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**HUMAN RIGHTS AUTHORITY - PEORIA REGION**  
**REPORT OF FINDINGS**

**Case #14-090-9011**  
**Achievement Unlimited Inc.**

**INTRODUCTION**

The Human Rights Authority (HRA) opened an investigation after receiving a complaint of possible rights violations at Achievement Unlimited Inc. The complaint alleged the following:

1. Inadequate safety of consumers, including no protection at house from traffic in a back alley and exposed wires running through yard of house.

If found substantiated, the allegations would violate the Mental Health and Developmental Disabilities Code (MHDD Code) (405 ILCS 5) and CILA regulations (59 II Admin Code 115).

Achievement Unlimited recently transitioned residents from an ICFDD which recently closed. They transitioned 185 residents into 23 homes of 8 beds each. They now have 29 homes in Galesburg with 214 residents total. They geographically cover as far north as Silvas, as far west as Jacksonville, and as far east as Danville.

To investigate the allegations, HRA team members interviewed Achievement Unlimited staff members and reviewed documentation that is pertinent to the investigation.

**COMPLAINT STATEMENT**

One of the houses has a backyard with an alley where motorcycles and cars drive through but reportedly there is nothing protecting residents from the traffic such as a privacy fence. Also, there are wires lying in the backyard instead of being buried as per the complaint. The complaint states the wires had been marked to be buried but they had not been buried yet.

**INTERVIEW WITH STAFF (10.25.2013)**

Staff began the interview by presenting pictures of the house's backyard and explained that the road behind the house is not an alley necessarily because it actually stops behind the house. Also there is no traffic because the alley stops. The area is more of a parking lot for a

bank and car dealership than an alley. Staff explained that they felt as though there are no safety issues. Staff had never even seen cars travelling in the alley. There has been a car parked in a parking spot close to the house with a flat tire ever since the house has been there. The parked car is at the edge of the property and is very close in proximity. They said that they would eventually construct a privacy fence but it is not a priority now.

The power line was buried and at one time the cable may have been in the yard but now all of that has been taken care of.

There is a grill in the backyard but they have chairs and places to sit on the front porch. There are no wheelchairs currently being used in the home. Staff did not know how often the backyard was used. Residents can go outside by themselves and it is a change for the residents because the ICFDD was a secure building. Staff explained that if a need for more supervision presents itself, or if there is concern for individuals who might leave the building, they would safeguard the residents by doing something like providing one-to-one aides. If there was an elopement issue, the facility would discuss the issue with their Human Rights Committee to explore the possibility of some restriction. They were prepared for elopement but it has not occurred. For the individuals at the facility, elopement and safety regarding elopement are not issues.

The HRA performed an unannounced visit at the house and saw that the backyard did open to a parking lot for a car dealership. The alley did not travel through to the road on the other side of the house, and stopped at the edge of the yard. There could be some minimal traffic from cars in the parking lot but no one would be travelling through to the road. The HRA also did not see exposed wires in the backyard of the house.

### **FINDINGS (Including record review, mandates, and conclusion)**

The HRA reviewed records and policy pertinent to the complaints in this investigation.

#### **Complaint #1 - Inadequate safety of consumers, including no protection at house from traffic in a back alley and exposed wires running through yard of house.**

The HRA requested safety plan/procedures and was informed in a letter from the facility that there was no policy or safety information that "addresses traffic in a back alley or exposed wires running through the yard of the house."

Rule 115 states "6) The agency shall ensure that: A) Living arrangements shall be safe and clean within common areas and within apartments over which the agency has control" (59 IL ADC 115.300). The Rule also reads "5) Every individual receiving CILA services has the right to be free from abuse and neglect" (59 IL ADC 115.250). The Mental Health and Developmental Disabilities Code states that "A recipient of services shall be provided with adequate and humane care and services in the least restrictive environment, pursuant to an individual services plan" (405 ILCS 5/2-102) and that "Every recipient of services in a mental health or developmental disability facility shall be free from abuse and neglect" (405 ILCS 5/2-112).

### *Complaint #1 - Conclusion*

Based on direct observation, the HRA found no actual alley, just the parking lot and also witnessed no unburied wires. Nothing about the facility property appeared to be threatening to the residents' safety and the HRA found no regulations specifically addressing safety procedures in the yard of CILA homes. Because of this, the HRA finds the complaint **unsubstantiated** but offers the following **suggestion**:

- Although the home does not appear to have any immediate danger regarding wires or traffic, the HRA suggests that residents, staff and possible volunteers are educated on safety when outside, especially with regard to moving vehicles, if this education has not already occurred.