

1                   JENNIFER RICHARDSON,  
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 EXANINATION

6 BY MS. TIMMINS:

7           Q.    Would you please state and spell  
8 your name for the court reporter.

9           A.    Jennifer Richardson, J-e-n-n-i-f-e-  
10 r, R-i-c-h-a-r-d-s-o-n.

11          Q.    Ms. Richardson, where do you work  
12 at?

13          A.    The Iowa Department of Human  
14 Services.

15          Q.    How long have you been there?

16          A.    I've been there twenty years.

17          Q.    What do you do there?

18          A.    I am a Social Worker 3. I do child  
19 abuse assessments and dependent adult  
20 assessments.

21          Q.    What is your educational  
22 background?

23          A.    I have a bachelor's degree from  
24 Culver-Stockton College.

25          Q.    I'm sorry. From where?

1           A. Culver-Stockton College in Canton,  
2 Missouri.

3           Q. Just yell at me.

4           A. Okay.

5           Q. Are you from this area?

6           A. I was born in Keokuk, and I grew up  
7 in Hamilton, Illinois.

8           Q. Just tell us generally what your  
9 duties as a child protection worker are.

10          A. My duties are to conduct  
11 assessments, which means when I'm assigned  
12 an intake then I would initiate contact  
13 with the child victim, interview multiple  
14 sources, meet with the family, do home  
15 visits, gather information.

16          Q. And you said you're a Social Worker  
17 3. Does that mean something, or is that  
18 just a--

19          A. That's just a classification. I  
20 was a Social Worker 2 when I first got  
21 hired at the Department, which is a  
22 different classification. I did ongoing  
23 casework, and I did foster care licensing.

24          Q. Where is your office at?  
25

1           A. I am located in the South Lee  
2 County Department of Human Services office  
3 at 307 Bank Street.

4           Q. Here in town?

5           A. In Keokuk, yes.

6           Q. I'd like to talk to you about  
7 Midwest Academy. You've been very  
8 patient. You were supposed to get on  
9 early last week; correct?

10          A. Correct.

11          Q. So we're going to swing back to  
12 March of 2015. Were you notified at that  
13 time that there was a report made  
14 regarding some things at Midwest Academy?

15          A. Yes, I was.

16          Q. How were you notified?

17          A. I most likely was notified by my  
18 supervisor, Machelie Pezley.

19          Q. So what were you notified of?

20          A. I was notified that there had been  
21 allegations received and that there were  
22 multiple children as victims, based on  
23 being held in isolation rooms with human  
24 waste in the room.

25

1 Q. Did that come in through the DHS  
2 hotline?

3 A. I believe it came in--the FBI was  
4 notified at the same time. So this report  
5 was a joint investigation with the FBI,  
6 receiving the notification at the same  
7 time the Iowa Department of Human Services  
8 did.

9 Q. Is it fair to say that was fairly  
10 unique for you to have the FBI involved  
11 with an investigation that you were doing?

12 A. Yes. I can't recall working with  
13 them on any other cases.

14 Q. When did the first report come in  
15 that got you involved?

16 A. Well, March 19th was the acceptance  
17 date. And the identities of the children  
18 were not known fully. First names were  
19 known; last names were not.

20 Q. What did you do?

21 A. The FBI was consulted of course  
22 because they were--it was a joint  
23 investigation. So there was information  
24 exchanged determining how to proceed about  
25

1 beginning the initiation of the interviews  
2 with the children.

3 Q. Was the decision made that you  
4 needed to go talk to these kids?

5 A. Yes. That we would go out to  
6 Midwest Academy and request the seven  
7 identified children, which again we had  
8 first names. We had some characteristics  
9 of them, so we believed they could be  
10 identified once we went to Midwest  
11 Academy.

12 Q. So when did you go to the academy?

13 A. March 25th of 2015.

14 Q. Who did you go out there with?

15 A. I went out there with my co-worker,  
16 which is Leslie Boyer, and the Sheriff's  
17 Department, the Lee County Sheriff's  
18 Department, also was with me and Leslie at  
19 the same time.

20 Q. Did anyone from the FBI go on this  
21 particular visit?

22 A. No.

23 Q. So you go out to the academy. What  
24 was your purpose of going out there on  
25 March 25, 2015?

1           A. The purpose was to basically ask  
2 for the seven children so that we could do  
3 interviews. We also had court orders to  
4 have the children be removed from Midwest  
5 Academy so we could conduct the  
6 interviews. We were going to conduct them  
7 at the South Lee County DHS office, and  
8 then also to gather the records of each of  
9 those children.

10          Q. So you had a court order in hand to  
11 take the children off site for interviews  
12 and to obtain records of those children?

13          A. Yes.

14          Q. So what happens when you go out to  
15 the academy?

16          A. We go out to the academy. We meet  
17 Mr. Trane shortly after we arrive. And he  
18 appears to be aware, and then he lets us  
19 know the children's names.

20          Q. I want to stop you there. What do  
21 you mean he appears to be aware? Aware of  
22 what?

23          A. That we were coming.

24          Q. And why did you believe that?  
25

1           A. Because he appeared prepared. He  
2 talked about a former employee that was  
3 disgruntled, and he believed that they had  
4 stolen records, confidential records, from  
5 the Midwest Academy and made this report  
6 against the academy.

7           Q. Did you find out at a later point  
8 that someone had tipped off the Defendant  
9 that you were coming out to the academy?

10          A. Yes. I believe he was told.

11          Q. All right. So let's go back to  
12 when you first arrived. The Defendant met  
13 you. He seemed to be aware that you were  
14 coming?

15          A. Yes.

16          Q. Did he bring the kids out for you?

17          A. Yes. Mr. Trane informed us that of  
18 the seven children, only two children were  
19 still there. The other five had already  
20 left the academy and were no longer  
21 students at the academy.

22          Q. So what did you do?

23          A. So they provided the two children  
24 that were there, which were Axxxxx [REDACTED]  
25 and Bxxxxxx [REDACTED] And then we left and went

1 back to the Department of Human Services  
2 to begin individual interviews with each  
3 child.

4 Q. Did you take both boys at the same  
5 time?

6 A. Law enforcement transported the  
7 children. They were interviewed  
8 separately.

9 Q. All right. Let's talk specifically  
10 about Bxxxxxx [REDACTED] We've already met  
11 Bxxxxxx [REDACTED] How old was he at the time  
12 that you pulled him out of the academy?

