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| **Subhead:** | **Anorexic woman lands at ground zero of state mental hospital crisis** |
| **Reporter:** | By MICHAEL **MARTZ** '¢ Richmond Times-Dispatch |
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| **Source:** |  |
| **Day:** | Sunday |
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| **Text:** | CENTRAL STATE HOSPITAL - **Angel** Love Fuller came into the waiting room with fear in her eyes.  Fuller, 36, was frail and emaciated because of the eating disorder that landed her here in Building 96, the new admissions unit for civil patients at a Virginia mental hospital that previously had admitted few of them for crisis care.  It was her final night here after a two-week stay ' first on a ward primarily for intellectually and developmentally disabled patients, many of them in wheelchairs, and then on a ward filled with what she described as "paranoid schizophrenics."  "The whole ward is like a nightmare," Fuller tearfully told Bill Rogers, a Henrico County man who employs her to help care for his elderly parents and has advocated for her during a traumatic ride through Virginia's troubled mental health system.  "I'm terrified of being in this place," she said. "They're bringing in these violent people and I'm trapped in the ward with all of these people."  Building 96 is ground zero for a statewide mental health crisis that began with the best intentions. Five years ago, the Virginia General Assembly adopted a law that requires state hospitals to provide the "bed of last resort" to involuntarily detained people who pose a danger to themselves or others, or who, like Fuller, cannot care for themselves.  The law was the primary response to "streeting," in which people who met the criteria for involuntary detention were allowed to go untreated because beds in a psychiatric facility weren't found quickly enough. It was already a problem when Gus Deeds, the 24-year-old son of Sen. Creigh Deeds, D-Bath, attacked his father and killed himself on Nov. 19, 2013, less than 13 hours after being released from emergency custody because of failure to find an appropriate place for his care.  Now, the legislature and Gov. Ralph Northam's administration face an urgent struggle to reverse a trend that has allowed private psychiatric hospitals to shift a greater portion of patients under temporary detention orders ' they still treat most of them ' to state hospitals that don't have enough staff to handle them safely.  Hospital staff are getting hurt more often and employees are demoralized, especially those in Building 96, an admissions unit where patients with complicated medical needs and those with violent tendencies are kept under the same roof.  "CSH is a MENTAL HOSPITAL, not a MEDICAL HOSPITAL, nor is it a JAIL, but these type of people are being housed there and therefore they are not getting the proper care that is needed," a group of Central State employees wrote in an anonymous message to the Richmond Times-Dispatch in early May.  \*\*\*  Deeds, as chairman of a joint subcommittee studying the state mental health system, said, "What's going on at Central State is symptomatic of what's going on across the system."  "We're at the point we're going to have a bad tragedy," he said Thursday. "We've got these hospitals at a boiling point. We have to get something done."  With state mental hospitals operating at 98% of their combined capacity as of Sept. 9, a statewide work group is struggling to find a solution to relieve the unintended consequences of the "bed of last resort" law, so that people such as **Angel** Fuller don't end up in the most restrictive setting instead of the least.  Private hospital officials say any solution also has to consider the strain on their emergency departments and their capacity, as more people come for treatment in psychiatric crisis that could be compounded by drugs, alcohol and violent behavior.  "Nobody wants to put a patient in a hospital that can't care for them," said Dr. Jake O'Shea, chief medical officer at HCA Healthcare's Capital Division and a member of the new state work group on temporary detention orders, or TDOs.  Richard Bonnie, director of the Institute of Law, Psychiatry and Public Policy at the University of Virginia, said new kinds of limited treatment facilities are needed "to take the load off of emergency departments, which from a clinical standpoint is the worst place a person in crisis can be."  But Bonnie, who also serves on the work group, said Virginia policymakers cannot continue to put people with complex medical needs in state mental hospitals that aren't able to address those needs.  "We ought to take the state hospitals off of the table," he said. "They do not have the capacity to deal with patients like that."  Daniel Herr, deputy commissioner of Behavioral Health and Developmental Services, was informed personally when Fuller came to Central State on July 19 from HCA Henrico Doctors' Hospital on Parham Road because Henrico emergency screeners found her unable to care for herself.  Local mental health workers sought to find an appropriate facility to take Fuller. Eighteen facilities ' including Virginia Commonwealth University Health System and six hospitals operated by HCA ' twice had refused to admit her for psychiatric care after she had been stabilized at Henrico Doctors' for dangerously low potassium levels stemming from anorexia nervosa.  "I can't say someone with anorexia nervosa, with any medical complications, would have never come to a state hospital, but it would have been exceedingly rare," said Herr, who is responsible for Virginia's nine mental hospitals and four other behavioral health institutions.  HCA officials declined to discuss Fuller's case or provide a consent form to allow them to share her medical information. But Henrico records show that HCA first said her weight was too low and its hospitals could not treat anorexia. The second time, the hospital system said her condition was both too acute and chronic.  Fuller's psychiatric history is complex. She said she was raped at 8 and suffers from post-traumatic stress disorder. The clinical record says she was a drug addict and that her reliance on Suboxone to keep her off opioids prevented some hospitals from taking her.  According to medical records, she had numerous psychiatric hospitalizations in her native Winchester before coming to Richmond 2½ years ago for a fresh start.  Before the last-resort law, Henrico's community services board and others in the Richmond region sent relatively few patients to Central State but relied primarily on private facilities, said Daniel Rigsby, director of clinical and prevention services at Henrico Area Mental Health & Developmental Services.  "If someone shows up in psychiatric crisis, we have to see them, we want to see them," Rigsby said. "It's the same at the state hospitals. Private hospitals have the option of choosing. It creates a tension in the system."  But he defended the decision to send Fuller to Central State, where she subsequently was committed for care after a hearing at the hospital.  "She didn't die, and she was at risk of dying," Rigsby said. "The system worked in that regard. Did it work perfectly? Probably not. In terms of her being alive and getting treated, it did work."  But Bonnie, at UVA, said sending psychiatric patients with medically complex conditions to state mental hospitals raises patient safety concerns that policymakers need to address.  "We have to be able to handle people safely when they are in crisis," he said. "Putting people in state hospitals because of the last-resort law is simply wrong."  \*\*\*  One day in late April, Central State staff jumped into vans on the sprawling and decrepit hospital campus near Petersburg to head off violence in Building 96, which had become the admissions unit for civil patients weeks earlier.  They responded to potential fights 29 times between 7 a.m. and 3 p.m., according to a clinical employee on one of the civil units who asked not to be identified publicly but whose identity and role have been verified by The Times-Dispatch. The newspaper is not identifying the employee to protect the person's job.  "There are fights every day, patient to patient," the employee said.  