

1                                    ELIZABETH WEBSTER,  
2 called as a witness by the State, being  
3 first duly sworn by the Court, was  
4 examined and testified as follows:

5                                    DIRECT EXAMINATION

6 BY MS. TIMMINS:

7            Q.    Would you please state your name?

8            A.    Elizabeth Webster.

9            Q.    Is there anything uncommon about  
10 the spelling for the court reporter?

11          A.    No.

12          Q.    Where do you work at?

13          A.    The Iowa Department of Human  
14 Services.

15          Q.    We have to yell at each other in  
16 this room, so if you could speak up a  
17 little bit.

18          A.    I'll try to.

19          Q.    How long have you worked there?

20          A.    About ten years.

21          Q.    What do you do there?

22          A.    I'm a child protection worker.

23          Q.    What does that mean?

24          A.    I assess child abuse and neglect.

25          Q.    What is your educational

1 background?

2 A. I graduated from Aquinas High  
3 School in Fort Madison. Then I got my  
4 associate's degree at Southeastern  
5 Community College in Keokuk, and then I  
6 went to Western Illinois University and  
7 received by bachelor's degree.

8 Q. In social work?

9 A. Law Enforcement and Justice  
10 Administration.

11 Q. So you're from this area?

12 A. I am.

13 Q. What is your employment history?

14 A. I've worked at the Mental Health  
15 Center in Hancock County doing substance  
16 abuse prevention in the Hancock County  
17 schools. I've also worked over in  
18 Burlington at Young House Family Services  
19 as the Juvenile Court School Liaison.

20 Q. Again, how long have you been with  
21 the Department of Human Services?

22 A. About ten years.

23 Q. Where is your office at?

24 A. Fort Madison.

25 Q. Is there also an office here in

1 Keokuk?

2 A. There is.

3 Q. So how does that work?

4 A. So we cover all of Lee County.

5 There is one child protection worker based  
6 in Keokuk, and there are two based in the  
7 Fort Madison office.

8 Q. And the three of you take care of  
9 Lee County?

10 A. Correct.

11 Q. North and South?

12 A. Yes.

13 Q. As a social worker with DHS, do you  
14 have to have continuing education every  
15 year?

16 A. We do. We're required to do so  
17 many hours per year in a variety of  
18 different topics.

19 Q. Do you keep up on that?

20 A. I do.

21 Q. Just tell us what a normal day as a  
22 child protection worker is?

23 A. We're assigned assessments,  
24 intakes. And when we get those, we review  
25 the allegations, whether it be abuse or

1 neglect. And then we conduct interviews  
2 with the children, we conduct interviews  
3 with parents, with collateral sources,  
4 professionals in the community, family  
5 members, people that might have  
6 information in regards to those  
7 allegations, and then based on that  
8 information gathered we make a  
9 determination, and based on that  
10 determination, we offer services to the  
11 family if they need those, either in the  
12 community or through our department.

13 Q. Do you also sometimes work with law  
14 enforcement as well?

15 A. We do.

16 Q. What's your current caseload  
17 numbers?

18 A. I believe I currently have  
19 approximately 20 assessments.

20 Q. Is that a normal average for you to  
21 have that many at a time?

22 A. It has been.

23 Q. You say that like there's something  
24 else to it.

25 A. Numbers have been lower in the

1 past. Currently they've been a bit  
2 higher.

3 Q. I'd like to talk to you about  
4 Kxxxxxx [REDACTED]. Do you know Kxxxxxx?

5 A. I do.

6 Q. Were you assigned to investigate  
7 sexual abuse allegations that Kxxxxxx had  
8 made about things that happened out at  
9 Midwest Academy?

10 A. Yes.

11 Q. When were you assigned?

12 A. December 1, 2015.

13 Q. Tell us how that came about that  
14 you received that case?

15 A. A supervisor called me and advised  
16 that we had received allegations on a  
17 student at Midwest Academy. They were  
18 sexual abuse in nature, and that the  
19 intake was assigned a one-hour response  
20 time.

21 Q. What does that mean?

22 A. When we receive intakes, they're  
23 assigned one hour, twenty-four hour or  
24 ninety-six hour depending on what  
25 determination is made at the supervisory

1 level regarding the safety of the child.  
2 So one hour would mean that we need to  
3 respond immediately to assure safety of  
4 that child.

5 Q. And without getting too technical  
6 or in the weeds, tell us what happens when  
7 we call the DHS hotline. Where is that  
8 going to?