13 A. He was 13.

14 Q. And you took him to your office  
15 here in Keokuk; correct?

16 A. Yes, we did.

17 Q. What did you do with him when you  
18 got there?

19 A. We interviewed him privately in the  
20 conference room located in the back of the  
21 office.

22 Q. And you say "we." Who was that?

23 A. Leslie Boyer and I interviewed both  
24 children together.

25



1 Q. When you say the conference room,  
2 is that--it's a fairly large room in the  
3 back of your office; is that right?

4 A. Yes, it is.

5 Q. How did the interview go with  
6 Bxxxxxxx?

7 A. The interview with Bxxxxxxx was  
8 somewhat difficult. He didn't make eye  
9 contact. He looked down a lot. He had  
10 trouble focusing. He had trouble giving  
11 much detail. He was hungry, so we fed him  
12 while he was there.

13 Q. How do you know he was hungry?

14 A. He expressed that he was hungry.  
15 He was in OSS when we came to get him on  
16 March 25th.

17 Q. What did he look like to you?

18 A. He looked very thin. He had  
19 clothing on, and it looked like it was  
20 hanging off of him. He had some bruising  
21 to his face, his cheek. He had some  
22 bruising in the wrist area. He looked  
23 pale.

24 Q. You said he was hungry. What did  
25 you feed him?

1           A. I think he ate some Ramen noodles.  
2 We have a snack box at the office. I'm  
3 sure that--our secretary was the one  
4 actually trying to feed him and deal with  
5 that piece of it. I'm not really sure of  
6 everything he ate, but he kept asking for  
7 food.

8           Q. So he didn't just ask for food  
9 once, he asked for food several times  
10 throughout the interview?

11          A. Several times, even going into the  
12 kitchen and opening our refrigerator to  
13 look for food.

14          Q. And where is the kitchen compared  
15 to where he was being interviewed at?

16          A. The conference room is at the back  
17 of the office, and the kitchen is right  
18 next to the conference room. So you have  
19 to go out of the conference room, but then  
20 you can see the kitchen easily.

21          Q. Did you keep giving him food?

22          A. We did. We continued to give him  
23 food.

24          Q. And he kept eating it?

25          A. And he kept eating it.

1 Q. You said he looked pale; he was  
2 thin; you saw some bruises on him. Was  
3 there a point in time that you showed him  
4 a mirror?

5 A. Yes. Because we asked about the  
6 bruise on his face, and he had no idea  
7 that he had a bruise on his face. So we--  
8 I got a mirror out of my office and  
9 allowed him to look in the mirror.

10 Q. What was his reaction?

11 A. He was shocked. He hadn't seen  
12 himself in a long time. They're not  
13 allowed to look in mirrors at certain  
14 levels. And so he said right away he  
15 looked very thin. He knew he'd lost  
16 weight.

17 Q. During your interview with Bxxxxxxx,  
18 did he show you some different positions  
19 that he was supposed to sit in while he  
20 was at Midwest Academy?

21 A. He did because he talked about  
22 sitting in structure, which is something  
23 they have to do for a long period of time  
24 before they can leave the OSS room. So we  
25 didn't know what that meant.

1 Q. So at the time this was a new  
2 phrase to you, sitting in structure?

3 A. I'm not sure if I'd heard it  
4 before, but when he said it we asked, what  
5 does that mean really? What does sitting  
6 in structure actually mean?

7 Q. So did he show you?

8 A. Yes.

9 Q. Were you able to do a full  
10 interview of Bxxxxxxx?

11 A. I believe that we did the best  
12 interview we could. He was difficult to  
13 focus. He was tired, he said. And at  
14 some point we decided we had asked him  
15 enough questions.

16 Q. Was there a point that--you said he  
17 was tired. He ate a lot. Did he sleep or  
18 act as if he wanted to lay down when he  
19 was there?

20 A. He did. And while we were  
21 interviewing Axxxxxx, I'm not sure what he  
22 did exactly. Another staff watched him.

23 Q. When you were done interviewing  
24 Bxxxxxxx, did you have concerns?

25 A. Yes.

1 Q. That was based on what?

2 A. Concerns for being in the OSS room  
3 for long periods of time, concerns for his  
4 appearance, his weight; that he was on  
5 Level 1 and he had been there for quite a  
6 while. So that's the very first level.  
7 He wasn't progressing.

8 Q. Let's talk about Axxxxx. Axxxxx's  
9 interview was markedly different than  
10 Bxxxxxx's; would you agree?

11 A. Yes.

12 Q. How was Axxxxx so different?

13 A. Axxxxx is a very talkative child.  
14 He also explains everything. He talks--he  
15 knows all the codes for the different  
16 infractions. The manual--the kids have to  
17 learn the manual, write the manual. He  
18 knew all the codes, so he would talk in  
19 codes.

20 Q. When you say codes, the numbers  
21 that go with each rule?

22 A. Yes. He would say, like, that's a  
23 304, something to that effect, and then  
24 we'd have to ask him, well, what does that  
25 mean?

1 Q. He knew the rules?

2 A. He did.

3 Q. And again, this is March 25, 2015;  
4 correct?

5 A. Yes.

6 Q. And that's the first time you had  
7 ever met Axxxxx [REDACTED]?

8 A. Yes.

9 Q. So he talked quite a bit to you  
10 about his experience at the academy?

11 A. He did.

12 Q. When you were done interviewing  
13 Axxxxx, did you have any concerns?

14 A. I did. He had been there May 28th,  
15 and this was March 25th, so May 28th of  
16 2014 to March 25th of 2015, and he said he  
17 thought he had been in OSS for 180 days,  
18 not straight, but overall. So it was very  
19 concerning.

20 Q. And this was based just on the  
21 information that these kids would give  
22 you?

23 A. This was only based on what  
24 information they provided.

25

1 Q. And what you observed from them as  
2 well?

3 A. Yes.

4 Q. Was Axxxxx hungry too?

5 A. I remember he said that he's always  
6 hungry in OSS. I'm assuming we fed him.  
7 That doesn't stand out as much as Bxxxxxx.

8 Q. After the interviews were done,  
9 what did you do?

10 A. After the interviews were done, the  
11 children were transported back to Midwest  
12 Academy by the Lee County Sheriff's  
13 Department, and we continued with the  
14 assessment.

