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Commonwealth of Virginia State Human Rights  
Committee Department of Behavioral Health and  
Developmental Services PO Box 1797 Richmond,  
Virginia 23218-1797

Attention: Alison Land,  
Commissioner

Tanea Goldman, Deputy  
Director

Just Future Project appreciates a response to our letter regarding variances to the human rights of individuals receiving services in DBHDS facilities, specifically VCBR, along with human rights violations outside the realm of the approved variances. JFP did not specifically or implicitly make a FOIA request of any type. JFP will always advocate for complete transparency regarding the human rights of those imprisoned at VCBR. Our original letter to the committee was a request for an investigation and we enumerated actions to be taken.

As outlined in the letter sent from Just Future Project on June 9, 2020, any requests for variances to these human rights are to be made available to any interested persons and to those affected by the variances specifically. JFP, as an advocacy organization, requested a copy of those variances be given to every individual being detained at the Virginia Center for Behavioral Rehabilitation as well as copies to our organization and the American Civil Liberties Union Virginia and every Virginia State Senator and Delegate. **VA 12VAC35-115-220.Variiances.Part VI:** the SHRC shall invite, and provide ample time to receive, oral or written statements about the application from the human rights advocate, individuals affected by the variance, and other interested persons.

The procedures to request and approve variances codified by Virginia law (that JFP hyperlinked in our previous letter) have not been followed. The variances are put into effect at the beginning of each fiscal year (July); therefore, these requests should have been made in documented form before the date of our letter, and submitted to your office and to the State Human Rights Committee. In addition, according to Virginia Code and as mentioned above, this document listing requested variances is to be made available to interested and affected persons in advance of approval with appropriate timeframe provided for comment to the SHRC. Therefore, the above mentioned document should be readily available for all interested parties without a formal FOIA request. Those detained at VCBR are not able to make FOIA requests regardless, and are not made aware of these variances to their human rights in written form, nor have they ever been given the opportunity to exercise their right to comment. Furthermore because of these individuals' conditions of confinement, JFP stated in our letter that they must be given the opportunity to comment anonymously and with direct independent third party oversight.

The letter dated June 9, 2020 from Just Future Project also listed other concerns including blatant

human rights violations outside of the realm of the approved variances. Neither your office, nor the Human Rights Committee chairperson, has addressed these concerns in a response to JFP. We expect a response and action in a timely manner regarding every issue addressed.

*Garnett Robins-Baughman*

Garnett Robins-Baughman

Director of Advocacy

Just Future Project

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