Register Investigation: Turmoil cripples Iowa Juvenile Home, director reports

Written by Clark Kauffman
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The staff is overworked and residential units are unsafe, he tells senators.

Task force meets today

A task force appointed by Gov. Terry Branstad to examine problems at the Iowa Juvenile Home holds its first meeting today at the facility in Toledo. Task force members will tour the home as well as hear about the juvenile home’s policies and procedures.

Residential cottages at the state-run Iowa Juvenile Home are unsafe, the home is beset with “chaos” and the staff is working hundreds of hours of overtime “just to keep the ship afloat,” the facility’s interim superintendent told Iowa legislators Tuesday.

Interim Superintendent Mark Day also told the Senate Government Oversight Committee that he has restricted new admissions to the Toledo home as it struggles to implement new policies that will restrict the use of isolation and restraints.

The Iowa Juvenile Home provides housing, education and treatment for 38 youths, most of whom have serious behavioral issues related to their status as past victims of physical or sexual abuse. Last November, the federally funded organization Disability Rights Iowa discovered that two girls had spent the previous two months living in unfurnished, concrete-block isolation cells at the home. A third girl in her mid-teens spent almost all of 2012 in an unfurnished, 10-foot-by-12-foot concrete-block cell at the home.

Disability Rights Iowa continues to investigate the matter, as does the Iowa ombudsman’s office and, indirectly, the Iowa Department of Education.

Day told legislators that in recent months the home has made great strides in reducing the hours youth spend in seclusion or restraints, but the current situation at the home is difficult for both staff and students.

He said 10 of the home’s 114 staff positions are vacant, which is one reason he has restricted admissions. Normally, he said, the home can accommodate 57 youths, but right now there are 38 youths there, with more waiting to get in.

“There’s so much going on, my girls are so fragile right now, there’s so much chaos internally and externally, and there’s so much pressure being placed upon on the facility,” he said.
"We have restricted intakes on the campus. … That has allowed us to combine three girls’ cottages into two cottages. Right now, that’s the only way we can survive. My staff are putting in, on an average pay period, I don’t know, hundreds of hours of overtime just to keep the ship afloat."

Earlier this year, staff shortages were blamed for a rise in the number of criminal complaints filed against youths at the home.

Tama County Juvenile Court Officer Michelle Stubbs told The Des Moines Register that after the number of criminal complaints against youths increased in early 2013, juvenile court officials began looking into why that was happening.

“What I saw was that the staff was overworked," Stubbs said last month. “There wasn’t enough of them for hands-on (care), and the kids were figuring that out.”

Day told the committee the process of hiring new workers is moving forward at “full speed,” but training those new hires will take time.

The home has been operating without a full-time superintendent or clinical director for almost seven months.

“It’s a long process,” he said.

He told legislators that even when the home is back up to full staff, there will be challenges because the residential cottages on the campus — constructed 80 or 90 years ago for college students — are not well-suited to housing children with behavioral issues.

“They are really poorly suited to safety, security, observation, integration and socialization. But other than that, they’re fine,” he said, drawing laughter from legislators.

Asked by Sen. Janet Petersen, D-Des Moines, whether the cottages would pass the sort of inspection that is routinely imposed on privately run psychiatric facilities for children, Day said he wasn’t sure.

“They have several inspections annually — a fire inspection and a health-and-safety inspection," he said. “They don’t pass my inspection, Senator. I don’t find them safe.”

The recently completed proposed DHS budget for the 2013-14 fiscal year calls for no additional spending at the home, but that could be subject to change by Gov. Terry Branstad.

Asked what he thought about suggestions by the governor and others that the home be turned into a privately run facility, Day said he thought the state had a role to play in running a home that serves the most challenging youths in the Iowa foster care system.

“No one can do it as well as — let alone better than — we can,” he said.

Last month, Branstad suggested otherwise.

“I think we need to learn from some of the private nonprofits,” the governor said. “They actually do a better job and have also served the needs of troubled children.”
In talking to legislators, Day also made a point of thanking union officials who represent the rank-and-file workers at the home, crediting them with helping to implement new policies. His remarks contrasted sharply with those of the governor’s spokesman, Tim Albrecht, who recently said the state employees’ union “seeks to continue the status quo and to protect those who abuse these children.”

Tuesday's committee hearing was as notable for the questions that weren’t posed as it was for those that were asked.

For example, the director of the Iowa Department of Human Services, Charles Palmer, spoke briefly to lawmakers but was never asked how or why the home, for at least 17 years, had placed youths in long-term seclusion inside small, concrete-block cells, in violation of state laws, court orders and the home’s own policies.

“Frankly, we were not providing the levels of care in areas of the juvenile home that we really believe we should be doing,” Palmer told the committee.

“It’s also important to note that throughout history there have been a lot of good things that have gone on at the juvenile home,” he said. “But there are areas that we clearly need to work to improve.”

Jane Hudson, the director of Disability Rights Iowa, told the committee her staff was “stunned” last November to discover the home had been keeping youths in isolation cells for weeks and months at a time.

“There seemed to be, at that time, an excessive and illegal use of restraints and seclusion,” she said. “We also realized the girls were not receiving education while they were in long-term isolation.”

Hudson said the use of long-term isolation at the home has been halted, “but there have been some instances of excessive and illegal use of restraints in more recent times.”