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Egyptian Regional Human Rights Authority  
Report of Findings  
08-110-9011  
Chester Mental Health Center  
April 29, 2008

The Egyptian Regional Human Rights Authority (HRA) of the Illinois Guardianship and Advocacy Commission has completed its investigation concerning Chester Mental Health Center, a state-operated mental health center located in Chester. The facility, which is the most-restrictive state-operated mental health facility in the state, provides services for approximately 300 male residents. The specific allegation is as follows:

Chester Mental Health Center has denied a recipient access to his property, which included a Bible and income tax forms.

If substantiated, the allegation would be a violation of the Mental Health and Developmental Disabilities Code (Code) (405 ILCS 5/2-104).

Statutes

Section 5/2-104 of the Code states, "Every recipient who resides in a mental health or developmental disabilities facility shall be permitted to receive, possess and use personal property and shall be provided with a reasonable amount of storage space therefor, except in the circumstances and under the conditions provided in this Section. (a) Possession and use of certain classes of property may be restricted by the facility director when necessary to protect the recipient or others from harm, provided that notice of such restriction shall be given to all recipients upon admission. (b) The professional responsible for overseeing the implementation of a recipient's services plan may, with the approval of the facility director, restrict the right to property when necessary to protect such recipient or others..."

Investigation Information

To investigate the allegation, the HRA Investigation Team (Team) conducted two site visits. During the initial visit, the Team, consisting of two members and the HRA Coordinator (Coordinator), spoke with the recipient whose rights were alleged to have been violated and the Chairman of the facility's Human Rights Committee (Chairman) regarding the allegation. The Team spoke with the recipient once more when a second site visit was conducted. The Authority reviewed the recipient's clinical chart and the facility's Patient Handbook. The Coordinator spoke via telephone with the Administrator of an area tri-county jail on two occasions about the recipient's personal property.

## Interviews:

### Recipient

During the initial visit at the facility, the recipient informed the Team that he was sent to Chester Mental Health Center from an area tri-county jail after being found Unfit to Stand Trial (UST). The recipient stated that his Bible and income tax forms were sent with him when he was released from the jail. However, when he arrived at the facility both items were taken from him, and he was informed by facility staff that he could not have the articles in his possession. The recipient informed the Team that he had requested that the income tax forms be given to him to complete for income tax purposes. He related that he would like to have the Bible in his room in order that he might have easy access for reading.

When the HRA conducted a second site visit shortly before the completion of the investigation, the recipient informed the Team that the items had not been given to him. He stated that he had spoken to several facility staff about his desire to retrieve the items and was informed that his “tax papers” could not be located. The recipient did not provide the names of any of the staff members that he spoke with about the matter.

### Chairman

When the Team spoke to the Chairman about the allegation, he informed the Team that upon arrival at the facility, all of a recipient’s clothing and personal property are inventoried. All clothing is automatically sent to the facility laundry for washing, and all personal property is sent to the property control supervisor for storage. If a recipient wants something out of his personal property, he can speak to his therapist about obtaining the item(s). The Chairman stated each recipient is allowed to take a personal Bible to his room on the unit.

The Chairman stated that he spoke with the Unit Director about the recipient’s property, and the Unit Director had assured him that he would assist the recipient in locating the requested items.

### Administrator at Tri-County Jail

The Coordinator spoke with the Administrator from the tri-county jail about the property that the recipient had in his possession when he was transferred from the jail to Chester Mental Health Center. During the initial telephone conversation, the Administrator stated that she placed the recipient’s tax forms in a sealed brown envelope and gave the transporter instructions to give the envelope to personnel at the receiving facility. She stated that she was not certain if the recipient brought his own Bible into the jail or used a Bible provided by the jail. She informed the Coordinator that upon admission each prisoner is offered a Bible to use while

he/she is incarcerated, and some of the prisoners obtain a Bible from area ministers who provide services at the jail. The Administrator stated hard-backed Bibles that could be potentially used as weapons are replaced with ones that have soft covers. The Administrator informed the Coordinator that she would review the recipient's personal property records to determine if the Bible belonged to him and if the item was sent with him when he was transferred.

The Administrator stated that the recipient had some pica behaviors that involved eating paper items. She related that when these behaviors occurred during his incarceration, all paper items, including the Bible, were confiscated and he would have to exhibit appropriate behaviors before the items were returned.

When the Administrator reviewed the recipient's property inventory at the jail, she contacted the Coordinator via telephone. The Administrator stated that the recipient did not have a Bible listed on his personal property inventory and related that the Bible that he had used during his incarceration belonged to the jail. The Administrator informed the Coordinator that a Bible was not sent with the recipient when he was transferred. However, if the issue was a real concern to the recipient a Bible could be sent from the jail to his present residence.

The Administrator stated that when she spoke with the two transporters who moved the recipient from the jail to Chester Mental Health Center, both individuals remembered giving the brown envelope, which contained the recipient's income tax forms, to a male staff member who received the recipient at the facility.

#### Record Review:

#### Treatment Plan Reviews

According to a 09/05/07 Treatment Plan Review (TPR), the recipient was admitted to the facility on 05/22/07 after being found UST on 04/03/07 on charges of Aggravated Battery. Individual treatment goals in the TPR were listed as follows: 1) To restore a level of fitness to stand trial by 11/29/07; 2) To be free of displaying aggressive behavior toward others by not initiating any aggressive acts; and 3) To be free of gastric discomfort.