15 Q. Did you notify Axxxxx's and  
16 Bxxxxxx's parents?

17 A. Yes.

18 Q. All right. So then what?

19 A. So then we obtained all the records  
20 of all seven children.

21 Q. When did you pick up those records?

22 A. Those records were picked up  
23 shortly after the initial contact on March  
24 25th. Midwest Academy had to copy all the  
25 records of each child.

1 Q. So you picked those up. I assume  
2 you were going to be looking through all  
3 of those?

4 A. Yes. And then we went through the  
5 entire record that Midwest Academy  
6 provided to us.

7 Q. So when is the next time that you  
8 met with the Defendant?

9 A. The next time we did an actual  
10 interview, I believe, was April 23rd at  
11 the Midwest Academy.

12 Q. So why are you back at the academy  
13 on April 23rd of 2015?

14 A. We're back at the academy because  
15 we had an additional allegation made to  
16 the Department of Human Services in April.

17 Q. And was that in regards-- Well,  
18 when you go back out to the academy, was  
19 Axxxxxx [REDACTED] involved in this again?

20 A. Yes. Axxxxxx was one of eight male  
21 students involved in allegations of sexual  
22 acting out behaviors.

23 Q. After this report of sexual  
24 behavior, did you pull Axxxxxx out and  
25 speak to him again?



1           A.   Yes.   Axxxxx was interviewed the  
2 second time on April 15th of 2015.

3           Q.   So previous to April 23rd, you had  
4 spoken to Axxxxx?

5           A.   Yes.

6           Q.   All right.   So based on those  
7 discussions, you're back out to the  
8 academy on April 23rd; correct?

9           A.   Yes.

10          Q.   Why?

11          A.   Because we wanted to see the area  
12 where the supervision--the concern was for  
13 supervision of these children.   The sexual  
14 abuse--the sexual acting out happened at  
15 night, and so the children had described  
16 where they were sleeping at and where they  
17 were at within the academy, so we wanted  
18 to see the location.

19          Q.   And was it your understanding this  
20 was a particular family that this occurred  
21 in, the Pride Family?

22          A.   Yes.

23          Q.   All right.   So when you go on April  
24 23rd, were you given a tour of the  
25 facility?

1 A. Yes.

2 Q. Who gave you that tour?

3 A. Mr. Trane.

4 Q. Who were you with?

5 A. Leslie Boyer.

6 Q. And who else?

7 A. Just Leslie Boyer.

8 Q. It was just the two of you that  
9 day?

10 A. Yes.

11 Q. Did the Defendant say anything to  
12 you regarding his concern over what DHS  
13 was doing to his image?

14 A. Yes, he did.

15 Q. What did he say?

16 A. He expressed frustration with a  
17 former co-worker and that there was  
18 slander and there was negative information  
19 being provided to the community about  
20 Midwest Academy.

21 Q. He was upset about that?

22 A. Yes.

23 Q. Going back again to April 15th when  
24 you re-interviewed Dxxx [REDACTED], did you  
25

1 notify his parents again that he had been  
2 pulled out of the school?

3 A. Yes. We notify parents whenever an  
4 allegation is made, so his parents were  
5 notified.

6 Q. All right. So April 23rd you speak  
7 with the Defendant. When is the next time  
8 you're back out at the academy?

9 A. The next time we went back out was  
10 May 7, 2015.

11 Q. Why?

12 A. That was the visit that an FBI  
13 agent, Laura Pearson, accompanied us. She  
14 had never seen the academy.

15 Q. All right. So she wanted to see  
16 the academy?

17 A. Yes.

18 Q. Who gave you the tour that day?

19 A. Mr. Trane.

20 Q. Is he present in the courtroom, the  
21 person you've been calling Mr. Trane?

22 A. Yes.

23 Q. Where is he at?

24 A. He's right there (indicating), over  
25 to my left sitting with his attorney.

1 Q. With the white shirt and gray suit?

2 A. Yes.

3 MS. TIMMINS: May the record  
4 reflect the witness has identified the  
5 Defendant.

6 THE COURT: It may.

7 Q. (By Ms. Timmins) How long did you  
8 spend at the academy that day?

9 A. We arrived around 10:00 in the  
10 morning, broke for a meal at 2:00, and  
11 went back and probably didn't finish the  
12 day until around 5:00. It was a very long  
13 day.

14 Q. So you spent a lot of time with the  
15 Defendant that day?

16 A. Yes, we did. There was some times  
17 we spoke to other staff, and he wasn't  
18 always right there, but most of the time  
19 he was.

20 Q. Did he say anything, the Defendant,  
21 did he say anything about the length of  
22 time that kids spend in OSS?

23 A. He said that no child spends months  
24 in OSS.

25

1 Q. Did you talk about who made the  
2 rules and policies of Midwest Academy?

3 A. Yes. Mr. Trane stated that he had  
4 worked at a former school, used some of  
5 those policies, and he developed Midwest  
6 Academy's rules and policies.

7 Q. The Defendant said that he  
8 developed the rules and policies?

9 A. Yes.

10 Q. What about--did you talk about who  
11 at the academy decides what students stay  
12 there, what students leave there, what  
13 students are admitted there?

14 A. We did discuss that.

15 Q. And what did the Defendant say?

16 A. The Defendant said that there's an  
17 intake process conducted by a person  
18 that's not on site, and that that  
19 information is then provided to Midwest  
20 Academy, Mr. Trane, other persons.  
21 Ultimately, he would make the final say of  
22 whether the child was admitted.

23 Q. Did you talk to the Defendant about  
24 the amount of food that the kids were  
25 allowed to eat there?

1           A. Yes. We had a tour of the  
2 cafeteria. That's when we discussed that.

3           Q. Did you express concerns to him  
4 that they weren't eating enough?

5           A. Yes.

6           Q. What did he say to that?

7           A. He said that they were feeding them  
8 too much. They were feeding them over  
9 7,000 calories a day. He also said that  
10 in the first three months boys put on 30  
11 pounds of muscle.

12          Q. Based on what you had seen and what  
13 you learned through your investigation,  
14 was that reasonable?

15          A. I don't know of anybody that eats  
16 7,000 calories a day. I don't think  
17 that's a normal intake.

18          Q. And according to the Defendant, the  
19 boys were putting a lot of weight, muscle  
20 weight?

21          A. Yes.

22          Q. What about Axxxxx and Bxxxxxx  
23 specifically? Did you talk to the  
24 Defendant about those two boys?

25

1           A. We did. We talked about those two  
2 boys and other children on our--that we  
3 had allegations against, yes.

