

1 Would counsel approach once.

2 (A side-bar conference was held off
3 the record.)

4 THE COURT: We remain on the record
5 in the case of State of Iowa vs. Benjamin
6 Trane. The Motion for New Trial has been
7 ruled on.

8 The Court will proceed to
9 sentencing at this time, again, noting the
10 Defendant in Count I was previously
11 convicted of Assault With the Intent to
12 Commit Sexual Abuse, an aggravated
13 misdemeanor, in violation of Iowa Code
14 Sections 709.11; Count II, Pattern,
15 Practice or Scheme to Engage in Sexual
16 Exploitation by a Counselor or a
17 Therapist, a class D felony, in violation
18 of Iowa Code Sections 709.15(1),
19 709.15(2)(a), 709.15(4)(a); and, also
20 Count III, Child Endangerment, as an
21 aggravated misdemeanor, in violation of
22 Iowa Code Sections 726.6(1)(a) and
23 726.6(7).

24 Does the State know of any legal
25 reason not to proceed with sentencing here

1 today?

2 MS. TIMMINS: No, Your Honor.

3 THE COURT: Mr. Parrish?

4 MR. PARRISH: No, Your Honor.

5 Other than what we've already mentioned to
6 the Court, we would have no additional
7 record on that.

8 THE COURT: Okay. And we did have
9 some conversation off the record, and the
10 Court is considering these as no mandatory
11 minimums. The discretion of the Court is
12 open on each of these charges. I believe
13 it's Count II that is specifically
14 excluded as a forcible felony, so the
15 Court will take it as that.

16 MR. PARRISH: Correct. I think
17 that's correct. I don't think there's a
18 mandatory minimum on that.

19 THE COURT: All right. The Court
20 has before it the Presentence
21 Investigation Report completed in this
22 case.

23 Does the State have that? And
24 there was an Addendum too. The
25 statements--some of the statements--well,

1 most of the statements were not by
2 victims, so the Court will not consider
3 those and ignore those.

4 Does the State have changes,
5 corrections, or objections to the
6 Presentence Investigation?

7 MS. TIMMINS: No, Your Honor.

8 THE COURT: Mr. Parrish?

9 MR. PARRISH: Thank you, Your
10 Honor.

11 The record should reflect that we
12 received a copy of the Presentence Report.
13 We've had an opportunity to review it. I
14 forwarded it to Mr. Trane and he reviewed
15 it.

16 We also received a supplement a
17 couple of days ago. As the Court has
18 already indicated--and that was my
19 objection, that these other folks who were
20 listed as supplemental under the rules or
21 the statute did not seem applicable. And
22 the Court has indicated it's not going to
23 consider it. And so I'm satisfied with
24 that, Judge, that you not consider those
25 factors and that any review of those that

1 may have been made that you not consider
2 them. I'm satisfied with that.

3 THE COURT: And again, I believe
4 there's only one on there who would
5 qualify as a victim. Again, the rest were
6 not read and ignored.

7 MR. PARRISH: Thank you. And we
8 would have no additions or corrections to
9 make. Any issues, Judge, we'll address in
10 at sentencing. Thank you.

11 THE COURT: Is there a
12 recommendation by the State in this case?

13 MS. TIMMINS: There is, Your Honor.
14 Your Honor, the State does have
15 victim impact statements. Do you want
16 those first?

17 THE COURT: Let's do those first.

18 MS. TIMMINS: Okay. Where would
19 you like them to do that?

20 THE COURT: Up here is fine
21 (indicating). As long as I can hear them
22 I'm good.

23 MS. TIMMINS: [REDACTED] would
24 like to give a statement to the Court.

25 THE COURT: Thank you.

1 MS. [REDACTED]: My name is [REDACTED]
2 [REDACTED] My son Dxxx was a--

3 THE COURT: Can you give the
4 initials, ma'am?

5 MS. [REDACTED]: Yes. I'm sorry.
6 My name is [REDACTED]. My son is A.
7 He attended Midwest from May of 2014 to
8 April 2015. He was there eleven months.
9 This was a decision that we did not take
10 lightly on sending our child to Midwest.

11 As I told Ben--and Ben had records
12 that our son was not an easy child.
13 Obviously, that's why we chose Midwest.
14 Ben told us when we went to tour the
15 school that they were very equipped and
16 knowledgeable of handling children with
17 anxiety, depression, ADHD, Oppositional
18 Defiant Disorder.

19 He said that their school offered
20 good education; they offered therapy for
21 family and for the children; and, that
22 they could help our son. Unfortunately
23 while Dxxx was there, he was not compliant
24 to the rules. He spent a lot of time in
25 the OSS room, which was a room that I was

1 concerned about when we toured.