9 A. So our hotline is based in Des  
10 Moines. So any calls that are made to the  
11 child abuse hotline go to Des Moines. An  
12 intake worker takes that information, the  
13 child's name, age, date of birth, family  
14 information, allegations, any additional  
15 information the reporter went on to  
16 provide.

17 And then that intake worker would  
18 staff those concerns with a supervisor in  
19 Des Moines also at the intake unit, and  
20 that supervisor would make a determination  
21 whether the allegations were accepted for  
22 assessment or not. And then once  
23 accepted, then a response time is given  
24 and it's then assigned to workers in the  
25 local counties.

1 Q. So all calls from the state of Iowa  
2 are going to one central place in Des  
3 Moines?

4 A. Yes.

5 Q. And a decision is made there. If  
6 they accept, then they send it out to  
7 whatever appropriate agency is in the  
8 area; correct?

9 A. Correct.

10 Q. And that's how you received this  
11 particular complaint?

12 A. Yes.

13 Q. So you are assigned. What do you  
14 do?

15 A. When I was assigned this  
16 assessment, I returned to the Keokuk  
17 office because I was in Keokuk. I  
18 reviewed the intake to gather information.

19 Q. Were there actually two intakes?

20 A. Yes.

21 Q. Why is that?

22 A. Two different reporters.

23 Q. Can you tell-- Well, before I ask  
24 you these questions, normally someone who  
25 reports child abuse to the DHS hotline,

1 that name is kept anonymous; is that  
2 correct?

3 A. It's protected, yes.

4 Q. Because of the circumstances of  
5 this case, you are of the understanding  
6 that you are allowed to provide the  
7 information about the times they called  
8 in; correct?

9 A. That's my understanding, correct.

10 Q. So who made the first call to DHS?

11 A. Cheyenne Jerred.

12 Q. What time did she call?

13 A. 3:06 p.m.

14 Q. Was that on December 1st?

15 A. Correct.

16 Q. Who made the second call?

17 A. Jane Riter.

18 Q. And what was your understanding of  
19 who Jane Riter was?

20 A. A counselor or therapist at the  
21 facility.

22 Q. What time was that call made?

23 A. 3:58 p.m.

24 Q. So you reviewed these intake  
25 sheets. What do you do then?

1           A. I consulted with supervisory level  
2 and also with the County Attorney's Office  
3 regarding concerns for the child's safety.

4           Q. Then what?

5           A. The County Attorney consulted with  
6 the judge who issued an order of removal  
7 of Kxxxxxxx from the facility.

8           Q. So did you go get her?

9           A. I did. I went with two uniformed  
10 deputies from the Lee County Sheriff's  
11 Department to Midwest Academy.

12          Q. When you arrived at the academy,  
13 were you met by anyone?

14          A. Yes. I believe Mike Davis and  
15 Devon Dade were in the foyer area of the  
16 facility.

17          Q. And where was Kxxxxxxx?

18          A. We were taken to what appeared to  
19 be kind of a bedroom area. There were  
20 several bunk beds and female students in  
21 the room, and she was also in that room.

22          Q. You escorted her out then?

23          A. I did.

24          Q. About what time was this?

25          A. Around 6:30 p.m.

1 Q. And in regards to the staff, was  
2 anyone too surprised to see you?

3 A. No.

4 Q. Where did you take Kxxxxxx to?

5 A. The Lee County Sheriff's  
6 Department.

7 Q. When you arrived at the Lee County  
8 Sheriff's Office, what did you do?

9 A. Kxxxxxx was taken into a room where  
10 she was able to speak with Special Agent  
11 Joe Lestina from the DCI, Department (sic)  
12 of Criminal Investigation.