4           Q. What did he say about Axxxxx and  
5 Bxxxxxxx?

6           A. He said that they were helped 100  
7 percent by OSS.

8           Q. Did he use that phrase, "100  
9 percent"?

10          A. He said that it was a miracle from  
11 where they had started, from when they  
12 first came to when they left. Because  
13 they had both--by May 7th they both were  
14 gone from the academy. And that Bxxxxxxx  
15 [REDACTED] had been helped 100 percent by being in  
16 OSS, and that when he arrived Mr. Trane  
17 said his 3 year old had better skills than  
18 Bxxxxxxx [REDACTED]

19          Q. And then followed up with, it was  
20 the OSS that helped Bxxxxxxx improve  
21 supposedly?

22          A. That was how I took it.

23          Q. Did the Defendant say anything  
24 about kids losing weight there?

25

1           A. Yes. He stated that the only child  
2 that he knew of to lose weight was [REDACTED]  
3 and that they provided [REDACTED] with Ensure  
4 drinks.

5           Q. Did you have discussions with the  
6 Defendant about the therapy that the kids  
7 were or were not receiving?

8           A. Yes. We discussed therapy,  
9 different types of therapy used.

10          Q. What did he say about that?

11          A. He said only about 50 percent of  
12 the children at the academy need therapy.

13          Q. Did you express concerns to him  
14 that these kids did need some therapy?

15          A. Yes. And it's called a therapeutic  
16 boarding school.

17          Q. All right. You and Leslie Boyer  
18 received files on Dxxx and Bxxxxxxx;  
19 correct?

20          A. Yes.

21          Q. What types of documents did you  
22 have in their files?

23          A. Every child's file contained  
24 similar documents: an intake form,  
25 medical request forms, Out-of-School



1 Suspension Assessment forms, and Out-of-  
2 School Suspension logs--OSS logs, and they  
3 also contained e-mail communication  
4 between staff members. They were very  
5 thick files.

6 Q. Did their files have charts of  
7 their weight at the academy?

8 A. Yes. Each child they would weigh  
9 them monthly. So there was usually one  
10 document, one page, in each child's file  
11 that had the starting weight, you know,  
12 and how much they weighed every month.

13 MS. TIMMINS: May I approach, Your  
14 Honor.

15 THE COURT: You may.

16 Q. (By Ms. Timmins) I'm handing you  
17 what has been marked as State's Exhibits  
18 90 and 91. Could you tell us what Exhibit  
19 90 is?

20 A. Exhibit 90 is the monthly weights  
21 for Axxxxxx [REDACTED].

22 Q. And Exhibit 91, what is that?

23 A. This is the monthly weights for  
24 Bxxxxxx [REDACTED]

25

1 Q. And that came to you from the file  
2 that was provided to you by Midwest  
3 Academy?

4 A. Yes.

5 MS. TIMMINS: The State would offer  
6 State's Exhibits 90 and 91.

7 (State's Exhibit Nos.  
8 90 and 91 were  
9 offered in evidence.)

10 THE COURT: Ms. Schaefer, do you  
11 have any objection to Exhibits 90 or 91?

12 MS. SCHAEFER: No objection.

13 THE COURT: They will be admitted.

14 (State's Exhibit Nos.  
15 90 and 91 were  
16 received in  
17 evidence.)

18 MS. TIMMINS: Permission to  
19 publish.

20 THE COURT: Go ahead.

21 Q. (By Ms. Timmins) Well, actually,  
22 I'm just going to have you read those  
23 instead of putting them up.

24 A. Okay.

25

1 Q. Let's start with Axxxxx [REDACTED]  
2 Exhibit 90.

3 A. Okay.

4 Q. What weight did he start out at?

5 A. Axxxxx started out at 123 pounds on  
6 May 29th of 2014.

7 Q. Can you tell from that chart, did  
8 he start losing weight?

9 A. Yes, he did.

10 Q. Why don't you just go through each  
11 month. So start at the beginning. You  
12 said he came in May?

13 A. He came in May and he weighed 123.  
14 Then in June he weighed 119.8. July he  
15 weighed 115. In August he weighed 107.  
16 In September he weighed 102.2. In October  
17 he weighed 103.6. In November he weighed  
18 100 pounds. In December he weighed 99  
19 pounds. In January of 2015 he was at 100  
20 pounds. In February he was at 110.2. In  
21 March he was at 108, and April he was at  
22 112.4.

23 Q. So with Axxxxx you saw a marked  
24 decrease, and then he put on a little bit  
25

1 of weight right there at the end; is that  
2 right?

3 A. Correct.

4 Q. Look at the next exhibit, which is  
5 State's Exhibit-- Is it 91?

6 A. Yes.

7 Q. And that's Bxxxxxx's sheet;  
8 correct?

9 A. Correct.

10 Q. When did it start?

11 A. Bxxxxxx's chart started on  
12 September 4, 2014, at 115.2 pounds. On  
13 September 9th, he was 113.6. In October  
14 he was 102.2. In November he was 93.6.  
15 In December he was 95.6. In January he  
16 was 96. In February he was 92.2, and in  
17 March he was 89 pounds, and there's a note  
18 that says he left on 3/31 of '15.

19 Q. Bxxxxxx's weight went down, and he  
20 never bounced back from that, did he?

21 A. That's correct.

22 THE COURT: If we can break here,  
23 we'll take that.

24 MS. TIMMINS: This is a good spot.

25

1 THE COURT: Ladies and gentlemen of  
2 the jury, we'll take our break for about  
3 ten minutes. Please remember the prior  
4 admonitions.

5 (A recess was taken at 3:33 p.m.)

6 (In open court, outside the  
7 presence of the jury, in the presence of  
8 the Court, the Defendant, and counsel at  
9 3:46 p.m.)

10 THE COURT: I think everyone is  
11 assembled in the courtroom. You may bring  
12 in the jury.

13 (In open court, in the presence of  
14 the jury, the Court, the Defendant, and  
15 counsel at 3:47 p.m.)

16 THE COURT: Please be seated.  
17 They're standing in respect for you, so  
18 you can just sit when you come in. You  
19 don't need to keep standing.