2 Ben told us that he did not foresee
3 any reason why A.● would be spending a
4 lot of time there. However, A.● did
5 spend 60 percent of his time there. He
6 would spend from a couple of hours to a
7 couple of days to a couple of weeks at a
8 time.

9 During this time, A.● went from
10 weighing 120 pounds down to 90 pounds. He
11 was in a healthy BMI when he went there.
12 When he came home, he was at an
13 underweight BMI.

14 A.● also suffers from Post-
15 traumatic Stress Disorder, what his doctor
16 feels comes from the OSS time from being--
17 having a child with anxiety and depression
18 being locked into this little room with no
19 interaction with other people.

20 And again, like I said, my child
21 was not compliant to the rules. Sometimes
22 he would have to be restrained. They
23 would restrain down his arms, his legs.
24 A.● cannot have people in his face. He
25 can't have people close to him.

1 He suffers with food issues now
2 because it was so restrictive there. Now
3 he tends to overeat. He is getting better
4 now that he's more active in football,
5 wrestling, track.

6 A lot of the things-- when Dxxx
7 came home, he wasn't better. He was still
8 struggling on a daily basis with his anger
9 issues. He had trust issues. He thought
10 everybody had an ulterior motive (sic)--I
11 can't talk--motive about why they were
12 wanting to be nice to him.

13 THE COURT: Take your time, ma'am.

14 MS. [REDACTED]: When A. [REDACTED] came
15 home, I feel that Midwest did not help him
16 at all. There were things with the OSS
17 room. He was placed into the Pride Family
18 where there was sexual abuse that
19 happened. We talked to Ben about that.

20 You told us that you would keep our
21 son safe while he was there, and this
22 happened. You said that this was a
23 consensual activity that happened between
24 boys. He was 12 years old. He wasn't old
25 enough to consent to anything. He was

1 doing things to get attention from the
2 other kids to do something so he could
3 level up. He thought that's what he had
4 to do to level up.

5 We eventually, of course, brought
6 A. [REDACTED] home. We sent him--he went back into
7 public school. He had trouble at the
8 behavioral school, so they sent him to the
9 alternative school through the town that
10 we are near. That school is what turned
11 our son around. They had people who cared
12 about him, loved him. They showed him
13 support. They showed him ways to handle
14 his anger and his anxiety issues. That's
15 what saved our son.

16 He's doing well now. He's making
17 friends. He's doing okay in school. He's
18 joining sports, but we still don't know
19 everything that happened there. He
20 refuses to talk about it. He won't even
21 cross the bridge to come into Keokuk. My
22 husband has a second job that brings him
23 into Keokuk. A. [REDACTED] will not even come
24 across here.

25 We talked to him about testifying.

1 He would not--he will not talk about
2 anything that happened there. He breaks
3 down. He gets very anxious. He gets very
4 angry.

5 We went to meet with Ms. Timmins
6 here. A.● would not even get out of the
7 car it got him so upset. We saw a decline
8 in behaviors when we talked about this.
9 We saw a decline in behaviors at school.

10 We may never know everything that
11 happened there. And you're right,
12 everything that we--I testified to came
13 from you (indicating to the Defendant).
14 It came from Gary. None of it came from
15 Dxxx. I'm sorry. A●.

16 So we are going to have to deal
17 with this for a lifetime. You may be
18 sentenced for a few months to years. And
19 I feel sorry for your wife and your
20 children that you will be away from them,
21 because I do have compassion to other
22 people. However, it's a life-long
23 sentence that my child has to deal with
24 everything that happened there.

25 THE COURT: Anything else?

1 MS. [REDACTED]: I'm sorry?

2 THE COURT: Anything else?

3 MS. [REDACTED]: No.

4 THE COURT: Thank you.

5 Ms. Timmins?

6 MS. TIMMINS: Your Honor, Kxxxxxxx

7 [REDACTED] prepared a statement and did not
8 want to read it herself. And so our
9 victim witness coordinator, Candis
10 Lockhard, will read it for her.

11 THE COURT: Ms. Lockhard. And can
12 you come up here so we can all hear. I
13 think it will be better if you're speaking
14 at us.

15 VICTIM WITNESS COORDINATOR: Judge
16 Kruse, I am not quite sure where to begin
17 with this. The ways that I have been
18 impacted by the things that Ben Trane did
19 to me are numerous and have not lessened
20 throughout this entire process.

21 My time since the academy has been
22 spent trying to understand why he chose
23 me, attempting to protect myself from
24 shame, from the same thing happening again
25 in the future, and not just trying to cope

1 and live with what this has done to me.