13 Q. Did Kxxxxxx take to you very well?

14 A. She just appeared nervous, but she  
15 was fine. She didn't talk a lot the first  
16 day that I met her.

17 Q. So Agent Lestina is in the room and  
18 he's interviewing Kxxxxxx; is that right?

19 A. Correct.

20 Q. Where are you?

21 A. In a separate office.

22 Q. Are you able to watch that  
23 interview?

24 A. Yes. It was on a monitor in the  
25 office that I was in.

1 Q. And you could hear what was going  
2 on?

3 A. I could.

4 Q. Were you also in and out of the  
5 room taking care of work related to the  
6 case?

7 A. Yes.

8 Q. During that interview, did Kxxxxxx  
9 disclose sexual contact?

10 A. Yes.

11 Q. During that interview, did she  
12 identify the Defendant as the perpetrator  
13 of the sexual contact?

14 A. Yes.

15 Q. And when I say the Defendant, I  
16 mean Ben Trane?

17 A. Yes.

18 Q. What was her demeanor throughout  
19 that interview?

20 A. She appeared upset and it appeared  
21 difficult for her to talk about things.

22 Q. After this first interview, were  
23 you there quite a while with her?

24 A. Yes.

25 Q. Do you know how long?

1 A. No.

2 Q. Where did she go?

3 A. She went to a foster home in Keokuk  
4 following the interview.

5 Q. Did you and Agent Lestina meet with  
6 Kxxxxxxx over several days from that time?

7 A. Yes.

8 Q. Why is that?

9 A. Just to continue to gather  
10 information. Again, it appeared difficult  
11 for her to talk about things. There were  
12 periods of time that she was quiet and  
13 would just need some time, and then she  
14 would want to talk. And so it just was--  
15 it was just to make her comfortable.

16 Q. In your training and experience, is  
17 it normal for someone who is disclosing  
18 acts of sexual contact and is younger, is  
19 that normal that it sometimes does take  
20 them time to disclose?

21 A. Yes. Every person is different.

22 Q. In your training and experience, is  
23 it unusual in sexual abuse cases that  
24 information comes out over time?

25 A. I don't think that's unusual.

1 That's common.

2 Q. All right. Let's talk about  
3 December 4, 2015. You returned to Midwest  
4 Academy that day; correct?

5 A. Yes.

6 Q. Why?

7 A. To retrieve some of Kxxxxxxx's  
8 belongings for her.

9 Q. Who met you?

10 A. When we arrived, Ben Trane was in  
11 the driveway area.

12 Q. Can you describe to us what  
13 happened there?

14 A. I was with Stacy Weber from the  
15 Sheriff's Department. We advised Ben that  
16 we needed to gather some of Kxxxxxxx's  
17 belongings. He asked to speak with us,  
18 and we let him know we were just there to  
19 gather belongings and did not need to  
20 speak with him that day.

21 He then took us in to get some of  
22 her belongings and took us into an office.  
23 And while someone else retrieved her  
24 items, Ben continued to talk with us.

25 Q. What did he want to talk to you

1 about?

2 A. He said that he just wanted some  
3 information on how he should proceed with  
4 the allegations. He said that typically  
5 if an allegation had been made in front of  
6 the staff members that he would ask that  
7 staff member not to have contact with the  
8 individual. And so he said that he was  
9 not having contact with the girls on the  
10 wing, and that he had removed himself from  
11 that.

12 Q. So in that meeting he told you that  
13 he had completely removed himself from any  
14 contact with any of the girls?

15 A. With any female students, yes.

16 Q. Did he say anything about Kxxxxxx,  
17 about being alone with her?

18 A. He said that he had not been alone  
19 with her, and he was glad there had not  
20 been any opportunity for those things to  
21 have occurred.

22 Q. That was December 4, 2015; is that  
23 right?

24 A. Yes.

25 Q. Shortly after this meeting, were

1 you informed by one of your co-workers  
2 that the Defendant was, in fact,  
3 interacting with the girls from the  
4 academy?

5 A. Yes.

6 Q. Tell us about that.

7 A. I believe it was December 22nd  
8 around lunch time. A co-worker was at the  
9 Coral Ridge Mall in Coralville and  
10 observed--

11 MS. SCHAEFER: Objection, Your  
12 Honor. This calls for hearsay.

13 MS. TIMMINS: This can be tied up  
14 with a witness that will be coming to  
15 testify about it.

16 THE COURT: Well, sustained. We'll  
17 let the other witness just testify about  
18 it.

19 Q. (By Ms. Timmins) You received a  
20 call from Jenny Richardson that day?

21 A. Yes.

22 Q. She provided you some information  
23 that was important to your investigation?

24 A. Yes.

25 Q. And that was on December 22nd?

1           A.    Correct.

2           Q.    Did you have any further  
3 involvement with Midwest Academy after  
4 that?

5           A.    Yes.

6           Q.    What did you do?

7           A.    I went back to the academy on  
8 January 28th to interview additional  
9 students in regards to allegations that  
10 had been made.