20 Ms. Timmins, you may proceed.

21 DIRECT EXAMINATION (Resumed)

22 BY MS. TIMMINS:

23 Q. I want to go back to something real  
24 quick. You were there when Dxxx was  
25 brought in the second time in regards to

1 this sexual misconduct, or whatever it  
2 was, that was going on; is that correct?

3 A. Yes.

4 Q. Was Dxxx different that time?

5 A. Yes.

6 Q. What was different between Dxxx's  
7 behavior and demeanor as compared to when  
8 you spoke with him the first time in  
9 March?

10 A. He was more reserved. He wasn't as  
11 talkative. He was quieter.

12 Q. You said in the records that you  
13 also had received the OSS records for Dxxx  
14 and Bxxxxxxx?

15 A. Yes.

16 Q. Did you go through all of those,  
17 you and Leslie Boyer?

18 A. Yes. We went through all seven  
19 children's entire records.

20 Q. And we're just talking about Dxxx's  
21 and Bxxxxxxx's. For the most part were  
22 those complete?

23 A. They had some missing OSS logs.  
24 And the logs were--when they're in OSS,  
25 every fifteen minutes is documented. So

1 there was some missing but fairly  
2 complete.

3 Q. And it covered basically the day  
4 that they arrived there to the day that  
5 they left?

6 A. Correct. The Out-of-School  
7 Suspension form tells why they were put in  
8 OSS, and then the logs just go through  
9 their behaviors in OSS; if they're sitting  
10 in structure; if they stopped sitting in  
11 structure, or break structure; their  
12 behaviors, what they do.

13 Q. Did you and Leslie Boyer put  
14 together a formula in order to calculate  
15 the amount of time that both of those  
16 children spent in OSS?

17 A. Yes, we did.

18 Q. And did you go through and  
19 calculate that time for both boys?

20 A. Yes, that was calculated.

21 Q. All right. Let's talk about  
22 Bxxxxxxx [REDACTED] How many days was he at  
23 Midwest Academy?

24 A. Bxxxxxxx [REDACTED] was there for 210 days.

25 Q. And I think you said earlier it was

1 September 3, 2014, through March 31, 2015?

2 A. Yes. That was the time period he  
3 was at Midwest Academy.

4 Q. And how many of those days did he  
5 spend in the OSS room?

6 A. He spent 133 minimum, and then  
7 there was logs missing, so we could only  
8 validate 133 days.

9 Q. Did you figure out what percentage  
10 of his time that he spent in the OSS room?

11 A. Well, based on what we knew for  
12 certain, it would be 63 percent amount of  
13 the time.

14 Q. In OSS?

15 A. In OSS, yes, while he was at  
16 Midwest Academy.

17 Q. How about Dxxx [REDACTED]? What dates  
18 was he there?

19 A. Dxxx came on May 28, 2014, and then  
20 he left April 15, 2015, so he was there  
21 for 323 days.

22 Q. How many of those days were spent  
23 in the OSS room?

24 A. He had some missing logs, too, but  
25 a minimum of 163.



1 Q. Which came up to what type of  
2 percentage?

3 A. 50 percent of the time spent in OSS  
4 while at Midwest Academy.

5 Q. Now, you said Dxxx left on April  
6 15, 2015. Isn't that the same day that  
7 you interviewed him and pulled him out  
8 that second time?

9 A. Yes.

10 Q. What happened that day when he left  
11 the academy?

12 A. That was the day that we had  
13 brought in eight male students to  
14 interview them regarding the allegations.

15 Q. I mean in regard to what happened  
16 for him?

17 A. Oh, his parents were contacted, as  
18 all the parents were contacted, and they  
19 came to the office.

20 Q. And they themselves then took Dxxx  
21 with them?

22 A. They decided to remove him from  
23 Midwest Academy.

24 Q. All right. So all of this for you  
25 started in March of 2015; correct?

1 A. Yes.

2 Q. And at some point, the FBI became  
3 involved with you?

4 A. Yes.

5 Q. Throughout the summer and the fall,  
6 were you doing anything with some of the  
7 information you had received? Did you  
8 continue your investigation?

9 A. Because of the complexity of the  
10 situation and the amount of information to  
11 review and people to interview, we spent  
12 many months working on these assessments.

13 Q. And you, like everybody else, have  
14 to continue to do your normal caseload on  
15 top of this; correct?

16 A. Yes. There was no break from our  
17 normal caseload. We just did this as  
18 well.

19 Q. Was there a point in time that you  
20 were made aware that a complaint was made  
21 regarding sexual abuse at the academy?

22 A. Yes.

23 Q. When was that?

24 A. That was December 1st of 2015.

25 Q. And your colleague, Beth Webster,

1 had testified about that she was the  
2 investigating DHS worker on that  
3 particular case; correct?

4 A. Yes. She was assigned to that  
5 report.

6 Q. You were aware of the situation  
7 though?

8 A. Yes, when it was received.

9 Q. After that complaint came in on  
10 December 1st, was there a time that you  
11 saw the Defendant out in the community?

12 A. Yes.

13 Q. When was that?

14 A. I saw him on December 22nd.

15 Q. And where did you see him at?

16 A. I saw him at Victoria's Secret in  
17 the Coral Ridge Mall in Coralville, Iowa.

18 Q. And who was he with?

19 A. He was with a number of females. I  
20 believed them to be students of the  
21 academy.

22 Q. How did you come across-- Tell us  
23 how this all came about? What were you  
24 doing?

25 A. Well, it was the Tuesday before

1 Christmas, and one of my friends asked me  
2 if I would take the day off work and go  
3 shopping, last minute Christmas shopping.  
4 So I said yes, and we went to the Coral  
5 Ridge Mall.

6           And we arrived there close to  
7 lunchtime, and that was one of the first  
8 stores I went into at the mall. And I was  
9 looking around, and I heard Mr. Trane's  
10 voice. That's how I first knew he was in  
11 there.

12           Q. You heard his voice in the store?

13           A. Yes.

14           Q. And you've spoken with him many  
15 times prior to this?

16           A. Yes, I have.

17           Q. So what did you do?

18           A. I stayed in the store, and I  
19 watched to see if there was students there  
20 or what he was doing. And I saw females  
21 that I believed to be from the academy. I  
22 texted my co-workers, Beth Webster and  
23 Leslie Boyer, that I was at Victoria's  
24 Secret and Ben Trane was in the store with  
25 females. I watched him direct the young

1 women to the cash register to pay and  
2 leave.