State officials questioned the accuracy of the employee's account. The hospital does not officially track response calls made to prevent violence as it does more urgent emergency calls, but spokeswoman Meghan McGuire said, "Central State is unable to verify or even recall any shift or day when there were close to that number of response calls in Building 96."  The hospital recorded three days in April with five emergency calls for backup staff for actual or potential violence in Building 96 and one day with four emergency calls.  Hospital staff acknowledged that "April was a challenging month for Building 96" because of a high number of civil TDO admissions that month, as well as the April 1 reorganization of three units for civil patients, McGuire said. State officials also acknowledged an increase in patient assaults on employees, who contend they lack adequate security in the admissions unit and support from hospital leadership.  In 2017, Central State recorded 12 patient assaults on employees. Last year, the number nearly tripled, to 33. This year, the hospital had recorded 39 patient assaults on staff in less than seven months.  Herr, the deputy commissioner for facilities, called staff injuries "a core concern if not close to the number one issue" at the hospital. "It's hard not to see a direct connection" between injuries and the patient census, he said.  Injuries to civil patients ' those not housed in the maximum-security forensic unit, which is reserved for individuals who commit violent crimes ' rose from 33 in 2014, the year the last-resort law took effect, to a peak of 63 in 2017 before declining to 48 last year.  This year, Central State recorded 24 patient injuries through August, almost all of them in the five months since it reorganized the civil units and their staffs on April 1 in response to the flood of acutely ill patients admitted to the hospital.  State officials say the increase in patient injuries has not risen proportionately to admissions, which have exceeded 100 every month this year except January. Instead, the rate of injuries per admission "has remained constant or even decreased as the admissions have gone up," McGuire said.  "This can be credited to factors such as hospital staff making critical adjustments to accommodate the increasing patient population," she said.  Before the last-resort law, Herr said Central State routinely admitted 50 to 60 patients under temporary detention orders in a year. In the fiscal year that ended June 30, the hospital had admitted 758 patients under TDOs, a 25% increase from the previous year.  Since fiscal year 2015, the first under the new law, the number of TDOs issued annually across the state has been relatively constant at around 25,000. But TDO admissions to state hospitals have nearly tripled, while the proportion of TDO admissions to private hospitals has declined from 91% to 77% in the last fiscal year.  "The challenge we have, we have to emphasize to our private partners that this is a core need of the communities they serve," said Secretary of Health and Human Services Daniel Carey, a former cardiologist and hospital administrator in Lynchburg.  HCA Virginia says it has admitted almost 2,000 people under TDOs at its hospitals in the first eight months of this year. It has experienced a 3% increase in overall behavioral health admissions, including voluntary patients that private hospitals treat almost exclusively. It operates 526 beds for behavioral health patients, including 16 in a new unit in Pulaski County.  "It is an incredibly complex scenario with many moving parts," said O'Shea, the chief medical officer for HCA, "and we're trying to find the solution that provides the most good for the most people."  But the scenario that's playing out at Central State is a reversal of its more than two-decade transition away from acute care for civil patients to treating forensic patients with varying levels of criminal charges and people who need long-term treatment for conditions that private providers can't manage.  Previously, Central State relied on the maximum-security forensic unit to handle all admissions.  In April, Building 96 became the admissions unit for acutely ill patients. Ward 1 was reserved for up to 22 patients with medical conditions and those with intellectual or developmental disabilities. Wards 3 and 4 each handled up to 15 patients admitted under TDOs.  "This is when the violence increased. ... The building is not big enough, nor does it have enough staff for all of the aggressive behaviors," the clinical employee said in an email earlier this month.  Herr said the increase in violence in Building 96 was not surprising because of its role as an acute care admissions unit, but some employees blame Hospital Director Rebecca Vauter and Chief Nurse Executive Lauren Cartwright for not providing enough security to protect them, as well as their shuffling of staff assignments.  After employees protested to state officials, Vauter asked for an independent review of the reorganization and a subsequent plan for assigning supervisors and managers among the three buildings for civil patients.  Virginia changed its leadership at Commonwealth Center for Children and Adolescents in Staunton in late 2016 and at Eastern State Hospital near Williamsburg earlier this year as the hospitals struggled to manage the pressures caused by the rising patient census.  At Central State, Herr said he is confident that the reorganization treated hospital employees fairly and "unequivocally" supported Vauter and Cartwright for their handling of it.  "Safety has been a fairly significant focus for leadership there," he said.  Mental health advocates are "very concerned" about conditions at state hospitals, said Bruce Cruser, executive director of Mental Health America of Virginia. He also worries that pressure from the last-resort law is forcing the state to put more money into institutional care instead of expanding community services "so people don't have go to hospitals in the first place."  \*\*\*  **Angel** Fuller felt overwhelmed when she walked into the crisis stabilization unit operated by the Richmond Behavioral Health Authority on Aug. 2, exactly two weeks after she was sent to Central State under police escort.  "I broke down, I was so happy to be there," she said.  When Fuller entered the program in downtown Richmond, she scored a 17 on the screening test for depression, which falls between moderately severe and severe. By the time she left the program a week later, her score was 0, the best score.  Her original plan after leaving Central State was to find a residential program for eating disorders that would treat her with her insurance under Medicaid. According to the National Eating Recovery Center in Denver, there aren't any in Virginia.  "That's a significant gap," said Carey, the state's top health official.  One of the challenges in relieving pressure on Virginia's overcrowded mental hospitals is finding places for patients to go when they're clinically ready to leave, he said. "We think about the front door; we think about the back door."  Virginia had a peak of 246 people on the "extraordinary barriers list" in May, meaning they were clinically ready to leave but didn't have a place to live and receive appropriate care in their communities. Central State housed 37 people on the list that month, 55 in June, 43 in July and 44 in August.  Most of the people on the discharge waiting list at Central State are clients of the Richmond Behavioral Health Authority, which had 128 people on the list in the first eight months of the year, including 19 in August. Henrico followed with 50 for the year and five in August.  The same RBHA crisis stabilization unit Fuller entered after leaving Central State was among the facilities that had rejected her admission from HCA Henrico Doctors'. Henrico emergency screeners said the unit declined her admission because it would not be able to make her eat if she were not willing.  "I would voluntarily go anywhere," she said at the end of her stay in Central State.  When Fuller left the RBHA program, she was planning to return to the home of Bill Rogers' parents in Richmond's West End and resume receiving services at the Daily Planet, a nonprofit safety net pro  vider downtown. The organization sought an emergency custody order for her involuntary treatment on July 17 because of her deteriorating physical condition.  