2 I've spent the past two years
3 trying to figure out what I did to make
4 Ben decide to do this to me. Was it how I
5 spoke to him? The way I looked at him?
6 The way I acted? I've gone over again and
7 again what I did that made him think it
8 was okay to do what he did and what I
9 could do to make sure that no one ever has
10 the urge to do these things to me again.

11 I've lost confidence in my own
12 thoughts and opinions, rarely contributing
13 to conversations unless directly spoken to
14 me. Even then, when asked a question that
15 has to do with my specific opinion, I
16 typically shrug and say, "I'm not sure. I
17 don't really care." I do this always
18 thinking, what if I say something that
19 shows what he's done--what if I say
20 something to someone that shows what has
21 been done to me, or worse, shows someone
22 else that I am vulnerable and gives them
23 an opportunity to take advantage of me
24 just like Ben did?

25 Thinking the way I looked possibly

1 had something to do with the decision to
2 hurt me, I went on a diet so restrictive
3 that I've lost over 40 pounds since my
4 time at the academy, causing my 5 foot 7
5 inch frame to drop from nearly 127 pounds
6 to nearly 85. I started small and now
7 have blown out of control. Now I am at
8 least certain that no man will look at me
9 the same way that Ben did, and no man will
10 have the same urges that Ben did that led
11 him to hurt me.

12 I now also think poorly of many
13 people who are authority figures. I am
14 suspicious of anyone that appears to have
15 a nice happy family. I am suspicious of
16 nearly every adult male that I meet
17 regardless of the circumstances for which
18 under we meet.

19 When I was in school, I made sure
20 not to be too friendly or to engage much
21 with my male teachers, fearing that
22 anything I did could be misinterpreted as
23 a sign to make the relationship
24 inappropriate.

25 At work I don't speak to my male

1 co-workers about anything even remotely
2 personal, not even something as simple as
3 discussing how my weekend went because I'm
4 concerned that any friendly behavior could
5 be taken the wrong way and used against me
6 the same way that Ben used my trust and
7 exploited it.

8 I look down on anyone that appears
9 to be a good husband, father, and so forth
10 because I know exactly how Ben appeared to
11 the people around him and what he
12 portrayed and continues to attempt to
13 portray. He makes himself out to be a
14 family man, one who loves and cares deeply
15 for all the children and teenagers and a
16 man who loves his family, his church, and
17 helping others.

18 The reality is that Ben enjoyed
19 teenagers like me because it gave him the
20 perfect setting to take advantage of them,
21 while simultaneously seemingly everyone
22 was praising him for taking on the task of
23 healing troubled teens.

24 I no longer feel comfortable in my
25 own thoughts, whether it be day or night.

1 During the day, no matter what I may be
2 doing, I often have times where I
3 completely pause, stare off into space,
4 and think about the things that Ben did to
5 me. These thoughts are intruding and
6 nearly uncontrollable and extremely
7 upsetting when they do come up. The only
8 way I can cope with them is by shoving
9 them back down inside of me as far as I
10 can.

11 I'll occasionally get looks from my
12 co-workers and be questioned on what I was
13 thinking about. I always give a small
14 smile and try to laugh it off saying, "Oh,
15 nothing," in order to not arouse any
16 concern or suspicion.

17 At night I rarely sleep more than
18 four hours. Any sleep I do get is
19 typically restless, riddled with
20 nightmares so vivid upon waking me up. I
21 will regularly take several seconds to
22 realize that I'm not back in my bunk at
23 Midwest Academy.

24 After waking up from a nightmare,
25 I'll often force myself to stay awake for

1 the rest of the night fearing that if I do
2 fall back to sleep, I'll fall right back
3 into another nightmare about the academy
4 where Ben is hurting me and there's
5 absolutely nothing I can do to stop it.

6 On the outside I may appear to have
7 mostly recovered from my time spent at
8 Midwest Academy and from the abuse I
9 suffered at the hands of Ben. I have had
10 two jobs to support myself. I live on my
11 own. I take care of myself. I am able to
12 attempt to engage with friends. I am able
13 to go out in the world. But none of this
14 is done with confidence.

15 I don't value my own thoughts, and
16 I don't even trust my own intuition. I
17 thought Ben was a good guy, and it turned
18 out to be so horribly wrong. How could I
19 ever trust myself again?

20 Even throughout this process, and
21 even with the people who have helped me
22 most, I've found myself questioning their
23 intentions. Are they being nice to me
24 because they care? Are they being nice to
25 me so they can hurt me in the future once

1 they've completely gained my trust? I
2 hate this part of myself, and I hate that
3 Ben has created this massive loss of trust
4 in me.

