

STATE HUMAN RIGHTS COMMITTEE

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



COMMONWEALTH of VIRGINIA
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NELSON SMITH, COMMISSIONER

Taneika Goldman
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State Human Rights Committee Meeting VIRTUAL MEETING

Minutes

Thursday, May 19, 2022

DBHDS

Hampton-Newport News CSB

300 Medical Drive

Large Conference Room

Hampton, VA

23666

Zoom for Government

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

Meeting ID: 161 783 9100

Passcode: \$HRCMet1ng

Administrative Session

9:45 a.m.

SHRC Members Present Physically Julie C. Allen, **Chair**; Will Childers, **Vice-Chair**; David Boehm; Betty Crance; David Crews; Monica Lucas; Timothy Russell

SHRC Members Present Virtually Cora Swett

Staff Present Physically Taneika Goldman, State Human Rights Director
Karen A. Taylor, Senior Assistant Attorney General, Counsel to the SHRC
Reginald T. Daye, Human Rights Regional Manager, Region 5
Latoya Wilborne, Human Rights Advocate
Corie Reed, Human Rights Advocate
Lashanique Green, Human Rights Advocate
Kli Kinzie, Executive Secretary

Staff Attending Virtually Jennifer Kovack, Associate Director, Community Operations
Brandon Rotenberry, Facility Advocate Manager
Tony Davis, Human Rights Advocate
Riley Curran, Human Rights Advocate
Amaya Henderson, Administrative Assistant Facility Operations

Others Present Physically Daphne Cunningham, Deputy Director, Hampton-Newport News CSB
Dick Roberts, LHRC Member

	Nikkea Hardy, LHRC Member
Others Attending Virtually	Nicole Evans, Intern, Disability Law Center of Virginia Amanda Stevenson, Intern, Disability Law Center of Virginia Stewart Prost, Representing MW on behalf of JTA Kerry Kruk, Team Lead Human Rights Coordinator, Virginia Beach Department of Human Services
Call to Order	At 9:49, Julie C. Allen, SHRC Chair, called the May 19, 2022, SHRC meeting to order. Chair Allen welcomed everyone to the meeting. A call for introductions took place prior to proceeding.
Approval of Agenda	At 9:54, the committee considered the agenda. <i>At 9:54, a motion was made by Betty Crance and seconded by Timothy Russell to approve the May 19 2022, agenda. All members voted to pass the motion.</i>
Information	At 9:54, Taneika Goldman, State Human Rights Director, addressed the committee. The SHRC hosted the first SHRC/LHRC Meet and Greet gathering earlier in the morning. Taneika Goldman acknowledged that DBHDS is coming up on the first 100 days mark with Commissioner Nelson Smith.
Review of Draft Minutes	At 9:56, the SHRC reviewed the draft minutes of the April 14, 2022, meeting. <i>At 9:56, a motion was made by Timothy Russell and seconded by David Crews to approve the April 14, 2022, minutes with one revision. All members voted to pass the motion.</i>
Welcome and Overview	At 9:58, Dr. Daphne Cunningham, Deputy Director, Hampton-Newport News CSB, welcomed the SHRC and provided an overview of programs and services in the area.
BREAK	At 9:15, Julie Allen called for a brief break.
Public Comment Period	At 9:23, Julie Allen called for public comments. <i>No public comments were offered.</i>
Appeal: J v Va Beach Department of Human Services	At 10:24, the SHRC reviewed the Appeal Southeast Regional LHRC in the Matter of J. v Virginia Beach Department of Human Services. A call for introductions took place prior to proceeding. Kerry Kruk was present on behalf of Virginia Beach Department of Human Services. Stewart Prost, Advocate, was present to represent MW on behalf of JTA. SHRC members present in person were Julie Allen, Chair; Will Childers, Vice Chair; David Boehm; Betty Crance; David Crews; Monica Lucas; and Timothy Russell. SHRC Member Cora Swett was present virtually. Reginald T. Daye, Regional Human Rights Manager; Corie Reed, Human Rights Advocate; Lashanique Green, Human Rights Advocate; and Latoya Wilborne, Human Rights Advocate; were present from DBHDS. Jennifer Kovack, Associate Director of Community Operations; Brandon Rotenberry, Facility Advocate Manager; Tony Davis, Human Rights Advocate; and Riley Curran, Human Rights Advocate; from DBHDS were present virtually. Nicole Evans, Intern, and Amanda Stephenson, Intern, were present virtually from Disability Law Center of Virginia. Dick Roberts and Nikkea Hardy, LHRC Members, were also present in the room. At the request of the Petitioner, the appeal was heard in open session.

May it be noted for the record that the SHRC is concerned with the preservation of an individual's privacy and confidentiality of medical records. For this reason the SHRC ensured at this time that the right to a closed hearing pursuant to VA CODE § 2.2-3711 (A) (4) and (16), has been thoroughly reviewed with the petitioner and that they have agreed to the disclosure of information that would otherwise be exempt from public dissemination by requesting an open hearing.

Statements were heard from all parties to the appeal.

Closed Session At 10:56, 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.

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 11:41, 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.