Instead, her Medicaid insurance provider is paying for psychiatric treatment at the Virginia Center for Addiction Medicine in Henrico and therapy for her eating disorder by an outpatient provider in Mechanicsville.  The Daily Planet declined to comment on her case or provide a consent form for release of medical records.  Central State records say the organization sought emergency custody because Fuller had missed doctors' appointments and failed to pick up prescriptions, including medication to address her low potassium levels.  Fuller acknowledged that she had not picked up prescriptions and had resisted going to a hospital voluntarily, although she said she only missed appointments if she had no transportation to get from the West End to downtown.  "I wasn't taking it as seriously as I should," she said at Central State. "That's my fault."  Fuller was admitted to Henrico Doctors' Hospital for medical treatment, but mental health workers concluded in two psychiatric screenings that she was not able to care for herself.  Police obtained another emergency custody order after "she indicated she was prepared to leave the hospital and a friend would pick her up," said Rigsby at Henrico Mental Health.  She said she never tried to leave the hospital, but told them, when asked, she would like to leave. "Who wouldn't want to go home?" she asked.  Fuller was taken back to the emergency room at Henrico Doctors' Hospital, where she said she was handcuffed to a bed for nearly eight hours while the community services board looked for an available bed. Under the bed of last resort law, she was sent to Central State under a temporary detention order late on July 19.  Central State records show that the Daily Planet and Henrico Mental Health had expressed concern about her living arrangement, which includes caring for Rogers' 93-year-old father and his mother, who is suffering from dementia. They attributed her sudden weight loss to her home environment.  But Fuller appears to be content in the Patterson Avenue home, where she has a small bedroom and a kitten named Nala. "I've always been happy here," she said. "The job is difficult sometimes, but I love them."  She said she has struggled with an eating disorder since she was 11. "It's like there's a monster in my head," said Fuller, confessing that even after her ordeal, "I already feel like I need to lose weight again."  But Fuller doesn't think that Central State was the right place for treating her problems.  "They were probably less equipped than any of the other places they could send me to," she said. "I lost weight while I was there." |

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| **Headline:** | **Three years after fatal boating accident, state game department faces questions about conduct** |
| **Subhead:** |  |
| **Reporter:** | By MICHAEL **MARTZ** Richmond Times-Dispatch |
| **Desk:** |  |
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| **Day:** | Saturday |
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| **Print Run Date:** | 7/6/2019 |
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| **Corrections:** |  |
| **Text:** | On the eve of Independence Day three years ago, a 17-year-old North Carolina woman died in a **boating** accident at Smith Mountain Lake, a tragedy that now has raised doubts about the conduct of Virginia conservation police in an investigation and criminal trial that resolved nothing but left a Martinsville family publicly scarred.  A four-day trial of Drew Hall, who drove the **boat** that collided with a jet ski on the lake on July 3, 2016, ended with his conviction on a reduced misdemeanor charge that a Pittsylvania County judge threw out this year when it became clear that the Virginia Department of **Game** and Inland Fisheries had withheld evidence that was critical to his defense.  The evidence ' suggesting that the jet ski driver, not Hall, might have been at fault in the fatal collision ' also was an unhappy surprise for Pittsylvania Commonwealth's Attorney Bryan Haskins, who questioned whether it would have changed the outcome of the trial but acknowledged that it should have been provided to defense attorneys.  "It chafes my rear end [that] this information was withheld," Haskins told General District Judge George A. Jones Jr. at a hearing in March, almost 18 months since Hall's conviction for improper **boating** in the death of Gabrielle "Gabby" Ayers of Pfafftown, N.C., a passenger on the jet ski.  The outcome has cast doubt over the conduct of **game** department conservation officers, who have broad law enforcement powers, and their accountability for depriving Hall of his constitutional right to a fair trial, including access to all evidence and the ability to cross-examine accusers.  "They did withhold evidence ' the question is whether it was intentional or negligent," said Bill Stanley, a Republican state senator and defense attorney who represented Hall.  **Game** department officials defended the officers but acknowledged a previous lack of uniform training and professional standards for its statewide law enforcement division.  "Our intent was to comply completely," said Maj. Scott Naff, assistant chief of law enforcement operations, who said the department began establishing uniform standards and creating a major incident investigation team in late 2016, independently of the fatal **boating** accident less than six months earlier.  However, Naff said he is confident that if the charges were tried again with the additional evidence, "it would not change the outcome of the case."  Jones, the judge who had presided over the trial, said during the March 18 hearing that he couldn't say whether the evidence would have changed his verdict, but he agreed that its absence had deprived the former Hampden-Sydney College student of his constitutional right to a fair trial. The judge threw out the verdict, clearing Hall's record but leaving him disillusioned about a criminal investigation he said wrongly targeted him from the moment it began.  "We're in the same position right now we were in the day the accident happened, as to who was at fault," Hall, now 23, said in a telephone conference call at McGuireWoods Consulting, which is representing his family in an ongoing quest to hold the **game** department accountable for its actions in the investigation.  "Many simple things could have been done to clear this up," he said. "Everybody overlooked it as if it didn't matter, when it really did matter to me, my family, my entire future."  Traumatized by his involvement in a fatal accident and vilified by some on social media, Hall dropped out of Hampden-Sydney soon before the trial in 2017. A year later, his mother, Sallie, died of a heart attack at age 53, days before she was scheduled to give a deposition in a multimillion-dollar civil lawsuit the Ayers family filed against Hall and the jet ski driver, Rentz Brandt of Danville, over the wrongful death of their daughter.  "She was very stressed about it," said his father, Richard Hall, whose Freedom of Information Act requests ultimately uncovered two sets of notes by conservation police that weren't provided to the prosecution or defense for trial.  Those notes would have been crucial evidence for the defense, said Stanley, who represented Hall with Tom Cullen, now U.S. attorney for the Western District of Virginia.  "This wasn't little stuff that didn't make a difference," Stanley said in an interview. "This was big stuff that could have made a difference."  \*\*\*  On July 3, 2016, a crowd had gathered for celebratory fireworks on the bank of a cove around the Anthony Ford **Boat** Ramp. Hall, then 20, was piloting a power **boat**, accompanied by Capers Zentmeyer, 22, that began to pick up speed as it left the cove for the main channel of the lake.  A jet ski driven by Brandt, then 19, collided with the **boat**, and Ayers, who was riding on the back of the jet ski, was fatally injured. Hall jumped into the lake fully clothed in an effort to rescue both of them and bring them to shore, but Ayers could not be revived. Brandt, who had minor injuries, was taken to a hospital.  "From the best of my knowledge, there was nothing more I could have done personally," Hall said. "I literally was willing to drown to make sure that no one else drowned while I was there. I knew that was something I couldn't live with."  The **game** department investigation concluded that the angle of impact showed that Hall's **boat** had overtaken and run over the jet ski because he had been inattentive, possibly because of a beer he acknowledged drinking with dinner almost two hours earlier.  The prosecutor also presented witness testimony that the jet ski was barely moving when it collided with the **boat**, although Zentmeyer said the collision was so hard it knocked the **boat** off course.  Hall was charged with reckless **boating**, underage alcohol consumption and possession of fake IDs.  An expert hired by Hall's family said the jet ski had approached the **boat** at a 45-degree angle, meaning it was crossing the vessel's path.  The defense said its argument was bolstered by evidence that was withheld during trial ' notes of one conservation officer suggesting that the jet ski approached the **boat** at a 45-degree angle and a recording, discovered suddenly during the trial, in which Brandt said that when he saw the **boat** to his right, "like I tried to swerve but I hit it."  Conservation officer Dallas Neel, who led the **game** department investigation, acknowledged the existence of the recording in response to defense lawyers' requests to Haskins. The prosecutor immediately shared the recording with defense attorneys, who said they listened to it with astonishment in a room behind the courtroom in Chatham.  "We said, '?Holy cow! That's a big difference!''?" Stanley recalled. "At the moment of impact, the vessels had changed their positions."  Stanley said that change of positions was fatal to Ayers, who suffered multiple injuries to her right side as the back of the swerving jet ski collided with the **boat**. "She became the point of impact."  The recording had not been provided to the prosecutor or the defense as evidence, but instead investigators had provided a summary of Brandt's interview, conducted in a Franklin County hospital by a conservation officer who had forgotten his recorder and borrowed one from another officer.  "This was not something that we intentionally withheld," said Naff, who blamed the confusion on "a switcheroo in the field."  Stanley was skeptical of the explanation. "They had it at their fingertips," he said.  Hall's lawyers were able to cross-examine Brandt again, based on the recording. Ultimately, the judge convicted Hall of a reduced charge of improper **boating** and fined him $300, along with $441 in court fees and a requirement of 20 hours of community service.  What the judge, prosecutor and defense team didn't know was that Neel had taken notes in conferring with another officer. The notes suggested that the jet ski driver was at fault and that both Brandt and Hall should be charged with reckless **boating**.  The notes came to light after Hall's father, a former Orion Capital executive with experience in due diligence research for investors, devoted the next year to a dogged pursuit of information to exonerate his son. He filed roughly a dozen Freedom of Information requests and a series of complaints against Neel and other officers involved in the investigation.  "I thought that the system would work," he said in an interview.  **Game** department officials said they had turned over a large volume of documents to the prosecutor, who has an open file policy for defense lawyers to review all evidence that could be used in trial.  "If he gets it, we get it," Stanley said of Haskins, who declined to comment on the case.  **Game** officials attribute the absence of the field notes and other missteps to confusion in the field, with multiple conservation officers involved at the scene of the accident and in its aftermath.  "It was not a clean scene," Naff said. "It was a bloody scene. It was just chaos."  Hall and his family say the investigation targeted him unfairly from the beginning. A field sobriety test showed his blood alcohol level at .015, well below the level for intoxication even for a minor.  Conservation police initially included alcohol as a cause of the accident, because of a series of tests they said showed he was impaired but Stanley contends were improperly administered. Ultimately, the department dropped alcohol as a primary cause of the accident on its report to the U.S. Coast Guard, over Neel's objections.  The judge also dismissed an underage possession charge against Hall under the state's first offender statute and the fake ID charge because it cited the wrong law.  Hall's attorneys said the same conservation officer who forgot his recorder also failed to bring his alcohol test kit to the hospital to test Brandt, who showed no sign of alcohol more than 3½ hours after the accident.  Hall's defense also raised questions about whether Brandt had used marijuana the day of the accident. On cross-examination by Hall's lawyers, he said he would prefer not to answer the question.  Brandt has filed a civil lawsuit against Hall that is pending. Early this year insurers settled the suit filed by Ayers' family, although Richard Hall said he had wanted the insurers to wait until the decision on vacating the criminal verdict.  Ayers' family did not respond to a request for comment through its lawyer in North Carolina, Richard Keshian. Carter Keeney, a Richmond-area lawyer representing Brandt, said, "We're not commenting."  \*\*\*  The judge's decision to vacate Hall's improper **boating** conviction came as a surprise to Gary Martel, acting executive director of the **game** department, who said he learned of it when the Richmond Times-Dispatch contacted him in early June.  Martel, a longtime **game** department official with a background in fisheries management, will relinquish the interim leadership role on Monday, when Ryan J. Brown, a former lawyer in the state attorney general's office, will become executive director of the agency.  The department said it thought it had settled the case and questions about its conduct last October, after an independent investigation of the Hall family's complaints against Neel and two other conservation officers.  "The department is committed to conducting thorough administrative investigations to determine if there are problems with actions and performance of our personnel," Martel wrote to Richard Hall on Oct. 17.  He said the department had made "appropriate corrections and additions to these investigation reports," with 16 changes, including a reversal of the inclusion of alcohol as a cause of the accident.  The department has declined to release the findings of the investigation, conducted by former Capitol Police Chief Kimberly Lettner. Normally, the department would handle such an investigation administratively, but it sought outside help because the assistant chief for administration, Maj. Bryan Young, was part of the **boating** accident investigation and directly supervised Neel.  "We did not want any hint of bias," Naff said.  Lettner would not comment on the investigation because it was about personnel issues. The department did not say whether it had taken any disciplinary actions, but said the officers involved remain in their positions, with the exception of one who transferred to another part of the state.  The outcome did not satisfy Richard Hall, who said he had met with Lettner during the investigation. He said she confirmed that she was aware the department had withheld potentially exculpatory evidence under the constitutional doctrine established by the U.S. Supreme Court in Brady v. Maryland in 1963.  "The seriousness of not addressing the Brady violations cannot be understated," he said in an email message. "The failure to address the ethical fairness of a citizen's rights at the agency's highest leadership level compromises the integrity of the agency and leads to further questions of why the agency is protecting its own over the rights of the citizens it serves."  The **game** department's law enforcement division will be part of a pending study of the agency by the Joint Legislative Audit and Review Commission  Department leaders say they were already taking steps to improve the performance of its law enforcement division, with an emphasis on training, uniform standards across the state and staffing, including the creation of a major incident investigation team.  "It was a time of transition within our law enforcement division," said Naff, who was promoted to assistant chief in late 2016.  The new major accident team will allow the department to focus on big investigations without other distractions, he said, "so hopefully things won't fall through a crack."  For Martel, the biggest lesson of the Smith Mountain Lake investigation was "training ' the need for better, uniform training across the state."  Drew Hall, back in school at Patrick Henry Community College in Henry County, wants to help others who don't have the same financial means as his family to protect their rights under the law.  "I would like this to be an example of what not to do in the future," he said. |