5 I want to believe that there are
6 good people in the world. I want to
7 believe that there are people who would
8 never think of taking advantage me, and I
9 want to have faith in people. But because
10 of what Ben did to me, it is impossible.

11 I never want another young girl or
12 anyone to feel the way I do. I never want
13 someone to question their intuition or
14 lose confidence in themselves and their
15 own thoughts. I never want someone to be
16 scared to fall asleep at night. I never
17 want someone to fear being beautiful
18 because they think a man will exploit
19 them. I never want Ben to hurt someone in
20 the way he hurt me, causing them the same
21 pain he caused me, which is why I am
22 asking that you please give him the
23 strongest sentence possible. It will show
24 him that what he did was wrong. He can't
25 get away with all the sick things that he

1 has done. It will also hopefully prevent
2 him from repeating these offenses when he
3 is free.

4 It will give me some peace of mind
5 to know that he isn't out doing whatever
6 he pleases to whoever he pleases. It will
7 send a message to him and to anyone like
8 him that this type of behavior is
9 absolutely unacceptable.

10 Thank you for taking my statement
11 into your consideration.

12 Sincerely, K.●.

13 THE COURT: Thank you.

14 Is there further victim impact
15 statements in this case, Ms. Timmins?

16 MS. TIMMINS: No, Your Honor.

17 THE COURT: Your recommendation?

18 MS. TIMMINS: Your Honor, the State
19 recommends that the Court impose prison on
20 each count and that each count be served
21 consecutively. Each count involved a
22 different child. Each child deserves
23 their own justice in this case.

24 The Court sat through this trial.
25 You know what the facts are. A lot of

1 people would say, well, he has a courtroom
2 of people here to support him. He has
3 over 100 letters of support that were
4 written to the Court, and that shows that
5 he's a good man; that shows that he's a
6 man who should be released and given a
7 second chance.

8 The State submits to you that it's
9 that support and the type of support he
10 has is exactly how he was able to commit
11 his crimes in the first place. He was
12 charming. People believed what he said.
13 Parents believed what he said. Employees
14 believed what he said. People did what he
15 told them to do.

16 And because of that charm and
17 manipulation that he has, he was able to
18 control that entire facility, and because
19 of that children got hurt.

20 The State asks that the Court look
21 back at the facts that it heard during
22 trial and recognize that the Defendant's
23 behavior was pervasive. It was
24 persistent. There was a pattern to it.
25 And, again, that the people who ended up

1 being punished by all of it were children,
2 children that were in his care that he had
3 promised others that he would take care of
4 properly.

5 I would also ask that the Court
6 consider the fact--you know, under Iowa
7 law, mandatory reporters who are convicted
8 of the exploitation count can't have
9 probation. Well, the Defendant wasn't a
10 mandatory reporter. The Court knows from
11 the trial that he purposely and
12 intentionally was not a mandatory reporter
13 because he didn't want to be subjected to
14 those rules, and he didn't want his
15 employees to be subjected to those rules.

16 So I think that fact, too, should
17 play into the Court's decision on deciding
18 what to do with this individual.

19 A.●., B.●., they didn't get to
20 decide how long they were locked in their
21 rooms. K.●., she didn't get to decide
22 when the Defendant came in her room and
23 made choices to when he was going to do
24 things.

25 The State is asking that you impose

1 imprisonment in this case and that each
2 count be served consecutively.

3 Thank you.

4 THE COURT: Mr. Parrish.

5 MR. PARRISH: Thank you, Your
6 Honor. May it please the Court and
7 counsel.

8 First of all, I want to understand
9 the State's argument that says he's not a
10 mandatory reporter, but yet the Court
11 should impose a sentence as if he was a
12 mandatory reporter, even though the
13 statute says you don't do that. But there
14 were other people, as the Court is aware,
15 who were mandatory reporters at the
16 school. So I'm trying to understand why
17 the State is arguing that the Court should
18 do something that the statute does not
19 allow the Court to do. That's my first
20 response to the State's argument.

21 I also want to remind the Court
22 that in its ruling of December 17th of
23 2017 involving the statement from Ms.
24 K. ●., the Court indicated "the court does
25 accept that the adoptive mother of the

1 alleged victim"--speaking of K.●.--
2 believes that she did make false
3 allegations of abuse previously and would
4 testify to this." I'm reading from the
5 last page of the Court's ruling of
6 December 17th of 2017, that there was this
7 issue.

8 But also, Judge, I want to remind
9 the Court with regard to the statement,
10 that the Court can look at the victim
11 impact statements, the skill level at
12 which this young lady operated at the
13 school, and remind the Court there were
14 1,900 students who had gone through this
15 academy, and many of them were troubled
16 kids who Mr. Trane was helping.

