



---

**FOR IMMEDIATE RELEASE**

---

North Suburban Human Rights Authority  
Report of Findings  
Elgin Mental Health Center  
HRA #08-100-9003

**Case Summary:** The HRA did not substantiate the allegations presented. The HRA's public record on this case is recorded below; the provider's response immediately follows the report.

The North Suburban Regional Human Rights Authority (HRA) of the Illinois Guardianship and Advocacy Commission has completed its investigation of alleged rights violations at Elgin Mental Health Center (EMHC), Forensic Treatment Program, Unit M. In August 2007, the HRA notified EMHC of its intent to conduct an investigation, pursuant to the Guardianship and Advocacy Act (20 ILCS 3955). The complaint accepted for investigation was that a consumer's correspondence is not being mailed. For example, the consumer had made repeated requests for sporting events schedules and has yet to receive a response from the many requests.

The rights of consumers receiving services at EMHC are protected by the Mental Health and Developmental Disabilities Code (405 ILCS 5/2-103).

To pursue this investigation, the HRA reviewed, with written authority, a portion of the clinical record (May 2007 through September 2007) of the consumer whose rights were alleged to have been violated. An on-site visit was conducted in September 2007, at which time the allegations were discussed with the consumer's Case Manager. The consumer was also interviewed. The HRA acknowledges the full cooperation of unit personnel.

**Background**

Consumers receiving services at EMHC's Forensic Treatment Program have been remanded by Illinois County Courts to the Illinois Department of Human Services under statutes finding them Unfit to Stand Trial (UST) and Not Guilty by Reason of Insanity (NGRI). Placement evaluations determine the most appropriate inpatient or outpatient setting for forensic treatment based on a number of factors including age, gender, mental health diagnosis, and security need. Unless a person is specifically ordered to receive services in an outpatient setting, court ordered referrals under state forensic statutes call for placement in a secure inpatient setting. The Forensic Treatment Program has 315 beds.

**Findings**

At the site visit, it was stated that this consumer is on a mail restriction because of mailing correspondence to his victims and a hospital. It was stated that the Case Manager checks the consumer's outgoing mail only to make sure that no correspondence to these individuals is being sent. The consumer's on-going mail is left *anywhere* at the nurses' station for the Case Manager's review. It was stated that the consumer is a huge sports fan and does receive magazines and such and that no mail sent to anyone other than the restricted individuals is held. It was also explained

that this consumer does generate a lot of mail, and because he uses state funds for the postage, he is allowed to mail only three items per day.

A review of the consumer's clinical record documented that the consumer has a history of stalking a particular family via phone, in person and the U.S. mail. The chart documented that a court order was issued barring him from writing letters to his victims and that he is aware of this order. The record also documented that the consumer would often complain that his letters (to sources not included in the court-order) are not being mailed because he has not received responses from the letters. And, that despite staff explanation that the letters are being mailed, the consumer is convinced that staff members are purposely not mailing his letters. A Treatment Plan Report dated September 2007 documented that the consumer had made progress regarding writing letters to his victims and that he had written less letters to his hobby - NASCAR.

It was noted that in September 2007, it was decided that the consumer's Case Worker would no longer handle the consumer's mail (as he was convinced that she was the person sabotaging the mail) and another staff member was designated to send out his mail. The new staff member documented that she would meet with the consumer at a designated time daily and review his mail to ensure that he was not sending restricted correspondence. It was also documented that after the review, the consumer would be allowed to place his mail in the mail slot.

The Center's Patient Mail policy states (in part) that prior to handing mail to the patient receiving it, unit staff shall inform the patient that staff must check the mail for contraband and money in excess of the applicable program limits. If he or she agrees to allow the mail to be inspected for contraband or money, the patient shall open the mail in the presence of a staff member. If the mail is a package, the package must be opened in the presence of a Security Officer, or the patient's caseworker, or the Nurse Manager, or a staff member designated by the Nurse Manager. The policy states that all letters addressed by patients to the Governor; members of the General Assembly; Attorney General; judges; state's attorneys; Guardianship and Advocacy Commission; Protection and Advocacy, Inc.; Officers of the Department of Human Services; or licensed attorneys at law must be mailed at once to the persons for whom they are addressed without examination by staff, except to ensure that the out-going mail meets the minimum U.S. Postal Services standards.

### **Conclusion**

Pursuant to the Mental Health and Developmental Disabilities Code, Section 2-103, "Except as provided in this Section, a recipient who resides in a mental health or developmental disabilities facility shall be permitted unimpeded, private, and uncensored communication with persons of his choice by mail, telephone and visitation.

(a) The facility director shall ensure that correspondence can be conveniently received and mailed, that telephones are reasonably accessible, and that space for visits is available. Writing materials, postage and telephone usage funds shall be provided in reasonable amounts to recipients who reside in Department facilities and who are unable to procure such items.

(b) Reasonable times and places for the use of telephones and for visits may be established in writing by the facility director.

(c) Unimpeded, private and uncensored communication by mail, telephone, and visitation may be reasonably restricted by the facility director only in order to protect the recipient or others from harm, harassment or intimidation, provided that notice of such restriction shall be given to all recipients upon admission."

The HRA found no evidence to substantiate the claim that the consumer's mail is not being mailed. The HRA was bothered that the consumer was allowed to simply leave his mail anywhere at the nurses station and it was up to the Case Worker to find the correspondence and review it. The HRA commends the hospital for developing the system that not only ensures that this consumer's mail is given directly to one person, but that he is allowed to place his mail in the mail slot so that he knows it is being mailed.

---

## **RESPONSE**

**Notice: The following page(s) contain the provider response. Due to technical requirements, some provider responses appear verbatim in retyped format.**

---



Rod R. Blagojevich, Governor

Carol L. Adams, Ph.D., Secretary

Division of Mental Health - Region 2  
Elgin Mental Health Center - Singer Mental Health Center

RECOVERY IS OUR VISION  
Recovery is a Personal Journey of Hope, Healing, Growth, Choice, and Change

November 29, 2007

Ms. Kori Larson - Chairperson  
North Suburban Regional Human Rights Authority  
9511 Harrison Street, W-300  
Des Plaines, IL 60016-1565

Re: HRA #08-100-9003

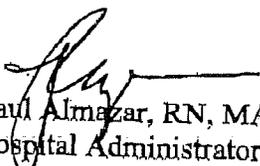
Dear Ms. Larson,

Thank you for your letter of November 7, 2007. We are pleased that the Human Rights Authority found no evidence to substantiate the claim.

We continue to strive to provide the best possible care for our consumers.

I would request that this response be attached to the report and be included with any public release of your Report of Findings.

Sincerely,

  
Raul Almazar, RN, MA  
Hospital Administrator

RA/JP/pb

Elgin Mental Health Center  
750 S. State St.  
Elgin, IL 60123-7692  
Voice (847) 742-1040  
TTD (847) 429-5741

Singer Mental Health Center  
4402 N. Main St.  
Rockford, IL 61103-1278  
Voice (815) 987-7096  
TTD (815) 987-7072