WS was present virtually to represent his wife, SS who is the petitioner. Kerry Kruk was present on behalf of Virginia Beach Department of Human Services. SHRC members present in person were Julie Allen, Chair; Will Childers, Vice Chair; David Boehm; Betty Crance; David Crews; Monica Lucas; and Timothy Russell. SHRC Member Cora Swett was present virtually.

Reginald T. Daye, Regional Human Rights Manager, Corie Reed, Human Rights Advocate, Lashanique Green, Human Rights Advocate, and Latoya Wilborne, Human Rights Advocate, were present from DBHDS. Jennifer Kovack, Associate Director of Community Operations, Brandon Rotenberry, Facility Advocate Manager, Tony Davis, Human Rights Advocate, and Riley Curran, Human Rights Advocate, were present virtually from DBHDS. Nicole Evans, Intern, and Amanda Stephenson, Intern, were present virtually from Disability Law Center of Virginia. Dick Roberts and Nikkea Hardy, LHRC Members, were also present in the room. WS requested the appeal be held at a later date.

At 12:11, upon a motion by Monica Lucas and seconded by Timothy Russell the hearing was postponed until June 23, 2022.

Appeal: S v Va Beach Psychiatric Center At 12:13, the SHRC considered the Appeal of Health Planning Region 5 LHRC in the Matter of S. v Virginia Beach Psychiatric Center. WS requested the appeal be held at a later date.

At 12:15, Julie Allen announced that the appeal was postponed until June 23, 2022.

BREAK *At 12:16, Julie Allen called for a break.*

Facility Reports Seclusion/ Restraint & Death Data	At 12:39, the Committee received updates on state facility incident reporting. Brandon Rotenberry, Facility Advocate Manager, presented seclusion, restraint, injury and death data. (See addendum I).
Violation Letters	At 12:48, Brandon Rotenberry, Facility Advocate Manager, provided statistics on Violation Letters issued to state operated facilities. (See addendum II).
VCBR Report	At 1:02, Tony Davis, Human Rights Advocate, provided the report on allegations of abuse, human rights complaints and instances of restraint involving VCBR. (See addendum III).
Region 5 Facilities Report	At 1:12, Lashanique Green, Human Rights Advocate, presented a report on Eastern State Hospital and Southeastern Virginia Training Center. Ms. Green provided statistics on seclusion and restraint, peer-to-peer aggressions, and human rights complaints.
Community Operations Report	At 1:18, Jennifer Kovack, Associate Director for Community Operations, presented an overview report on Community Operations. Ms. Kovack provided an update on the Office of Human Rights staff changes as well as a summary of activities led and implemented by the community operations team.
LHRC Business	At 1:30, the SHRC considered LHRC business.
Liaison Reporting	At 1:30, David Crews reported on his attendance at a meeting of the Virginia Highlands LHRC.
LHRC Membership	At 1:34, the SHRC reviewed recommendations for LHRC membership. Jennifer Kovack presented the recommendations.

At 11:34, upon a motion by David Boehm and seconded by Timothy Russell the SHRC unanimously made the following appointments and reappointments and acknowledged the resignations of Francesca Belmonte from Prince William LHRC:

Region 1

Charlottesville Area LHRC

Reappoint: Sarah Anderson and Mary Kivlingham

Region 2

Northern Virginia Regional LHRC

Appoint: Lauren Fusco and Susan Haenisch

Region 5

Health Planning Region 5 LHRC

Reappoint: Norris Shermon and Cynthia Frazier

Meet and Greet *At 11:36, Taneika Goldman commented that the inaugural SHRC/LHRC Meet and Greet was held in the morning before the SHRC meeting convened. LHRC members are encouraged to attend the Meet and Greets either in person or virtually. The next Meet and Greet will happen in the morning on June 23, 2022.*

Subcommittee Reports and Assignments At 1:40, Julie Allen called for subcommittee reports.

Policy David Boehm; Mary Clair O'Hara, Staff

Subcommittee At 1:40, David Boehm reported on behalf of the Policy Subcommittee.

Workplan / Membership Subcommittee Timothy Russell, Chair; David Boehm; and David Crews
At 1:40, Timothy Russell reported on behalf of the Workplan/Membership Subcommittee. Mr. Russell will update the map showing the regional representation of committee members, and will begin recruiting to fill two positions on the SHRC.

David Boehm and Timothy Russell will continue to update the workplan with information on upcoming speakers and topics.

Bylaws Subcommittee Monica Lucas, Chair; Cora Swett; Jennifer Kovack, Staff
At 1:42, Monica Lucas spoke on behalf of the Bylaws Subcommittee. The subcommittee tried to meet on May 18 but could not due to technical difficulties. The meeting will be rescheduled.

Officer Subcommittee Officer Subcommittee: Will Childers and Betty Crance
At 1:43, Will Childers reported on behalf of the Officer Subcommittee. Mr. Childers recommended proceeding with officer elections.

On behalf of the Officer Subcommittee, Will Childers nominated Julie Allen to serve as SHRC Chair for the term of July 1, 2022 – June 30, 2023. Will Childers nominated David Boehm to serve as Vice-Chair for the term of July 1, 2022 – June 30, 2023. All members voted to appoint Julie Allen as Chair and David Boehm as Vice-Chair.

Adjournment At 1:47, having no further business to discuss the May 19, 2022, SHRC meeting adjourned.

Next Meeting

June 23, 2022

Hampton Newport News CSB