17 It would not be surprising, I'm
18 sure the Court is aware as anyone--I won't
19 say around the state of Iowa because you
20 said don't do that--but if you're in an
21 institution where you have kids who are
22 problematic kids, whether it's Boys Town
23 in Nebraska or any other school, you're
24 going to have issues coming up with kids
25 like this. So I don't think the number of

1 incidents that are being referenced here
2 shows that there is anything out of
3 character.

4 I don't want to go back and reargue
5 the motions I made for a new trial, but I
6 want the Court in looking at this to
7 consider what factors they have to look at
8 at sentencing. I believe I have a
9 sentencing brief which I think goes
10 through and talks about what issues the
11 Court needs to look at in this matter.

12 And I would say to the State, this
13 is not a closing argument where you could
14 talk about people in the courtroom. We're
15 basically talking about rules that the
16 Iowa Supreme Court and the statutes say
17 that the Court ought to look at when
18 applying these issues. I'm not sure the
19 State filed a sentencing brief in this
20 matter, and if they did I perhaps did not
21 get a copy of it.

22 But I think the sentencing factors
23 that the Court has to look at run under
24 several categories: the age, family
25 circumstances, education and employment

1 circumstances, prior record, nature of
2 offense, and other factors.

3 THE COURT: I'm following along
4 with you.

5 MR. PARRISH: Okay. And, Judge,
6 the other factors here would be he has
7 already gone in and has gone through
8 classes already with regard to the sex
9 abuse allegation, even though when he
10 makes his allocution I believe he would
11 say he's innocent; that the evidence
12 establishes that he's innocent. I realize
13 that's different than what the Court
14 believes and Ms. Timmins believes. But we
15 are advocating that as a position. That's
16 another factor for you to consider, but
17 you can look at what he has done.

18 He has been in compliance. He has
19 a wife with five kids. He has been
20 supportive of them as best he can under
21 these circumstances. There has not been a
22 single incident. He has been brought to
23 the court during his pretrial. And a lot
24 of Courts would say, well, that's what
25 he's supposed to do. But we know on

1 revocation hearings and pretrial
2 revocations, that's not always the case.

3 In my experience when he comes for
4 his meetings with me, he's always early;
5 he's prompt; he's prepared; he has
6 everything laid out.

7 I don't think that has anything to
8 do with whether or not he's good looking
9 and charismatic or anything like that. I
10 don't know where that is a factor in this
11 case. So I think the State is still
12 making a jury argument for the Court,
13 which I don't think has any place here.

14 But also he was without any prior
15 incidents, Your Honor. I think he was
16 cooperating. He didn't hide anything
17 during the course of this investigation.
18 Obviously, he didn't get all of his
19 material back to help him prepare his
20 case.

21 His wife has been supportive. His
22 family has been supportive of him. You
23 have the underlying affidavits that we
24 filed under seal in this case outlining
25 that it's a tight family unit. They work

1 together. They are very supportive.

2 But I think one of the most
3 significant factors, Judge, falling into
4 the category of other factors, is he drove
5 back here himself and turned himself in
6 and sat in jail for almost, what, twenty-
7 eight, twenty-nine days, while he waited
8 to post bond. He has had to wear a
9 bracelet during the course of this
10 incident.

11 If you look at his education and
12 employment opportunities, obviously it's
13 difficult for him here in a high profile
14 case to be able to get what I could call
15 substantial employment. We've asked
16 several times, as the Court is aware--I
17 think his lawyer at one point, Ms.
18 Schaefer, that he go back to Utah or Idaho
19 to work and be with his family where he
20 would have that opportunity and be on
21 these same restrictions, that people can
22 travel all over the state of Iowa. I'm
23 going to be criticized for saying this but
24 I do want to say, Judge, people travel all
25 over the world on bracelets and without

1 bracelets in cases like this and other
2 cases, and they go through the airport and
3 they go through security and other places
4 and buildings, et cetera, and they can be
5 employed.

6 He does not have that opportunity
7 because of his particular skill. He does
8 have that opportunity here if the Court
9 allows him with a suspended sentence to do
10 that. He can get employment. He has a
11 company he can work with. He can stick by
12 the terms and conditions. He understands
13 the registration requirements with regard
14 to this matter.

15 I disagree with one aspect of the
16 Presentence Report with kids under 18, and
17 that is that this young lady was 17,
18 obviously, who was making an allegation,
19 but with family members, et cetera, you
20 can have that as an exception, other
21 people who would be family members within
22 his compound to be around people who are
23 under the age of 18. And obviously, that
24 would restrict his kids. That's on the
25 Presentence Report recommendation. It

1 doesn't say they want it to do that, but
2 that's one of the suggestions they have
3 made.