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| **Headline:** | **Design drawings for mental hospital expansion were approved the month project was supposed to be done** |
| **Subhead:** |  |
| **Reporter:** | By MICHAEL **MARTZ** Richmond Times-Dispatch |
| **Desk:** |  |
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| **Day:** | Thursday |
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| **Corrections:** |  |
| **Text:** | The final design of a critically needed expansion of **Western** **State** Hospital was approved in September, the same month the $18.2 million project was supposed to be completed under a tentative working schedule established two years ago.  Under that start date, the 56-bed expansion of the **state** mental institution in Staunton is 19 months behind schedule. The schedule was part of a timeline in the contract the **state** signed in 2017 with an architectural/engineering firm to design the expansion.  However, the Virginia Department of Behavioral Health and Developmental Services said the original completion date was April 2020 ' not the unofficial September 2019 deadline in the contract. The new completion date is April 2021.  "The original timeline was aggressive and did not leave much room for the modifications of design work," spokeswoman Meghan McGuire said Wednesday. "Every effort was made to meet the original time frame, but it became clear in the last several months the schedule would need to be revised."  The delay infuriated members of the House Appropriations Committee when the **state** informed them on Monday of the delay, which the behavioral health department incorrectly estimated at nine months in the presentation.  "I am bitterly disappointed at what I am hearing today because the ball has been dropped," Appropriations Chairman Chris Jones, R-Suffolk, told Mira Signer, interim commissioner of behavioral health and developmental services.  The behavioral health department is the **state** agency responsible for managing the **Western** **State** expansion. The agency said "time is of the essence" in the $2.2 million contract it signed in April 2017 with HDR Architecture Inc., a national architectural and engineering firm, to design and complete the project.  "Delays in the design and/or construction may significantly impact the feasibility and cost of the project," the **state** told the firm in a memorandum of understanding signed a month earlier that accompanies the contract and includes the timeline.  Joe Damico, director of the **state** Department of General Services, estimated this week that the delay could add about 4.5% to the cost of construction because of increases in the price of materials, especially steel. If so, that would add $819,000 to the cost.  HDR did not receive final approval of General Services' Division of Engineering and Buildings ' the **state**'s building code official for **state** agency capital projects ' until September, despite a due date of January 2018 under the working schedule in the contract.  The architectural and engineering firm, based in Omaha, Neb., deferred comment to the behavioral health department, which has blamed the delay partly on a **state** misunderstanding over which set of building code requirements applied to expansion of the hospital.  Behavioral health officials said the timing also was affected by a staff change at HDR because of concerns about the schedule. McGuire said the agency's "expectations for timeliness to meet documentation submission deadlines were not being met."  "This was corrected when the contractor brought a new manager on board," she said. "However, this change resulted in a delay."  The behavioral health department also has undergone major leadership changes since Dr. Jack Barber, then interim commissioner of the agency, signed the contract in April 2017.  A year later, Gov. Ralph Northam replaced Barber with Dr. Hughes Melton, who died on Aug. 2, two days after a three-vehicle accident in Augusta County that also killed an 18-year-old Staunton woman.  Northam named Signer as interim commissioner of the agency, which oversees nine **state** mental hospitals, including **Western** **State**, which the **state** replaced in 2013 with the expectation it could be expanded.  When the **Western** **State** expansion was included in a $2.4 billion **state** bond package in 2016, McGuire said the department believed "that the same code used to design the main hospital would be able to be used to design the building's expansion."  The new hospital was designed and built to the Uniform Statewide Building Code dating to 2006, but McGuire said the agency did not direct HDR to use those requirements for the extension. She said HDR submitted designs based on the building code first developed in 2012 and applicable until early September.  Damico said **state** building code officials met with HDR and behavioral health officials the same month the contract was signed in 2017 to make the process and their expectations clear.  "We came out of the chute telling them what they had to comply with," Damico said in an interview on Wednesday.  Subsequently, his agency reviewed eight sets of architecture and engineering drawings ' from schematic design to preliminary and final working drawings ' before finding them in compliance with the Uniform Statewide Building Code that was in force at the time the **state** awarded the contract.  "We review them at every phase for code compliance," Damico said, adding, "24 months is a long time to get the drawings correct."  The Virginia Department of Housing and Community Development develops new Uniform Statewide Building Codes every three years for different aspects of new construction or renovation. The 2015 codes went into effect in September 2018, with a one-year grace period for applicants to choose to use the 2012 codes.  Damico said HDR submitted the corrected final working drawings at the beginning of September, just before expiration of the grace period for the 2012 building code. He confirmed that the building code official has authority to waive requirements that are not related to life safety, but said, "We do stay in conformance with the current codes."  **State** agencies are responsible for managing budgeted capital projects unless lawmakers specify that the Department of General Services manages them.  For example, the Department of General Services is managing the $315 million project included in the **state** budget this year to replace Central **State** Hospital, a sprawling **state** mental institution just outside of Petersburg. The agency's Office of Construction Management for Special Projects runs the project, but the Division of Engineering and Buildings reviews it for compliance with the applicable code requirements, just as it does for the **Western** **State** expansion.  The **state** has signed a contract with an architectural/engineering company and is negotiating with a construction management firm for the Central **State** replacement, which has a five-year timeline for completion.  The **Western** **State** expansion is considered critical to relieving pressure on Virginia's overcrowded mental institutions under a 2014 **state** law that required them to provide the "bed of last resort" for people in psychiatric crisis who pose a threat to themselves or others, or cannot care for themselves.  With **state** hospitals operating near or beyond their capacities, the **state** has proposed a temporary, 56-bed expansion of Catawba Hospital near Salem for geriatric and adult patients held involuntarily under temporary detention orders whom private psychiatric facilities have declined to accept. The expansion at Catawba would cost almost $20 million over two years in the next **state** budget, in addition to $4.1 million in internal funds to start the project this year.  McGuire said that even if the expansion of **Western** **State** met the original completion date of April 2020, "the **state** hospital census crisis is a problem for today."  mmartz@timesdispatch.com  (804) 649-6964 |

