint: Ms. Robyn V. Morris
 Reappoint: Mr. Kevin M. Bowing, Ms. Shauna Robey
Hampton Roads Regional LHRC
 Appoint: Mr. Christopher R. Boyd, Ms. Phyllis Frye
Health Planning Region V
 Reappoint: Ms. Betty Morgan
Southeast Alliance LHRC
 Reappoint: Ms. Lisa O. Hillman, Ms. Gail Russell

- Region 6
Central Virginia Community Services
 Reappoint: Ms. Jennifer H. Kerns
Danville-Pittsylvania County Regional LHRC
 Appoint: Ms. Kelly D. Matthews, Mr. Gregory T. Casker,
 Mr. D. Jeffrey Rodden, Ms. Beverly A. Scruggs,
 Ms. Esther Goins, Ms. Lesa Shelton
Southside CSB LHRC
 Appoint: Ms. Kelly Parker
Central Virginia Training Center LHRC
 Appoint: Mr. Michael Milnor

The SHRC tabled a decision on the appointment of Ms. Karen Wilkenson to the Danville-Pittsylvania County Regional LHRC until further information can be obtained regarding the license held by her employer.

Kirby Wright thanked the human rights advocates for their hard work in recruiting valuable membership.

**SHRC Membership
(continued)**

Christina Delzingaro reported on the Membership Committee's recommendation for the SHRC to request that the State Board of DBHDS reappoint Jannie Robinson and Donald Lyons to the SHRC.

Upon a motion the SHRC unanimously voted to recommend the reappointments of Jannie Robinson and Donald Lyons to the SHRC.

Adjournment

There being no further business, the meeting adjourned. The next meeting will be held on June 11, 2010 at Southside Virginia Training Center in Petersburg.

Respectfully Submitted:

Kirby Wright, Chair

Kli Kinzie, Secretary