3 Q. Did it appear that there was any  
4 other adult with him?

5 A. I didn't recognize any. I didn't  
6 see any other adult with them, and I do  
7 know other staff members. I didn't see  
8 anybody that I recognized.

9 Q. Why did this stand out to you?  
10 What did this matter?

11 A. Well, it stood out because of Beth  
12 Webster's assessment. And I know that Mr.  
13 Trane had stated he wouldn't put himself  
14 in a position where he would be alone with  
15 female students because of the  
16 allegations. So that's why it stood out.

17 Q. And how far is the Coral Ridge Mall  
18 from--that's in Coralville?

19 A. It's in Coralville.

20 Q. How far is that from here, from  
21 this community?

22 A. It takes about an hour and a half  
23 to an hour and forty-five minutes possibly  
24 to get there from Keokuk.

25 Q. Is it farther away than the Quincy

1 Mall?

2 A. Oh, yes.

3 Q. Would you say that more people from  
4 this area shop at the Quincy Mall as  
5 compared to going to Coralville?

6 A. I don't know. I mean, I go to both  
7 malls.

8 Q. So you notified Beth Webster of  
9 what you saw?

10 A. Yes, I did.

11 Q. When you were doing these  
12 investigations, because the Midwest  
13 Academy was a private boarding school,  
14 were you aware if there was any State  
15 regulation of the boarding school?

16 A. No.

17 Q. Is that because it was a private  
18 school?

19 A. Yes.

20 Q. Could you as DHS just go out there  
21 any time and do what you wanted there?

22 A. No.

23 Q. What's the only way that you were  
24 able to go out to the academy?

25 A. The only way we would go out to the

1 academy is if we received an allegation of  
2 abuse on a student that was at the  
3 academy, or if another state requested  
4 that we interview a student at the  
5 academy.

6 Q. So basically if you received a tip  
7 on the hotline that something was going  
8 on, then you could go out with court  
9 approval and things to talk to kids;  
10 correct?

11 A. Correct.

12 Q. During this investigation that  
13 started in March, did you at some point  
14 and some of your co-workers make  
15 suggestions to the Defendant about, you  
16 know, here is what facilities who are  
17 licensed and who are regulated, here's  
18 what they have to follow? Did you suggest  
19 that maybe Midwest Academy should be doing  
20 that?

21 A. We did speak to him about the  
22 licensing process. We did provide him  
23 with an Iowa Code for Children's Centers,  
24 which we believe that Midwest Academy fell  
25 into because they had more than seven

1 children there. It's just like a  
2 guideline.

3 Q. But the bottom line is because they  
4 chose not to be licensed and they are  
5 private, there really was nobody that  
6 could tell them that you can't do this, or  
7 that could walk in and regulate what was  
8 going on?

9 A. There's no agency in Iowa that had  
10 any authority to go into the academy and  
11 regulate their policies.

12 MS. TIMMINS: May I approach, Your  
13 Honor.

14 THE COURT: You may.

15 Q. (By Ms. Timmins) I'm showing you  
16 State's Exhibits 73 through 82, and if you  
17 could flip through those.

18 Are those are all photographs that  
19 you took the day that you brought Axxxxx  
20 and Bxxxxxx to your office to be  
21 interviewed?

22 A. Yes. I took these photographs.

23 Q. Was that on March 15th?

24 A. No. That was March 25th.

25 Q. March 25th of 2015?



1 A. Yes.

2 Q. Now, I'll show you State's Exhibits  
3 83 through 89. Do you recognize what's in  
4 those photographs?

5 A. Yes.

6 Q. What are those photographs of?

7 A. These photographs are photographs  
8 of the outside of Midwest Academy, and  
9 there's a photograph of Mr. Trane's  
10 residence which is adjacent to the  
11 academy.

12 There's a photograph of the  
13 entryway when you first arrive. There are  
14 a couple photographs of that. And there  
15 is a photograph of a room close to the  
16 office that we used to meet with Mr. Trane  
17 in.

18 MS. TIMMINS: At this time, Your  
19 Honor, I'd ask to enter State's Exhibit 73  
20 through 82.

21 (State's Exhibit Nos.  
22 73 through 82 were  
23 offered in evidence.)

24 THE COURT: Ms. Schaefer, do you  
25 have any objection to State's 73 through

1 82?

2 MS. SCHAEFER: No.

3 THE COURT: 73 through 82 will be  
4 admitted.

5 (State's Exhibit Nos.  
6 73 through 82 were  
7 received in  
8 evidence.)

9 MS. TIMMINS: The State would also  
10 offer State's Exhibits 83 through 89.

11 (State's Exhibit Nos.  
12 83 through 89 were  
13 offered in evidence.)

14 THE COURT: Any objection, Ms.  
15 Schaefer, to Exhibits 83 through 89?

16 MS. SCHAEFER: No objection.

17 THE COURT: They will be admitted.

18 (State's Exhibit Nos.  
19 83 through 89 were  
20 received in  
21 evidence.)

22 MS. TIMMINS: Permission to  
23 publish.

24 THE COURT: Go ahead.

25 (The exhibits were published by

1 video projection.)

2 Q. (By Ms. Timmins) So I have on the  
3 screen State's Exhibit 73. Who is that?

4 A. That's Axxxxxx [REDACTED]

5 Q. And that's that first interview  
6 that you did with him?

7 A. Yes.

8 Q. What he has on, is that what you  
9 know to be one of their uniforms for  
10 school?

11 A. Yes.

12 Q. State's Exhibit 74. Again, is that  
13 just a close-up of Axxxxxx that day?

14 A. Yes.

15 Q. State's Exhibit 75. Who's in this  
16 picture?

17 A. That is Bxxxxxxx [REDACTED]

18 Q. Why did you take this picture?

19 A. This is one of the approved sitting  
20 in structure positions.

21 Q. And he was showing you that?

22 A. Yes.

23 Q. State's Exhibit 76. What is this?

24 A. That's another photograph of  
25 Bxxxxxxx [REDACTED] and that's another approved

1 position for sitting in structure.

2 Q. And it was in particular where the  
3 hands went on the lap or on the leg and  
4 things like that; is that right?

5 A. Yes.

6 Q. State's Exhibit 77?

7 A. That's Bxxxxxx [REDACTED] again, and that's  
8 the third approved position for sitting in  
9 structure.

10 Q. And it's your understanding those  
11 are the three positions that the children  
12 could sit in when they were doing  
13 structure?