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| **Headline:** | **Va. budget omits funding for plan to replace aging Central State No money in budget to plan replacement for Central State, but governor could intervene** |
| **Subhead:** | **Lawmakers give governor<br />deadline to offer ideas on money for mental hospital** |
| **Reporter:** | By MICHAEL **MARTZ** Richmond Times-Dispatch |
| **Desk:** |  |
| **Source:** |  |
| **Day:** | Wednesday |
| **Dateline:** |  |
| **Print Run Date:** | 3/6/2019 |
| **Digital Run Date:** |  |
| **Corrections:** |  |
| **Text:** | Gov. Ralph Northam might have to propose a new approach for replacing Central **State** Hospital after General Assembly budget negotiators removed funding to plan a project that would cost more than $385 million and require at least seven years to complete.  Northam had proposed $16 million in planning money for the project, which has more than doubled in cost and scope under a study completed Dec. 1.  Budget negotiators cut the planning money from the two-year spending compromise reached shortly before the legislature adjourned last month. They say they are open to funding a different approach if the governor proposes one before the assembly reconvenes on April 3 for its veto session.  Central **State** was founded after the Civil War as one of the nation's first psychiatric institutions solely for African-Americans; it became racially integrated in 1967, three years after passage of the Civil Rights Act. The hospital, made up of almost two dozen old buildings on 543 acres in Dinwiddie County outside of Petersburg, is considered crucial to rebuilding Virginia's mental health system.  But legislative leaders said the proposal to replace the hospital requires clearer focus and quicker results.  "It just didn't seem like they had thought the thing through," said Senate Finance Co-Chairman Emmett Hanger, R-Augusta. "I wanted them to expedite it."  Hanger, Finance Co-Chairman Tommy Norment, R-James City, and House Appropriations Chairman Chris Jones, R-Suffolk, made the decision to drop the capital planning money late in negotiations by the conference committee that reconciled differences between the Senate and House of Delegates on revisions to the two-year budget.  "That, by far, was the largest project," Jones said. "If the governor feels that passionately about it, he can send something down at the reconvened session."  Northam spokeswoman Ofirah Yheskel said, "The governor is disappointed to see the critical need that was reflected in his proposed budget is not being addressed and he will evaluate options moving forward."  'Indispensable institution'  Secretary of Finance Aubrey Layne said he has been warning the assembly money committees since early fall that replacing Central **State** is one of the **state**'s biggest looming financial obligations.  "Right now, probably one of the most critical needs in the commonwealth is not being addressed," Layne said.  Central **State** is "an indispensable institution" because it contains the only maximum-security mental hospital unit in the **state**, said Sen. Creigh Deeds, D-Bath, leader of a joint subcommittee that has been working for years to restructure Virginia's troubled mental health system. The hospital also serves a central part of Virginia, including the Richmond area.  However, **state** officials say the sprawling hospital campus is old - the average building age is 65 years - inefficient and unsafe, undermining treatment of some of the most difficult patients in the **state** system.  "I don't understand how people can get well in that facility the way it's laid out now," Deeds said. "It's more reminiscent of 'One Flew Over the Cuckoo's Nest.'"  The revised budget includes language that directs the Department of Behavioral Health and Developmental Services to study how to fit Central **State** within a larger study of how to "right-size" the **state**'s increasingly overcrowded mental hospitals.  Dr. Hughes Melton, who became behavioral health commissioner last spring, thinks the hospital's role won't change.  "I don't see a possible future where we don't need a replacement hospital for Central **State**," Melton said Tuesday. "I think the need for the facility is very clear."  What's less clear is the feasibility of the plan developed by the behavioral health department and the Department of General Services, which oversees real estate and construction projects for **state** government.  Doubled in scope, cost  The agencies produced a 403-page report on Dec. 1 that provided a detailed analysis of a project that has more than doubled in scope and cost in less than a year.  Last summer, the **state** was considering a $169.1 million project that would replace eight outdated buildings - including the maximum-security forensic unit - with one building. The new report instead recommended a project that would replace 23 buildings with one consolidated facility at a cost of $385.1 million.  The costs would go up and the construction schedule would slip if the **state** split the project into two or three phases. Layne said that is why the new study recommended a comprehensive approach instead of an incremental one that would put pressure on hospital staff and clinical treatment. "Operationally, we'll be spending a lot of money," he said of the preliminary study, completed in 2015.  **State** mental health officials say the earlier study did not include a full site analysis or consider all necessary clinical, medical and support services.  The new study, updated for inflation, "was more thorough and was done by an independent contractor," said Maria Reppas, spokeswoman for the behavioral health department. "It included plans and cost estimates for a site analysis, additional treatment space, a pharmacy and the clinical and medical services that are needed for a free-standing hospital."  "It included changes for the old hospital design that no longer meet federal standards of care required for treatment facilities like Central **State**, such as individual bathrooms in the maximum-security unit," she added. "It also included the support services needed to run the hospital, such as the physical plant, laundry, warehouse and the food service kitchen."  At least seven years  Melton said the new plan would require at least seven years to complete because it would require "detailed drawings for a really sophisticated facility that would have two facilities under one roof" - the maximum-security forensic unit and units for civil patients and forensic patients requiring a lower level of security while they are evaluated.  Legislators also are concerned about the reliability, efficiency and safety of the current Central **State** complex, which is why they want the **state** to move faster with a replacement hospital that is modeled on the modern facilities built at **Western** **State** Hospital in Staunton and Eastern **State** Hospital near Williamsburg.  "My hope is we can work this out prior to the veto session," said Sen. Rosalyn Dance, D-Petersburg. "It should not take them seven years to do this project."  Layne acknowledges the concerns, but he says the **state** cannot afford to wait any longer for money to plan the project.  "The message from us is we can't go another year without any action," he said.  mmartz@timesdispatch.com(804) 649-6964 |

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| **Headline:** | **Democratic Party chair makes calls for gaming company in Charlottesville fight** |