4 I think most telling, Judge, is--
5 and I don't always agree with how they do
6 the testing here--but be that as it may, I
7 think the testing indicates that he is low
8 on the scale of reoffending. I think
9 that's an important factor.

10 Not only is it an important factor
11 for this Court to consider, but you heard
12 in argument about the issues at Newton.
13 He would immediately fall into the
14 category-- because it's the same test that
15 they use there--in the low offender. The
16 question is how quickly he would get into
17 a class if the Court decided to enter the
18 sentence. But obviously, you have to stay
19 out, and you don't get credit for the time
20 that you put in outside of the institution
21 before you go in. You just go to the back
22 of the line and wait. So the question
23 with that low test result of reoffending,
24 is do you actually put him back in that
25 category, and does that best serve

1 society? Or do you let him out where he
2 could continue with his treatment classes,
3 which evidently he has done successfully
4 up to this point?

5 And as you know, I'm sure, as Ms.
6 Timmins and everyone else, it's very
7 difficult to get people who believe
8 they're innocent of these crimes to go
9 through, but he has cooperated and has
10 taken the necessary tests and is going
11 through the classes. So we ask the Court
12 to give that some consideration.

13 We also believe that his
14 continuation of education is significant
15 and important, that the Court should
16 consider that.

17 I think the Sex Offender Risk
18 Assessment at a moderate risk is a factor
19 that should be considered. And I already
20 indicated that the low, moderate in
21 reoffending ought to be considered by the
22 Court.

23 He doesn't have any collateral
24 issues such as alcohol, drugs, or anything
25 like that. As you know, Your Honor, when

1 people are out and they have difficulty
2 the fact that they have these collateral
3 issues contributes to their inability to
4 stay in compliance with court orders.

5 I believe he has demonstrated to
6 the Court and under the outlines that
7 we've put in our sentencing memorandum
8 that he can be in compliance. We ask the
9 Court, as the Court has indicated, that
10 you have wide open options with regard to
11 this case. And if you have those wide
12 open options, we believe that this Court
13 should give him a suspended sentence.

14 Thank you.

15 THE COURT: Thank you.

16 Mr. Trane, is there anything you
17 want to tell the Court regarding the
18 sentencing options in this case?

19 THE DEFENDANT: Am I free to speak
20 for a minute?

21 THE COURT: Yes.

22 THE DEFENDANT: Because the one
23 thing throughout this whole process is
24 I've never been given the chance to speak
25 and to even express my side of the story.

1 Midwest Academy took in some of the
2 worst kids, when you're looking at the
3 numbers, the bottom 5 percent of kids--

4 THE COURT: Talk to me, not them,
5 okay? Stand back there. Okay. Go ahead.

6 THE DEFENDANT: A.● was a prime
7 candidate for kids that are now the high
8 risk in killing kids in school, these
9 shooters. He had already taken a weapon
10 to school, threatened to kill kids.

11 B.● was in the same boat. He was
12 going to be taken from his mother and put
13 into judicial custody because of his
14 violent behavior around other people.

15 We had a school full of kids that
16 are going to harm people and did harm
17 people in the communities they lived in.
18 Their parents were scared of them; their
19 friends were scared of them; the school
20 had kicked them out.

21 I mean, we're not dealing with kids
22 that are doing well. ● stated, he
23 struggled. We knew he was going to
24 struggle. My conversation with her was
25 that it was going to take at least two

1 years with him to even see any results
2 because of where he was starting. We knew
3 he was going to be problematic.

4 These kids are--they need help.
5 There is not a place for these kids that
6 are mentally unstable that need this help,
7 and that's why we're seeing so many of
8 these kids shooting up schools, killing
9 friends, stabbing, drug overdoses.

10 The boy who killed his mother and
11 father and then killed himself in prison
12 was in that boat. He was taken out of our
13 school and then went and did that a few
14 months later.

15 We are not dealing with kids that
16 are doing well. These are kids who are
17 dangerous to society and to themselves.
18 Every one of the witnesses that came were
19 suicidal, had made many attempts, and
20 since leaving the school, every single one
21 of them, they testified were doing better,
22 both witnesses.

23 I loved your son--

24 (Mr. Parrish conferred with the
25 Defendant off the record.)

1 THE DEFENDANT: I dedicated my life
2 to saving these kids and putting them on a
3 better path. They might not have liked
4 the school. It wasn't there to like. It
5 was hard. They couldn't do drugs; they
6 couldn't have sex; they couldn't punch
7 people and hurt people without
8 consequences. They had to go to school;
9 they had to exercise; they had to eat;
10 they had to do some of these things.