The recipient's diagnoses were listed as follows: Axis I: Bipolar Disorder, (most recent episode manic with severe psychotic features); Axis II: Mild Mental Retardation and Borderline Personality Traits; Axis III: Neural Fibromatosis and Gastroesophageal Reflux Disease (GERD); and AXIS IV: Chronic Mental Health Problems.

Documentation in a 10/30/07 TPR indicated that the recipient enjoys attending Bible study on a weekly basis and attends numerous activity therapy programs on the unit. However, the record indicated that since the recipient was on "Red Level", the most-restrictive level at the facility, he had been unable to attend off-unit activities.

The Authority did not observe any documentation in the TPRs or other documents in the recipient's clinical chart that indicated he had voiced concerns about the income tax forms and his personal Bible or had been restricted from using the items.

Property Inventory (Chester Mental Health Center):

According to a 05/23/07 entry in the recipient's property inventory, a Life Application Book and an envelope with papers were inventoried and issued to the recipient on 06/13/07 after the inventory was completed. Entries on 06/18/07 indicated that the following items were placed in the recipient's property inventory: 1 large clothes basket with a lid, 1 Emerson Radio, 2 DuraBrand Stereos with antennas (1 red and 1 gray), 1 small stuffed monkey, 1 jumbo pad, a book entitled, "How to Find God's Love", 1 camouflage scarf, 1 latch hook square, 1 cloth book bag, 1 purple spiral key ring with hook, 1 clock radio, 1 bag with miscellaneous papers, 5 CD's with cases, 1 DVD with a case, 1 plastic container with a lid, 1 bar of soap (used), 1 baby powder, 1 curl activator, 3 liquid soaps (green), 1 after shave lotion, 1 hair brush, and 1 chap stick. An entry on 08/20/07 indicated that a cassette tape with a case was added to the recipient's inventory. The record indicated that on 08/10/07 the book entitled, "How to Find God's Love", the bag with miscellaneous papers, the used bar of soap, and the deodorant were issued to the recipient.

Patient Handbook

The Authority reviewed the Clothing/Personal Property Section of the facility's Patient Handbook. Documentation in that Section was as follows: "Upon arrival, all of your clothing is inventoried and automatically sent to the facility laundry. The facility sends your dirty clothes to a commercial laundry that uses strong chemicals and very hot water to kill germs. If you have expensive clothing that might be harmed by this washing process, you should consider storing those clothes in the clothing room. The facility will pay for dry cleaning of non-washable clothing items, except for leather coats. Your shoes will be checked for metal before you receive them and if metal is found, those shoes will be stored in the clothing room. You will have at least six sets of clothing, one pair of shoes, one belt and one jacket (if needed). These may be facility clothing or your personal clothes. Any personal clothing that you would like to wear will be marked with your name so it will be back to you after laundering. If you do not want your personal clothing marked, you should have those clothes stored in the clothing room. You should direct all clothing requests to your therapist. When you are transferred, all state clothing in your possession must remain here at Chester Mental Health Center. Upon arrival, all of your personal property is inventoried and sent to our property control supervisor for storage. At admission, if you have a Bible, you may take it with you to the unit. If you wish to have something out of personal property, talk to your therapist.

When the Authority reviewed the Contraband Section of the Patient Handbook, neither of the items in question were listed as contraband.

### Summary

According to the recipient, a personal Bible and his income tax “papers” were sent with him when he was transferred from an area tri-county jail to Chester Mental Health Center. However, when he requested the items from several unnamed staff, the items were not provided, and he was informed that they could not be located. According to the Administrator of the tri-county jail, the recipient’s income tax forms were placed in a large brown envelope and sent with him when he was transferred. However, the Bible that the recipient was using while he was incarcerated was not sent because the item was property of the jail. According to the recipient’s personal property record at Chester Mental Health Center, an envelope with papers was inventoried on 05/23/07, a day after the recipient was admitted to the facility, and issued to the recipient on 06/13/08. HRA did not observe any documentation in the recipient’s clinical chart that indicated that the recipient had exhibited pica behaviors that required restriction of paper items. According to the Patient Handbook, the items of concern on not considered contraband, and recipients are allowed to have Bibles in their rooms.

### Conclusion

Investigation findings indicated that the Bible that the recipient had in his possession while he was incarcerated was property of the jail and was not sent with him to Chester Mental Health Center. Therefore, the allegation that the recipient was denied access to the Bible is unsubstantiated. Conversely, the issue with the recipient’s income tax forms is not as clearly defined. According to documentation, a brown envelope containing the income tax forms was sent with the recipient. An envelope with (unspecified) papers was received at the facility, which was inventoried and subsequently given to the recipient. The HRA cannot determine with certainty that the income tax forms were in the envelope that was given to the recipient; however, the documentation appears to establish that this was the case. Therefore, the Authority is unable to substantiate that the recipient was denied access to the income tax forms. No recommendations are issued.

### Suggestions

The Authority would like to issue the following suggestions:

1. The recipient’s Therapist or Case Manager should thoroughly review the recipient’s clinical chart to determine if the recipient qualifies for the economic stimulus rebate and make certain that the recipient’s income tax forms are located, completed, and sent to the Internal Revenue Services for the rebate allotment.
2. Since documentation indicates that the recipient enjoys Bible studies and he has voiced concerns about not having a Bible; the facility should provide a Bible for the recipient’s personal use.

3. Facility staff should consider a recipient's intellectual functioning and mental status when the recipient is provided with information, such as the material presented in the Patient Handbook, and provide a staff member to attempt to present the data in a manner that is understandable to the recipient.