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Department of Justice

Office of Public Affairs

FOR IMMEDIATE RELEASE

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Justice Department Alleges Conditions at Iowa Institution for Individuals with Disabilities Violate the Constitution

The Justice Department today concluded an investigation into conditions at the Glenwood Resource Center (Glenwood), an institution for individuals with intellectual disabilities operated by the State of Iowa in Glenwood, Iowa.

The Justice Department determined that there is reasonable cause to believe the conditions at Glenwood violate the Fourteenth Amendment of the U.S. Constitution and that these violations are pursuant to a pattern or practice of resistance to the full enjoyment of rights protected by the Fourteenth Amendment.

“Individuals with disabilities are not human guinea pigs, and like all persons, they should never be subject to bizarre and deviant pseudo-medical ‘experiments’ that injure them. Human experimentation is the hallmark of sick totalitarian states and has no place in the United States of America. The U.S. Constitution protects the right of all persons in this free country who are in the care of the state to be reasonably free from harm or the risk of harm,” said Assistant Attorney General Eric Dreiband for the Civil Rights Division. “We intend to work with the state to ensure that reforms are instituted at Glenwood so that these vulnerable individuals, who depend upon the state for their care, receive the care, support, and treatment that they deserve and to which they are entitled.”

The department found reasonable cause to believe that Iowa subjects Glenwood residents to unreasonable harm and risk of harm by subjecting residents to uncontrolled and unsupervised experimentation, inadequate physical and behavioral healthcare, and inadequate protection from harm, including deficient safety and oversight mechanisms. Specifically, the department concluded that the state violated Glenwood residents’ constitutional rights by conducting experiments on them without their consent. The department found that one experiment, which involved overhydrating residents, caused physical harm. In addition, the department concluded that Glenwood residents receive constitutionally inadequate physical health care. The department found that residents fail to receive timely or clinically appropriate medical assessments or treatment, at times resulting in severe physical harm. The department also concluded that Glenwood’s behavioral health care, including its use of restraints, violates residents’ due process rights. The department found that, from 2017 to 2019, Glenwood’s use of restraints increased by more than 300 percent. Finally, the department found severe deficiencies in the oversight and quality management at both Glenwood and the Iowa Department of Human Services and that these deficiencies fostered an environment in which the constitutional violations could and did routinely occur.

As required by the Civil Rights of Institutionalized Persons Act (CRIPA), the Department provided the State of Iowa with written notice of the supporting facts for these alleged conditions and the minimum remedial measures necessary to address them.

The Department of Justice’s comprehensive investigation involved review and analysis of documents, including policies and procedures, health care records, investigations, and oversight reports. The department also conducted tours of Glenwood and conducted interviews of current and former staff and management at Glenwood, Iowa’s Department of Human Services, and other stakeholders.

The department initiated the investigation in November 2019 under CRIPA, which authorizes the department to act to address a pattern or practice of deprivation of constitutional rights of individuals confined to state or local government-run residential institutions. The department is continuing to investigate whether the state violates the rights of residents of Glenwood and Woodward Resource Centers under Title II of the Americans with Disabilities Act to receive services in the most integrated setting appropriate.

This investigation was conducted by attorneys with the Special Litigation Section of the Justice Department's Civil Rights Division and the U.S. Attorney's Office for the Southern District of Iowa. Individuals with relevant information are encouraged to contact the department by email at Iowa.Investigation@usdoj.gov.

Additional information about the Civil Rights Division of the Justice Department is available on its website at www.justice.gov/crt.

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