11          Q.    January 28th, is that a day that  
12 law enforcement conducted a search of the  
13 academy?

14          A.    It is.

15          Q.    Do you know about when you went out  
16 there that day?

17          A.    It was evening.  I don't remember  
18 the exact time, but after 4:30.

19          Q.    Initially, you were not involved in  
20 the law enforcement search; correct?

21          A.    Correct.

22          Q.    At some point was DHS called to  
23 request assistance in regard to  
24 interviewing students?

25          A.    Yes.  Allegations were made to our

1 hotline.

2 Q. So again, this was where someone  
3 called Des Moines with allegations and  
4 then it came back to you, and then you  
5 went and did an investigation?

6 A. Correct.

7 Q. Just give us a general description  
8 of the scene when you were there to  
9 interview students?

10 A. When we were there, there were  
11 several law enforcement agencies at the  
12 facility. We were given different offices  
13 to interview students. And we sat in  
14 those offices and students were brought to  
15 us to be interviewed in regards to  
16 allegations pertaining to those specific  
17 students.

18 Q. Do you know about how many students  
19 you interviewed that night?

20 A. Approximately 12 to 14.

21 Q. Do you know how many other DHS  
22 workers were there?

23 A. I believe there were six of us  
24 total originally.

25 Q. And there was also law enforcement

1 there doing interviews as well; correct?

2 A. Correct.

3 Q. How long did you stay at the  
4 academy talking to kids?

5 A. We were there through the night  
6 interviewing students to early the next  
7 morning.

8 Q. Was a decision made to call parents  
9 and tell them to come get their kids?

10 A. Yes.

11 Q. Did you start doing that then?

12 A. Yes.

13 Q. And how did that process work?

14 A. There were some other workers from  
15 the department that were brought out to  
16 assist and we began contacting parents and  
17 asking them to make arrangements for their  
18 children due to concerns at the academy  
19 with abuse and neglect.

20 MS. TIMMINS: I don't have any  
21 further questions. Thank you.

22 THE COURT: Ms. Schaefer.

23 (Continued on the next page.)  
24  
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## 1 CROSS-EXAMINATION

2 BY MS. SCHAEFER:

3 Q. I just have a couple of questions,  
4 Ms. Webster. You indicated that on  
5 January 28th you didn't get there until  
6 after 4:30?

7 A. I believe so.

8 Q. Was the search by law enforcement  
9 already going on?10 A. I don't know when they started  
11 their search.12 Q. But was it already going on by the  
13 time you got there?14 A. When we arrived law enforcement was  
15 there.16 Q. And was the reason you were there  
17 because of the hotline call that  
18 afternoon?

19 A. Yes.

20 Q. And you indicated you interviewed  
21 about 12 to 15 students that day or night?22 A. I believe it was 12 to 14. I don't  
23 know the specific number.24 Q. And there were six of you doing  
25 that?

1           A.   Yes.   There were two workers per  
2 room.

3           Q.   Was everyone who was still at the  
4 facility interviewed as far as you know?

5           A.   By the Department of Human Services  
6 the only students that were interviewed  
7 were students that had allegations of  
8 abuse or neglect made in regards to them.

9           Q.   You indicated that the decision was  
10 made to call parents to come get their  
11 children.   When was that decision made?

12          A.   After the interviews had been  
13 completed.

14          Q.   Do you know what time?   Was that  
15 early morning?

16          A.   Early morning.

17          Q.   And who made that decision?

18          A.   It was a supervisory level.

19          Q.   And who was your supervisor?

20          A.   My supervisor is Kathy Burkhardt.

21 The supervisor there that night was  
22 Machelie Pezley, and she was in  
23 consultation with additional management.

24          Q.   So it was a group decision that was  
25 above your pay grade?

1           A. It certainly wasn't a decision that  
2 I was involved in, so I don't know.

3           Q. And you would have had nothing to  
4 do with that decision being made?

5           A. I did not make that decision,  
6 correct.

7           Q. Did you have to obtain court  
8 documents to have some of these children  
9 removed and returned to their parents?

10          A. I didn't specifically get court  
11 orders.

12                   MS. SCHAEFER: I don't have any  
13 other questions.

14                   THE COURT: Ms. Timmins?

15                   MS. TIMMINS: No questions.

16                   THE COURT: You may step down.

17                   Next witness.

18                   MS. TIMMINS: The State calls Ryan  
19 Herman.

20                   (Continued on the next page.)  
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