| **Subhead:** |  |
| **Reporter:** | By MICHAEL **MARTZ** Richmond Times-Dispatch |
| **Desk:** |  |
| **Source:** |  |
| **Day:** | Sunday |
| **Dateline:** |  |
| **Print Run Date:** | 9/1/2019 |
| **Digital Run Date:** |  |
| **Corrections:** |  |
| **Text:** | When Queen of Virginia Skill & Entertainment wanted to know more about why a Charlottesville prosecutor was about to declare that its games violated state anti-gambling laws, the company turned to a politically well-connected member of its Virginia team to find out more about him.  Democratic Party Chairwoman Susan **Swecker**, a strategic consultant for the company in Virginia, called two state legislators for Charlottesville and a city councilman ' all Democrats ' on the eve of a public statement by Commonwealth's Attorney Joe Platania that the company's product violated state law.  In an interview, **Swecker** confirmed she made calls to Sen. Creigh Deeds, D-Bath; Del. David Toscano, D-Charlottesville; and City Councilman Mike Signer on June 6. But she said she wasn't acting as party chairwoman and didn't ask them to take any action to help Queen of Virginia.  "I was just trying to get the lay of the land," she said.  Deeds and Signer confirmed her account; Toscano did not return requests for comment.  "She was just looking for information and giving me information," Deeds said.  **Swecker**'s involvement shows the extent of connections Queen of Virginia has built in the state while setting up a "games of skill" venture that has gone unregulated and untaxed. That could change when a newly elected General Assembly convenes in January for a well-financed political battle on whether to legalize casinos, sports betting and other forms of gambling in a state that has barred them.  Queen of Virginia has contributed more than $224,000 to legislative candidates and political action committees since 2017, almost evenly divided between Democrats and Republicans. The company gave $11,000 to the Democratic Party of Virginia on June 11, four days after Platania's letter, and was listed as a sponsor of the party's fundraising gala on June 15.  The day after **Swecker**'s phone calls, Platania ordered the removal of the so-called "skill" machines, threatening business owners with prosecution if they did not comply within 30 days.  Queen of Virginia then sued Platania, arguing in a civil suit that the games are legal and that his announcement had hurt the company's "ability to continue doing business." The court case could determine whether the games are or aren't legal. Charlottesville is the only locality in Virginia that has declared them illegal.  **Swecker**, who is not a registered lobbyist, said, "I very much separate those two worlds" ' party leader and president of Dividing Waters Public Affairs. Her firm represents Queen of Virginia's parent company, Pace-O-Matic, in Virginia and other states.  Tom Lisk, one of four lobbyists registered for Queen of Virginia, said lobbying is not **Swecker**'s role for the company, which he said recognizes the sensitivity of her position as Democratic chairwoman.  "We are very careful, given Susan's role as state party chair, not to include her in anything remotely considered lobbying activity," said Lisk, a veteran lobbyist at Cozen O'Connor.  The company says its machines do not violate the law because they are games of skill, not chance.  "The way we operate, we try to come in the front door," said Michael Barley, spokesman for Pace-O-Matic, based in Atlanta. "We want to ask permission."  Former Attorney General Tony Troy, who is part of the Queen of Virginia legal team, said the company met with local prosecutors across Virginia to find out if they saw potential legal problems with the machines.  "We wanted to be sure that they understood what this new item was that would be appearing on bartops," Troy said.  When the company met with Charlottesville Commonwealth's Attorney Dave Chapman, Troy said, Chapman indicated he had no issue with the games.  Platania took over for Chapman in early 2018. After some Charlottesville residents raised concerns in May about the machines having a negative effect on the poor, Platania looked into the issue and concluded they were not legal.  The company said it learned of the prosecutor's pending announcement the day before he issued it.  "We asked our whole team to find out more about it," Barley said.  Queen of Virginia said it was not able to arrange a meeting with Platania. Troy said **Swecker** was asked to use her contacts to try to find out more about the prosecutor and why his office's position on the games had changed.  Signer, previously mayor of Charlottesville, said, "My understanding was that she was seeking information about how the issue had surfaced. And I advised that we heard from a constituent and we also heard from the commonwealth's attorney about his decision to investigate. And that was all I knew."  Platania declined to comment, citing the pending litigation against him.  Queen of Virginia and other gaming machine operators also have gotten the attention of the Virginia Lottery, the state's top finance official and high-ranking state legislators as an unregulated threat to lottery gaming revenues that returned almost $650 million to the state for public education in the fiscal year that ended June 30.  The company said it would welcome legislation to regulate the business, especially with other companies deploying machines in Virginia that aren't easily distinguished from those operated by Queen of Virginia.  "Our goal in every market we're in is to get more of a regulated system," Barley said.  He said Queen of Virginia also recognizes that revenue for the state is likely to be part of any solution.  "That's a discussion we're willing to have," Barley said.  **Swecker** was hired as a consultant in part because of her experience as full-time chairwoman of the old ABC Board under then-Gov. Tim Kaine, Lisk said.  Barley, at Pace-O-Matic, said, "She has a knowledge of the industry. She knows what our machines do. She understands the market we're in and the markets we're trying to set up."  ABC licenses and regulates all the businesses where Queen of Virginia is installing its machines, with the exception of truck stops.  In 2017, the company obtained a nonbinding letter from ABC saying the agency did not consider the machines to be gambling devices and therefore would not pursue disciplinary action against the businesses that installed them. The authority changed course last April, issuing guidance that it was up to local prosecutors to decide if the games are legal.  Virginia Lottery Executive Director Kevin Hall told state finance officials last month that the state agency's sales had been hurt by the deployment of almost 4,300 "untaxed, unlicensed and unregulated machines," many of them in stores that also offer lottery tickets.  Hall said the softening of lottery sales also coincided with the opening of three Rosie's Gaming Emporium outlets by Colonial Downs under a 2018 state law that allowed use of "historical horse racing" machines that look like slot machines but operate on the results of actual horse races.  Lisk said the company believes the Rosie's operations, including one in South Richmond and another at the Colonial Downs horse track in New Kent County, are the main reason for the apparent decline in lottery sales.  Queen of Virginia is commissioning Old Dominion University to conduct a study to determine whether its machines are hurting lottery sales, he said.  "We understand why there may be concerns over the impact we may or may not be having," Lisk said.  The company also blames the proliferation of slot-like machines across the state on other unregulated companies that are deploying large numbers of machines that do not operate as games of skill.  "They have a hard time telling one game from another," Lisk said of law enforcement. "It would benefit us to have some sort of regulatory structure."  Queen of Virginia's games generate what the company calls a "tic-tac-toe style puzzle" featuring spinning reels and a three-by-three grid with randomly generated symbols. Players can solve the puzzle by picking a "wild card" square to make a line of three matching symbols. Solving the puzzle doesn't always result in a prize greater than the amount played. If the user doesn't win back 104% of the money they played, they can proceed to a memory game that allows them to recoup their money by successfully repeating a 25-step sequence of lighted dots in perfect order.  Deeds said slot-like machines are even starting to appear in stores in the rural Allegheny Highlands.  "It's something to be concerned about," he said. "It's a fine line between games of chance and games of skill." |

