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Egyptian Regional Human Rights Authority
Report of Findings
10-110-9021
Chester Mental Health Center
April 27, 2010

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 facility located in Chester. The facility, which is the most restrictive mental health center in the state, provides services for approximately 250 male residents. The specific allegation is as follows:

A recipient's communication by mail and telephone was restricted without a valid reason for the restriction.

Statutes

If substantiated, the allegation would be a violation of the Mental Health and Developmental Disabilities Code (Code) (405 ILCS 5/2-103).

Section 2-103 states, "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. When communications are restricted, the facility shall advise the recipient that he has the right to require the facility to notify the affected parties of the restriction, and to notify such affected party when the restrictions are no longer in effect. However, all letters addressed by the recipient to the Governor, members of the General Assembly, Attorney General, judges, state's attorneys, Guardianship and Advocacy Commission, or the Agency designated pursuant to 'An Act in relation to the protection and advocacy of the rights of persons with developmental disabilities, and amending Acts therein named' approved September 20, 1985, officers of the Department, or licensed attorneys at law must be forwarded at once to the persons to whom they are addressed without examination by the facility

authorities. Letters in reply from officials and attorneys mentioned above must be delivered to the recipient without examination by the facility authorities."

Investigation Information

To investigate the allegation, the HRA investigation Team (Team), consisting of two members and the HRA Coordinator (Coordinator), conducted a site visit at the facility. During the visit, the Team spoke with the recipient whose rights were alleged to have been violated and a Representative (Representative) from the facility's Human Rights Committee. The recipient's clinical chart was reviewed with the recipient's written authorization. The Authority also reviewed the Patient Handbook.

I..Interviews:

A: Recipient:

According to the recipient, a letter that he mailed to a judge was confiscated and shredded by facility staff. The recipient stated that his right to communicate by telephone has also been restricted. He stated that when he was speaking to someone on the telephone, a staff member informed him to "get off the phone", and he was not allowed to complete the call. The recipient did not provide the names of any witnesses to either of the alleged communication restrictions or the staff member(s) involved in the restrictions.

B: Representative:

The Representative informed the Team that the recipient has been writing numerous self-made bogus checks in large amounts and sending the checks to various staff members. The Representative stated that the problem has been addressed in the recipient's treatment; however, she was not aware of the recipient having any type of communication restriction.

II: Clinical Chart Review:

A: Treatment Plan Reviews (TPRs):

Documentation in the recipient's 09/28/09 Treatment Plan Review (TPR) indicated that the recipient was admitted to the facility on 03/06/09 from a county jail with a legal status of Unfit to Stand Trial (UST).

The recipient's diagnoses were listed as follows: AXIS I: Psychotic Disorder (Provisional), R/O (Rule Out) Schizophrenia Undifferentiated Type, R/O Bipolar Disorder with psychotic features; Poly-Substance Abuse by history; AXIS II: Antisocial Personality Disorder by history; AXIS III: No Diagnosis; and AXIS IV: UST Status, Confinement, History of Substance Abuse.

The record indicated that the recipient was taking the following medications: 1) Perphenazine 12 mg by mouth twice daily for psychotic symptoms; 2) Benztropine 2 mg by

mouth as need for extrapyramidal symptoms, and Lorazepam 2 mg by mouth every 6 hours as needed for agitation and anxiety.

According to documentation in the TPR, the recipient had been "quite talkative", and had informed staff that he was sent to the facility to "keep an appointment". The record indicated that the recipient had exhibited grandiose, delusional thinking. He believes that he is the owner of a global bank, has royal blood, and is the chief of intelligence. Additional recordings indicated the recipient continues to display the unusual behavior of writing checks to others for several hundreds of dollars.

His legal status of UST and his psychotic symptoms with hallucinations, delusions, and perceptual problems were listed as problem areas. Goals and objectives to assist the recipient in achieving fitness to stand trial and to reduce psychotic symptoms were implemented.

Documentation in the recipient's 10/09/09 TPR indicated that he continues to have distortions of reality with delusional content. He sends checks to various staff members, as well as, individuals in the community. Documentation indicated that the letters to staff members were bizarre in nature and the content of the letters sent to persons in the community was unknown.

