

An update on the Boys State Training School in Eldora, Iowa

In November 2018, DRI filed a lawsuit against the Director of the Iowa Department of Human Services, whose department runs the Boys State Training School (BSTS) in Eldora, Iowa. The lawsuit is brought on behalf of the Plaintiffs, who are four boys confined at the facility. They are claiming that BSTS does not provide sufficient mental health care, administers psychotropic medications to the boys without proper consent, and improperly punishes the boys by putting them in solitary confinement and restraints, one of the restraints being a 14 point restraint called the “wrap,” which completely immobilizes the body. The Defendant denies all of these claims.

The Plaintiffs are asking the Court’s permission to bring this lawsuit as a class action. In a class action, the plaintiffs seek relief that benefits not just the Plaintiffs who brought the case, but also the other boys with severe mental illness in the facility.

The suit is currently in a discovery phase, with both sides and national expert witnesses sharing information. In addition, there are three additional experts writing reports on the conditions and the status of the boys involved in the suit and the facility itself.

“We’re not seeking anything outrageous,” Disability Rights Iowa’s Nathan Kirstein commented on the current state of the lawsuit, “We’re asking for them to have the appropriate mental health capacity there, hire licensed therapists, require appropriate oversight when they administer psychotropic drugs, and stop using solitary confinement and restraints for punitive purposes.”

Kirstein emphasized that DRI is not trying to close down BSTS, but is trying to get the mental health treatment the boys need. Nor is Disability Rights Iowa recommending eliminating solitary confinement and restraints altogether, but rather that their use be limited to situations where the child is an imminent danger to themselves or others. In other residential facilities for youth, the use of solitary confinement on children is restricted to certain situations. However, because the BSTS facility has no official state oversight, it relies on its own policies to govern the use of restraints and seclusion. This means that when the Eldora bends or breaks these policies, they are beholden to no one but themselves, which has led to the dangerous overuse of restraints and solitary confinement, according to Kirstein. The case is scheduled to go to trial on March 9, 2019.