14 A. Yes.

15 Q. And that was in the OSS room?

16 A. Yes.

17 Q. State's Exhibit 78. Why did you  
18 take this photograph?

19 A. Well, there are a couple reasons we  
20 took photographs of both kids, but also  
21 he's got the injury on the right side of  
22 his face, a bruise.

23 Q. State's Exhibit 79. What do we see  
24 there?

25 A. That's Bxxxxxx [REDACTED] It's a side

1 view of his injury.

2 Q. When you say injury, you're talking  
3 about what appears to be a bruise on his  
4 face that's a round red circle?

5 A. Yes.

6 Q. State's Exhibit 80. What were you  
7 taking pictures of there?

8 A. Marks on his hands--on his arms,  
9 excuse me.

10 Q. State's Exhibit 81?

11 A. Again, trying to photograph the  
12 injuries to the arms.

13 Q. Did he also have some scabbing that  
14 was on his wrists as well?

15 A. Yes.

16 Q. State's Exhibit 82. What is that a  
17 picture of?

18 A. That is a picture of a shirt of  
19 Bxxxxxxx's that he received from Midwest  
20 Academy.

21 Q. And why did you take a picture of  
22 that?

23 A. The different children that have  
24 had this shirt before. It looks like it  
25 has been passed down.

1 Q. Did that matter to you, or it was  
2 just to take a picture?

3 A. Well, we knew that the parents  
4 purchased the clothing when they arrive at  
5 Midwest Academy so--

6 Q. They purchased the uniforms?

7 A. They have a fee for the clothing.  
8 And it appear that they're just-- They're  
9 recycled is what I was documenting.

10 Q. State's Exhibit 83. What is this a  
11 picture of?

12 A. That is the front of Midwest  
13 Academy.

14 Q. Where is the academy located at?

15 A. On the outside of Keokuk, north of  
16 Keokuk.

17 Q. Is that in Lee County?

18 A. Yes.

19 Q. You basically just take this main  
20 road north of town, a little bit out of  
21 town, and then you take a left?

22 A. Correct. There's a marker for  
23 Midwest Academy where you can turn on the  
24 highway.

25 Q. Let me back up to 83. Do you see

1 the main front entrance doors in this  
2 photograph?

3 A. Yes.

4 Q. I think there's a pointer up there,  
5 if you want to use that to point at those.  
6 Just push the red button.

7 A. Oh. So here are the doors right  
8 there (indicating).

9 Q. You're pointing to the area where I  
10 think there's a black car, and you can see  
11 the doors behind it?

12 A. Yes.

13 Q. State's Exhibit 84. What is this a  
14 photograph of?

15 A. It's just another photograph of the  
16 front and one side of the building.  
17 That's the mailbox to Ben Trane's  
18 residence.

19 Q. State's Exhibit 85. What is this a  
20 photograph of?

21 A. That's Ben Trane's residence.

22 Q. So that's sitting right beside the  
23 academy; correct?

24 A. Yes.

25 Q. State's Exhibit 86. What is this?

1           A. That's the front doors to the  
2 academy.

3           Q. State's Exhibit 87?

4           A. That's when you get through the  
5 front doors and the entry area, that's the  
6 hallway. Right here is where a  
7 receptionist sits (indicating).

8           Q. And you were pointing to the right  
9 side where we can see there's an open door  
10 there?

11          A. Right. That's where we would  
12 approach in initially.

13          Q. When you did the tour with the  
14 Defendant, when you were walking down this  
15 hall, did he talk to you about the  
16 pictures on the wall?

17          A. The pictures on the wall are  
18 pictures of graduates, graduating classes  
19 at Midwest Academy.

20          Q. Were there also pictures of  
21 different locations?

22          A. Towards the back past that door  
23 back there (indicating), there would be  
24 some photographs on the wall of scenic  
25 areas or landscapes, large pictures.



1 Q. Did he say anything about those  
2 photographs?

3 A. He stated that when the kids finish  
4 the program, they get to take like a trip,  
5 basically some type of--I think it's a  
6 celebration, and that those photographs  
7 were from those trips.

8 Q. What did those photographs appear  
9 to be to you?

10 A. Well, I didn't see any people in  
11 them. And I thought that was odd for  
12 teenagers. They always want to be in  
13 pictures. So they just looked like maybe  
14 they were store bought.

15 Q. State's Exhibit 88. What are we  
16 looking at there?

17 A. This here (indicating) would be  
18 graduating classes. So that would be--I  
19 mean, I can't see the years, but they  
20 would be labeled.

21 Q. So this is just an example of what  
22 was in that hallway?

23 A. Yes.

24 Q. And State's Exhibit 89. What is  
25 this a photograph of?

1           A. This is just another like a meeting  
2 room. This is an area that--there's a  
3 table there. You could sit and meet with  
4 Mr. Trane and talk about the assessments.

5           Q. And that's where you had several  
6 discussions with him?

7           A. That's where I believe we had the  
8 last two meetings.

9           Q. And was that in the part of the  
10 administrative-type area there right when  
11 you first walk in the front door?

12          A. Yes. It's not very far from the  
13 beginning when you first get into the  
14 building.

15           MS. TIMMINS: I don't have any  
16 other questions.

17           THE COURT: Ms. Schaefer.

18                           CROSS-EXAMINATION

19 BY MS. SCHAEFER:

20           Q. Ms. Richardson, you indicated  
21 during the first interview with Mr. [REDACTED] he  
22 wouldn't look up?

23           A. Correct.

24           Q. I'm guessing during your tenure  
25 with DHS that you deal with families from

1 all different sorts of cultures; correct?

2 A. Some.

3 Q. And isn't it a fair statement that  
4 not all cultures--or that some cultures  
5 regard looking you in the eye as a sign of  
6 disrespect?

7 A. That possibly could be true.

8 Q. Because Bxxxxxx, I believe, is  
9 [REDACTED]; correct?

10 A. Yes. He was born in the United  
11 States. He's American.

12 Q. But his mother is [REDACTED]?

13 A. Yes.

14 Q. And with regard to the bruises or  
15 the marks that you claim were injuries on  
16 Mr. [REDACTED] could those also be the result of  
17 self-harm?

18 A. In regards to the injury on his  
19 face, he didn't know how that happened.  
20 He didn't know he had the mark. The  
21 injuries on his arms, he talked about  
22 being restrained and taken to the OSS.