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| **Headline:** | **VCU's Michael Rao is Virginia's highest-paid state official, topping $1 million** |
| **Subhead:** |  |
| **Reporter:** | BY MICHAEL **MARTZ** '¢ Richmond Times-Dispatch |
| **Desk:** |  |
| **Source:** |  |
| **Day:** | Sunday |
| **Dateline:** |  |
| **Print Run Date:** | 7/14/2019 |
| **Digital Run Date:** |  |
| **Corrections:** |  |
| **Text:** | Salary analysis  A decade after his arrival at Virginia Commonwealth University, President Michael **Rao** is a million-dollar man.  **Rao**, 52, earned more than $1 million in total compensation in the past year, putting him at the top of the state salaries database compiled by the Richmond Times-Dispatch.  This isn't the first time he's led the list, having held the No. 1 spot three years ago. However, **Rao** regained the top ranking this year by surpassing Ronald Schmitz, chief investment officer at the Virginia Retirement System, who was No. 1 in the last Times-Dispatch state salaries database, published online in late 2017.  Schmitz, who ranked third this year at $852,941, also was leapfrogged by University of Virginia President Jim Ryan, who was paid $962,875 in total compensation for the first 11 months of his tenure. Ryan's compensation is more than $200,000 higher than what his predecessor, Teresa Sullivan, received two years earlier.  Higher education dominates the list of top earners, accounting for 19 of the top 25 spots. Seven university presidents and a high-ranking Virginia Tech executive landed in the top 10, joining Schmitz and Virginia Port Authority CEO John Reinhart.  The Richmond Times-Dispatch obtained state employees' names, job titles and salaries using the state's Freedom of Information statute. The FOI request for the fiscal year that began July 1, 2018, and ended June 30, 2019, is part of The Times-Dispatch's ongoing effort to report on government spending and use of taxpayer money.  State officials said the file represents a snapshot of data as of Nov. 1. As required by law, the state provided information for more than 106,000 employees. The Times-Dispatch is excluding from the database the names of more than 53,000 employees whose salaries fall below the statewide median salary of $52,401.  The database also reflects additional information supplied by public colleges and universities to reflect total compensation, not just state salary. The Times-Dispatch began requesting total compensation three years ago, after the paper's investigation in 2015 of a $450,000 compensation package that had been awarded to a former state senator who led a higher education center in Martinsville.  That additional compensation information transformed the list, which had been dominated by investment professionals at VRS. **Rao** shot up to No. 1 in 2016 at $900,940 instead of No. 17 at $503,154, and five other higher education leaders reached the top 10.  In the 2017 database, **Rao** placed second at $875,284, reflecting a reduced award in deferred compensation.  In the new list, his total compensation package reached $1,020,828, although his state salary accounts for just 181,387. In addition, he received $425,054 in non-state salary; $250,000 in deferred compensation; and a bonus of $164,387.  His total does not include allowances of: $72,000 for housing; $7,000 for financial or tax advice; $5,000 for individual disability insurance; $2,160 for his cellphone; and up to $2,000 for his annual physical, beyond what is covered by health insurance.  "President **Rao**, the longest-serving president of Virginia's research universities, also is compensated as president of the VCU Health System," VCU spokeswoman Pam Lepley said. "He is president of both VCU and VCU Health and compensated accordingly."  Ben Dendy, vice rector on the VCU board of visitors, added, "His performance and the tremendous progress the university has made under his leadership warrant this compensation."  Lepley confirmed that VCU will not pay bonuses in the future, which gratified VCU board member Bob Holsworth, a veteran political analyst and public policy consultant, who said he has never supported paying executive bonuses.  Holsworth said **Rao** warrants the compensation because of the scope and complexity of his duties at both VCU and the health system, his long tenure, "and the general perception that he's doing a good job."  However, Holsworth bemoaned the disparity between the compensation for higher education officials and pay for other state employees.  "I personally would like to see higher education more as public service than as simply a business," he said, "but I almost feel it's a lost cause."  Ryan became president of UVA on Aug. 1, after serving as dean of the Harvard University Graduate School of Education. His state salary was $192,656 for 11 months. In addition, he received a non-state salary of $557,344; $150,000 in deferred compensation; and a $62,875 bonus.  His total compensation does not include $42,875 in paid personal expenses and a $20,000 vehicle allowance. He also receives furnished housing.  Sullivan, who served as UVA president for eight years before retiring on July 31, received total compensation of $754,830, according to the 2017 snapshot. She also received a $15,000 vehicle allowance and furnished housing.  UVA Rector Jim Murray said his predecessor negotiated compensation in the contract with Ryan more than a year and half ago, when the national market for leaders at major research universities was higher than when Sullivan's terms were negotiated about five years earlier.  "Inflation in salary growth probably made up most of the difference," Murray said.  The next highest paid higher education official was J.H. Binford Peay, superintendent at Virginia Military Institute since 2003. He received $831,267 in 2018-19, about $153,000 more than in the previous database.  Virginia Tech President Tim Sands rounded out the top five at $775,000, followed by Christopher Newport University President Paul Trible at $771,287 and George Mason University President Ángel Cabrera at $763,226. (Cabrera recently was named president of Georgia Tech and will assume the post in September.)  Old Dominion University President John Broderick was 10th at $638,217 and Radford University President Brian Hemphill was 12th at $622,460.  Katherine Rowe, who became president of the College of William & Mary on July 1, 2018, placed out of the top 25 at $527,540, but the board of visitors has authorized $75,000 in deferred compensation to be awarded in December and she will be eligible for a bonus of up to 15% of her salary in this fiscal year.  William & Mary Rector John E. Littel said the board of visitors offered Rowe "what we determined [was] a competitive compensation package based on several factors, including a review of salaries at peer institutions, past salary history and experience."  VRS investment professionals used to occupy many of the top spots in the salary database, but this year Schmitz and just four other members of the retirement system's internal investment division were listed in the top 25.  Schmitz received about $100,000 less in total compensation this year than in 2017, when he was No. 1 at $957,715. The primary difference was a smaller bonus ' $297,027 this year, compared with $420,394 two years ago.  VRS spokeswoman Jeanne Chenault said the retirement system bases bonuses for investment professionals on a formula more heavily weighted on long-term returns on investment than annual yield.  "The incentive compensation plan formula is focused on the three-year and five-year returns at the end of each fiscal year," Chenault said. "These returns are compared to the [board of trustees'] benchmarks."  "You're looking at a window," she said. |