11 We dedicated--the people and all
12 the support, we had the best people in the
13 community working there. We had a whole
14 range of people with mandatory abuse
15 reporting licenses and teachers to see
16 these things, and if there was something
17 inappropriate, they did say something.

18 Many times they made calls to the
19 DHS about a staff putting duct tape on a
20 kid's mouth. We called it in. We called
21 in every time there was something
22 inappropriate. The proper staff called it
23 in, and on me. As soon as the allegation
24 of K●. was made, as soon as we confirmed
25 that with the staff, they made the call on

1 me, the owner of the school, without
2 (indicating by snapping his fingers) two
3 seconds notice they made that call.

4 We ran a tight ship. The reason I
5 wanted our records is because they kept
6 track of the kids every minute of where
7 they were at at the school, everything
8 that they did, their weight, their intake.
9 I mean, we kept track of every aspect of
10 what happened at the school to discredit
11 stuff like this from coming to court.

12 I know the kids didn't like it. I
13 know they hated getting consequences.
14 That is the only way in our society that I
15 know of to help kids rehabilitate, is to
16 have consequences for actions.

17 These kids are doing better. You
18 were in trial, and the girl said they had
19 the best education, that was the only good
20 thing that came out of Midwest. Most of
21 these kids were getting a year to two
22 years ahead of where they were at. The
23 only reason a couple of these others
24 weren't is because their behavior was so
25 poor that they were already kicked out of

1 their school. They weren't doing school
2 to begin with. They had already been
3 expelled from every place: the
4 alternative schools, the regular schools,
5 any other alternatives in the state.
6 That's why the State of Illinois was
7 paying us to educate some of these kids,
8 because they couldn't do it.

9 And what we told these parents is
10 that once the behavior gets in check,
11 their academics take off. And that was
12 proven over and over again. Once their
13 behavior comes in, their education--they
14 do well education-wise. These kids
15 excelled. We brought up the average.
16 We're taking bottom 5 percent of kids that
17 are flunking and not doing school, and
18 they were leaving A and B students.

19 They were going to major
20 universities. Every major university in
21 the country we had a student attend. We
22 had a student get into West Point, which
23 was the No. 1 school in the country the
24 year he got in. We had wonderful
25 educators in this community that took the

1 time and loved these kids.

2 I have text messages from every one
3 of these kids. When they went home, who
4 did they call when they got in trouble?
5 They called me, all night long. Anybody
6 around me can testify that my phone was
7 never off. These kids would call me all
8 hours of the night: I'm struggling right
9 now; I ran away from home; I need some
10 help; what should I do?

11 A [REDACTED] is one of them. It wasn't put
12 in, but I have it right there
13 (indicating), the text messages to me: to
14 be honest with you, Mr. Ben, the school
15 helped me. I miss you. I miss the
16 school. I miss my program family.

17 Those are his texts, not my words.
18 That's him reaching out to me after this,
19 many months after he was home. Nine
20 months after he was home, he was texting
21 me asking me how my family was doing. I
22 had a wonderful relationship with him. I
23 took him out many times to buffets and to
24 other things. I took him outside to play
25 with him when he was struggling because he

1 needed to get out of OSS.

2 B.● was in the exact same boat.
3 He was getting taken away from his family.
4 He was facing felonies that we didn't know
5 about until afterwards. And we were
6 trying to find a placement for him because
7 his cognitive level was to the point to
8 where we felt it was going to be a long-
9 term solution. We spent five months
10 trying to find placement.

11 That's the other thing that people
12 don't understand. Where do you send these
13 kids? The reason A.● came to us is they
14 couldn't afford another program, and they
15 wouldn't take him. No one would take him.
16 No one would take B.●. No one would take
17 K.●.

18 I tell you with all sincerity of my
19 heart that I have never abused a child. I
20 have never sexually abused a child. I
21 have spent my whole career stopping that
22 from happening, fighting for kids who have
23 been abused. It is one of the worst
24 things in the whole world to have to deal
25 with the consequences of abused children.

1 All those things that she wrote in
2 her letter is the reason we kept her at
3 the school. She had made allegations
4 against her foster family of sexually
5 abusing her and turning it into child
6 pornography. She accused her aunt and
7 uncle of raping her multiple times over
8 years and filming it. That is the only
9 reason I, as the director of the school,
10 got involved with K.●., because the law
11 enforcement got involved, and we had to
12 her to the CDC or C-whatever, to get
13 interviewed.