In the Extent To Which Benefitting From Treatment Section of the 10/06/09 TPR, documentation indicated that the recipient required leather restraints on 03/20/09 to prevent self harm and again on 04/18/09 after he became combative with staff. However, there had been no incidents requiring restraints or seclusion since the latter incident. The record indicated that the recipient had continued to write numerous self-made checks to others for millions of dollars. According to the documentation, the recipient believes that he will not spend time in prison due to his connection with God, his mission on Earth to heal the nation, and his need to fulfill a prophecy.

Documentation in the recipient 11/03/09 TPR indicated that the recipient believes that he has an unlimited amount of money, and he continues to write and send checks for astronomical amounts to staff members. The self-made checks range from 2 million to 25 million dollars. According to the record, the recipient remains unfit to stand trial due to his delusional belief which interferes with his ability to adequately assist in his own defense.

B: Progress Notes:

According to a 09/02/09 Therapist's Progress Note, the recipient had informed the Therapist that he would no longer write checks to others or discuss his wealth and his personal relation with God so that he could return to court to resolve his legal issues.

On 09/10/09, the Therapist recorded that the recipient had been observed mailing envelopes to employees with self made checks and without stamps on them. The Therapist documented that a letter sent by the recipient to a judge was returned due to having no address, just the name of the judge. When the Therapist spoke to the recipient about the matter, documentation indicated that the recipient stated that "God told me I was going to court and not returning, so I can do what I want."

The Therapist recorded in a 10/21/09 Progress Note that the recipient's clinical functioning had not changed. He continued to write numerous checks to staff and family members for astronomical amounts. In a 11/05/09 Progress Note, the Therapist recorded that the recipient's letter writing had been continuous and more bizarre in nature. According to the Therapist the letters to staff contained "threatening undertones". The recipient expressed that he is the "manager" and has fired various staff members from their positions at the facility.

A Mental Health Administrator recorded on 11/06/09 that he received a threatening letter from the recipient. A facility psychiatrist recorded on 11/24/09 that the recipient had been displaying bizarre and unusual grandiose delusions. According to the psychiatrist, the recipient believes that he has a lot of money and has written fake checks to several staff members. When the problem was brought to his attention, he became upset and denied having any mental health issues. However, the recipient signed a consent form authorizing a medication change in an attempt to assist him with the delusional problem.

C: Additional Information

During the review of the recipient's clinical chart, the HRA did not observe any restrictions pertinent to communication by mail or telephone.

III. Patient Handbook (Handbook)

The Authority reviewed the Handbook, which is presented to recipients upon admission to the facility. Recipients are informed that each module has a phone available for recipient's use for making long-distance collect phone calls. Additionally a recipient's therapist will make arrangements for circumstantial calls for a recipient when necessary. However, recipients are not allowed to receive personal calls on the module phones.

Recipients are informed that they may send as many letters as their personal funds will permit. Unit mailboxes are available for letters; however, packages should be given to a recipient's therapist or the unit manager for mailing. Recipients without funds are allowed to send two letters at regular postage rate each week at no charge to the recipient. Recipients are informed that paper and envelopes can be obtained from staff on the module.

According to the Handbook, recipients are encouraged to send and receive mail. Recipients are permitted to receive packages; however, space at the facility is very limited. Recipients are informed that there are items which are considered contraband and would not be allowed. If contraband items are sent to a recipient, the items would be confiscated and returned to the sender.

Summary

According to the complaint, a recipient was denied communication by mail and telephone. When the Team spoke with the recipient whose rights were alleged to have been violated, he stated that a letter that he sent to a judge was confiscated and shredded.

Additionally, he was required to end a telephone conversation before his conversation was completed. The recipient did not list any witnesses to either of the events. Documentation in the recipient's clinical chart indicated that the recipient had mailed numerous letters to staff without having postage to send the letter. The recipient's record indicated that the recipient sent a letter to a judge that was returned because the judge's address was not listed on the envelope. According to facility policy listed in the Handbook, recipients are encouraged to receive and send mail. However, the facility would only provide postage for two letters weekly and other mailings would require a recipient to use his personal funds. Documentation in the Handbook indicated that recipients are allowed to make collect calls, and a recipient's Therapist may assist the recipient in making circumstantial calls.

Conclusion

Based on the information obtained, the allegation that the recipient's communication by mail and telephone was restricted without a valid reason for the restriction is unsubstantiated. No recommendations are issued.