

**Southeastern Regional
Local Human Rights Committee
November 10, 2021 at 10:00 am
Virginia Beach Department of Human Services
297 Independence Boulevard
Building P6
4th Floor Conference Room 431
Virginia Beach, VA 23462**

Zoom: <https://dbhds.zoomgov.com/j/16144829190?pwd=Uld1MzQwTmpVWnZtSmpGY1BwTVV5QT09>

Meeting Minutes

MEMBERS PRESENT

Matthew Albright, Vice Chair
Mark Douglass, Member
Dick Roberts, Member

MEMBERS ABSENT

Sandy Montez-Gerhardt, Member
Marilyn Nendza, Member

OFFICE OF HUMAN RIGHTS

Michael Gause- Human Rights Advocate, DBHDS
Corie Reed- Human Rights Advocate, DBHDS
Latoya Wilborne- Human Rights Advocate, DBHDS

OTHERS PRESENT

Julie Delk - James Barry Robinson Institute, LHRC Liaison
Kerry Kruk – Virginia Beach Department of Human Services
Kelly Garcia Smith – Holiday House of Portsmouth
Brian Kates - Newport News Behavioral Health Center

CALL TO ORDER

Mr. Matthew Albright, Vice Chair, called the meeting to order at 10:00 a.m. Those in attendance made introductions to include their name and title.

APPROVAL OF AGENDA

The November 10, 2021 agenda was motioned to be accepted by Mr. Mark Douglass, seconded by Mr. Roberts, and unanimously approved by the committee members.

APPROVAL OF MINUTES

The approval of the April 21, 2021 minutes was motioned to be accepted by Mr. Douglass, seconded by Mr. Roberts, and unanimously approved by the committee members.

PUBLIC COMMENTS

None

CHAIR ANNOUNCEMENTS

None

REGIONAL ADVOCATE ANNOUNCEMENT/ ADVOCATE REPORT:

Mr. Michael Gause made the following advocate announcements:

- The governor lifted the state of emergency in Virginia and public meetings such as this LHRC must have a quorum of members (3) in-person.
- Human Rights Advocate, Corie Reed, is the newest Human Rights Advocate in Region 5 and will be providing technical support to the Southeastern Regional LHRC in 2022.
- The Southeastern Regional LHRC will be conducting a fact-finding hearing.

NEW BUSINESS

None

OLD BUSINESS

Variance Update

- Holiday House of Portsmouth
Ms. Kelly Garcia Smith presented the quarterly variance update:
 - ICF children's residential facility for ages 5-21
 - Visitation variance
 - Active upon admission
 - No complaints or violations for the 2nd or 3rd quarters
- James Barry Robinson Institute
Ms. Julie Delk presented the quarterly variance update:
 - Telephone and visitation restrictions
 - Program provides for children starting at age 6.
 - At the time of admission, an approved list of contacts is created with the input from the client, clinician and the AR or legal guardian.
 - 0 Complaints of the variance in 2nd and 3rd quarters.
 - No changes made to the variance and was approved for continuance.
- Virginia Beach Department of Human Services-
Ms. Kerry Kruk presented an overview of its State Human Rights Committee (SHRC) approved variance to the LHRC members.
 - The variance addresses telephone use and visitation.

- 3 instances of contraband that were provided to staff or discovered during intake for the 3rd quarter.
 - There has been 19 instances of contraband from October 2020 to date.
 - 0 instances of contraband obtained from an outside contact on the premises or carried in by an outside visitor.
 - 0 complaints about the variance.
 - Variance is for the Crisis Stabilization Program (The Pathways Center)
 - No changes made to this variance and was approved for continuance.
- Newport News Behavioral Health Center
 - Mr. Brian Kates presented the quarterly variance update:
 - The variance addresses Restrictions on Freedoms of Everyday Life
 - No complaints or grievances.
 - Telephone/Visitation
 - The acute side of the facility houses children ages 8-17.
 - Newport News Behavioral Health Center is a 118-bed facility utilizing a point store to assist with behavioral management.

CLOSED SESSION

Motion was made by Mr. Douglass and seconded by Mr. Roberts at 10:24 a.m. for the Southeastern Regional LHRC to go into closed session pursuant to VA code 2.2-3711 (A), for the purpose of reviewing confidential information, lawfully exempted from the statutory open session requirements involving a Virginia Beach Department of Human Services service recipient's Behavior Support Plan and to conduct a fact-finding hearing for an individual and the authorized representative.

RETURN TO OPEN SESSION

The committee reconvened in open session at 2:24 p.m. by unanimous vote on a motion by Mr. Douglass and seconded by Mr. Roberts. Each member certified that, to the best of each of their knowledge, only private business matters, lawfully exempted from the statutory open session requirements and identified in the motion by which the closed session was convened, was discussed in the closed session, namely for the purposes of reviewing the Virginia Beach Department of Human Services service recipient's Behavior Support Plan and conducting a fact-finding hearing for an individual and the authorized representative.

- **Recommendation:** The committee accepted the update and asked that Virginia Beach Department of Human Services continue to provide an update at the next meeting.
- **Recommendation:** The committee indicated that they would submit their findings and recommendations to the parties involved in writing upon completion of deliberation and in accordance with the regulations.

TRAINING

None. FOIA updates will be provided during next meeting by Mr. Michael Gause, Office of Human Rights.

NEXT MEETING

Wednesday, November 17, 2022 at 10:00 a.m. Location: Virginia Beach Department of Human Services, 258 N. Witchduck Rd. Suite 1A, Virginia Beach, VA 23462

Zoom Link:

<https://dbhds.zoomgov.com/j/16144829190?pwd=UldlMzQwTmpVWnZtSmpGYlBwTVV5QT09>

MEETING ADJOURNED

Motion made to ADJOURN the meeting by Mr. Douglass, seconded by Mr. Roberts at 2:26 p.m. with the unanimous approval of the committee members.

The committee announced the 2022 meeting schedule with the following dates and location:

- March 16, 2022
- June 15, 2022
- September 21, 2022
- December 7, 2022

Location:

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