23 Q. And as far as you knew, kids were  
24 restrained when their behavior was  
25 physically aggressive toward either staff

1 or other students?

2 A. That's my understanding.

3 Q. Now, you indicated that when you  
4 were reviewing the records for OSS for Mr.  
5 [REDACTED] and Mr. [REDACTED], that there were some  
6 missing for both of them?

7 A. Yes.

8 Q. And wasn't it your testimony that  
9 when you went out the first time in March,  
10 Mr. Trane had indicated to you that he  
11 believed an employee had taken some  
12 records of the students?

13 A. He did indicate that he believed  
14 some of the student's forms had been  
15 stolen.

16 Q. And do you know that there were  
17 some OSS records missing, at least for  
18 Bxxxxxx [REDACTED] and Dxxx [REDACTED]?

19 A. Correct.

20 Q. Do you know what Dxxx and Bxxxxxx  
21 looked like when they first came to the  
22 academy?

23 A. No, I do not know what they looked  
24 like.

25 Q. Do you know how tall they were?

1           A. I mean, I don't know how tall they  
2 were when they showed up. I know  
3 approximately how tall they were when I  
4 met with them.

5           Q. How tall were they when you met  
6 them?

7           A. I would guesstimate them anywhere  
8 from 5 foot to 5' 3" maybe.

9           Q. For both of them?

10          A. I don't recall them being a lot  
11 taller than myself, and I'm 5 foot 1.

12          Q. And they had both been there, Dxxx  
13 it looks like for close to a year?

14          A. Dxxx had been there ten months when  
15 we interviewed him.

16          Q. And Bxxxxxxx it looks like--and I  
17 believe it's consistent with his  
18 testimony--was about seven months?

19          A. Correct.

20          Q. But you don't know how tall they were  
21 when they got to the school, do you?

22          A. I would assume that it might have  
23 been on an intake form. I don't recall if  
24 it was.

25          Q. So for instance, if Bxxxxxxx  s

1 mother said she thought he was about 4' 8"  
2 to 4' 10", you have no reason to  
3 disbelieve that?

4 A. No, I have no reason to disbelieve  
5 it.

6 Q. And was your concern that the  
7 weight of Bxxxxxxx and Dxxx was unhealthy?

8 A. When we met with them?

9 Q. Yes.

10 A. I believed it was unhealthy-- Well,  
11 for Bxxxxxxx, yes. I thought that it was  
12 underweight. For Axxxxx--for that age to  
13 lose weight is just a concern. They're  
14 growing.

15 Q. But based on Exhibit 90 and your  
16 testimony, there for the last several  
17 months Dxxx's weight kind of fluctuated  
18 back and forth, didn't it?

19 A. Yes. It appears from the record he  
20 gained some weight in a month's time.

21 Q. So your concern was more with the  
22 rapid loss of weight?

23 A. Correct.

24 Q. And you don't know if they would  
25 have been considered overweight when they

1 got to the school?

2 A. I don't know that.

3 Q. When you went to the Victoria's  
4 Secret store on December 22nd to do your  
5 Christmas shopping and you saw Mr. Trane,  
6 you indicated that you didn't see any  
7 other adults; is that correct?

8 A. I didn't see any other adults that  
9 appeared to be with the group.

10 Q. But you don't-- And Victoria's  
11 Secret is in the mall; right?

12 A. In the mall.

13 Q. And so there are lots of stores?

14 A. Yes.

15 Q. Lots of common areas?

16 A. Yes.

17 Q. You have no way of knowing if other  
18 students and other staff may have been  
19 somewhere else in the mall?

20 A. Correct.

21 Q. And did it appear to you that Mr.  
22 Trane was there to pay the bill?

23 A. Well, it appeared to me he was in a  
24 supervisory role, because he was directing  
25 them to go pay.

1 Q. But there was nothing other than  
2 the location? There was nothing untoward  
3 about his behavior?

4 A. Not that I saw. He was shopping  
5 too.

6 Q. And it is your experience with  
7 Victoria's Secret that they have--I guess  
8 not really a subsidiary, but a portion of  
9 their store is geared toward adolescent or  
10 what we call junior females?

11 A. Yes.

12 Q. It's known as Pink?

13 A. I don't know if Pink is geared  
14 towards younger females. I see a lot of  
15 women of various ages wearing that  
16 clothing.

17 Q. Did you speak to Mr. Trane that  
18 day?

19 A. No, I did not.

20 Q. Did he speak to you?

21 A. I don't think he saw me.

22 Q. And you indicated that you had some  
23 conversations with him in the spring of  
24 2015 about the OSS rooms; correct?

25 A. Yes.



1 Q. And that you had provided him with  
2 some guidelines and maybe some advisories  
3 for how to maybe change the structure of  
4 the OSS rooms; correct?

5 A. Yes.

6 Q. And were you aware that he had  
7 taken some of that advice?

8 A. When?

9 Q. After you had left, and then he had  
10 removed some of the doors to the OSS rooms  
11 so they were no longer a locked room?

12 A. In subsequent interviews, yes, he  
13 stated that he was making changes.

14 Q. And that he had removed some of the  
15 timelines and shortened them from the  
16 twenty-four hour period that you knew of?

17 A. Yes.

18 Q. And he was doing all of this even  
19 though there was nothing that said he had  
20 to?

21 A. Yes.

22 Q. What is your understanding of the  
23 difference between a therapeutic boarding  
24 school and a residential treatment  
25 facility?

1           A. I assume a residential treatment  
2 facility, you're discussing a licensed  
3 program. And a therapeutic boarding  
4 school, I honestly don't know of any other  
5 therapeutic boarding school besides the  
6 Midwest Academy, as that's what they had  
7 referred to their school as.

8           Q. Are you familiar with cognitive  
9 behavioral therapy?

10          A. I have been--I've heard of it from  
11 other therapists. I've heard of it  
12 through what therapy that children are  
13 receiving or adults are receiving.

14          Q. And is that possible that the  
15 complete structure program of MWA was  
16 geared with the philosophy of cognitive  
17 behavioral therapy?

18          A. I have no idea.

19                MS. SCHAEFER: I don't have any  
20 other questions.

21                THE COURT: Ms. Timmins.

22                MS. TIMMINS: I don't have any  
23 questions.

24                THE COURT: You may step down.  
25 Would counsel approach.