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First Monitor's Report Shows Substantial Progress toward Compliance with Court-Ordered Reform Plan for Iowa Boys' State Training School

(February 3, 2021 — Des Moines, IA) — An independent Monitor today filed the initial report on Iowa's efforts to improve conditions and services at the Boys State Training School in Eldora, Iowa, noting that the State has made progress in accordance with a Court order to reform the School's practices.

In 2017, a class action lawsuit was brought against Iowa's Department of Human Services (DHS) and the School alleging inadequate mental health care services for children who desperately need them, an overreliance on isolation, and the improper use of a mechanical 14-point restraint known as the "wrap" that holds children immobile.

The lawsuit, *C.P.X. v. Garcia*, was filed by national child welfare advocacy organization Children's Rights, the Congressionally-mandated statewide protection and advocacy organization Disability Rights Iowa, and international law firm Ropes & Gray LLP.

In March 2020, Judge Stephanie M. Rose held the State liable for violating the constitutional rights of children at the School and wrote that the use of the wrap "shocks the conscience" and amounts to "torture". Judge Rose ordered the State to implement a detailed Remedial Plan to improve the School's practices, staffing, training and internal oversight.

As a result of the litigation and Court order, the wrap has been removed from the facility, the School's solitary confinement program has been dismantled, and staff is being trained in more effective behavior management techniques. The facility also has adopted plans to develop the required mental health care program and has begun to implement those plans. The school has hired additional qualified mental health staff and rewritten its mental health policies. Most significantly, the senior management responsible for the abuses that gave rise to the litigation are no longer employed at the school, and new leadership appears committed to make the changes that are required.

Dr. Kelly Dedel, a juvenile justice consultant, was appointed by Judge Rose as Monitor to oversee the State's compliance with the plan. In her report, Dr. Dedel states that out of 25 requirements in the Remedial Plan, the training school is currently in "substantial compliance" with 7 requirements and was making progress toward complying with the remainder. She wrote that the School "has developed a robust set of policies and procedures that, once fully implemented, should transform the services available to youth...and the tools available to staff who are charged with their care and treatment."

"We are very pleased with the steps that the State has taken so far to comply with the Court's order," said Harry Frischer, Lead Counsel at Children's Rights. "The wrap and window-less solitary confinement cells are a thing of the past. We hope that the School will continue to improve and meet the timetable for the reforms required by the Court."

“This report is a sign of progress and hope for boys held at the Iowa Boys’ State Training School – and vindication for the boys who went before them and exposed the brutal truths that led to this lawsuit,” said Nathan Kirstein, lead counsel at Disability Rights Iowa. “And while there is still much work to be done, the seeds have been planted for accomplishing the overarching goal of improving facility conditions and services for youth, ensuring facility safety, and increasing youth’s readiness to be integrated successfully back into their communities.”

“We congratulate DHS and School officials for the meaningful progress they have already made, and look forward to continuing improvements as the vision for a robust and effective mental health care program for youth takes concrete shape,” said Timothy Farrell, a partner at Ropes & Gray LLP and one of the trial counsel for the plaintiff class. “We also want to thank Dr. Dedel for her expertise and tireless commitment in taking on the daunting task of monitoring a complex compliance plan -- challenging at any time, but particularly in the midst of a pandemic.”

Dr. Dedel notes in her report that to embark on a comprehensive reform plan in the midst of the COVID-19 pandemic presents significant challenges and has brought new complexities to nearly every facet of the School’s operations. It has also hindered her ability to conduct onsite visits to the School. Yet, she reports that School leadership “has remained focused, organized, motivated and productive throughout this time.”

Read the Monitor’s Report [here](#). For more information about *C.P.X. v. Garcia*, please visit childrensrights.org or driowa.org.

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About Children’s Rights: Every day, children are harmed in America’s broken child welfare, juvenile justice, education, and healthcare systems. Through relentless strategic advocacy and legal action, we hold governments accountable for keeping kids safe and healthy. Children’s Rights, a national non-profit organization, has made a lasting impact for hundreds of thousands of vulnerable children. For more information, please visit www.childrensrights.org.

About Disability Rights Iowa: Disability Rights IOWA is part of a nationwide network of protection and advocacy systems established in the 1970s by the U.S. Congress to respond to abuse and neglect of Iowans with disabilities and/or mental illnesses. DRI defends and promotes the human and legal rights of Iowans who have disabilities and mental illnesses. We promote safety, opportunity, access, and self-determination for all Iowans. For more information, please visit www.disabilityrightsiowa.org.

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