14 She is one of the smartest students
15 we've ever had at the school. She knew
16 the system. She knew exactly going to
17 these places with the sexual abuse of what
18 to say, what grooming--she's the one that
19 told me what grooming was. She knew all
20 of this.

21 She told me that if I ever did
22 anything that she didn't like, she was
23 going to make allegations against me. She
24 told other girls that she was going to do
25 this. All these witnesses that weren't

1 able to come are direct testimony that she
2 was going to do this.

3 I hate sexual abuse with every
4 fiber of my being. I adopted a girl into
5 our family that had been sexually abused
6 for seven years and had to deal with her
7 problems, her anxiety, her mistrust.

8 Everything that was in that letter,
9 I've had to deal with with somebody I
10 loved that we brought in to kind of help
11 take care of this and fix and help
12 rehabilitate that.

13 It makes me sick to my stomach
14 hearing that about me when I spent my
15 entire career--1,900 students have come
16 through Midwest Academy and not one has
17 ever made that allegation, that
18 insinuation, or anything nearly like that
19 about me.

20 No employee has ever said that I
21 was inappropriate in any way sexually,
22 made any advances. I have never done
23 anything or portrayed myself in that
24 manner in any form.

25 All those documents would show that

1 I was never alone with K. Not once was
2 I ever alone. All the testimony that the
3 State has gotten, all the interviews that
4 they did, every person said he was never
5 alone with the student. I have never been
6 alone with her.

7 The only reason I took her on my
8 caseload is her counselor left. Mike
9 Davis, the director, clinical director,
10 said nobody else will take her. She was a
11 high-risk because of the making false
12 allegations, a high risk. No one wanted
13 to take her.

14 There was no other school that
15 would take her. Nobody would take this
16 girl because of her past. Because of
17 where she sat--she was getting to the
18 point to where she was too old and that
19 her issues nobody else would take. None
20 of our staff wanted to take her. Nobody
21 wanted to deal with her. I mean, their
22 recommendation was just kick her out. But
23 then where does she go?

24 I believed that I was helping an
25 abused child. She said she had been

1 sexually abused multiple times over
2 multiple years. She knew that was a soft
3 spot, and she preyed on that.

4 She made the same allegation after
5 she left to the boyfriend of the sister
6 she wanted to go live with. There is a
7 huge practice of this. I mean, that's
8 four to five times of this same
9 allegation.

10 We were helping students. The
11 reason our OSS rooms were set up the way
12 they were is because DHS gave me the
13 manual for child homes, and that is
14 exactly how it was set up. Sharon
15 Andrusyk came to the school, measured our
16 rooms, and told us specifically how big
17 they were supposed to be, exactly what
18 they were supposed to look like, and how
19 they should be made, on her
20 recommendation. We followed the letter of
21 the law exactly as to how it was presented
22 to us from the State.

23 In June of 2015, they came in and
24 said, you need to change and become a
25 child center. So we took off all the

1 doors. We made everything--kids were
2 going to be in there for an hour timeout
3 and then could go back. We followed that
4 to a T. We did everything we were
5 supposed to at the school.

6 I was not benefitting financially.
7 The two victims, A.●. and B.●., were
8 paying under tuition. I was having to pay
9 almost \$1,000.00 a month out of the school
10 money to have them at the school. There
11 was no financial gain for us. They were
12 paying under tuition to help them out.

13 Everything I have done, my
14 sacrifices have been for these kids. That
15 was my legacy, is to help these kids so
16 they won't go home and shoot up schools,
17 blow things up, get put in prison, get
18 pregnant and raise kids as single mothers.
19 All the things that I had to deal with on
20 a daily basis and why I did what I did, is
21 to help these kids to have better lives.

22 Those two are doing better. In my
23 sense, all these kids are doing better,
24 all the witnesses. They were home doing
25 well. They weren't in jail. They were

1 graduating school a year early. They got
2 high school diplomas where they would have
3 never gotten that before.

4 The one, L.S., that came in, we
5 brought her back from the psych ward on
6 one condition, to help her get a high
7 school diploma. Because I know that when
8 these kids leave the school, the odds of
9 them getting and finishing school is like
10 5 percent. K.● is a perfect example of
11 that. She is one of the smartest,
12 intellectual students we've ever had at
13 the school. When she was in the school,
14 she was preparing to go to Minnesota and
15 go into pre-med and become a doctor.

16 What I heard in testimony at trial
17 was that she hasn't even finished her high
18 school diploma yet. So in two years she
19 didn't finish up her last six months or
20 whatever it was of school.

21 Those are the numbers I see. If
22 these kids don't get help now, they don't
23 get turned around, and then you see them
24 in here killing people, hurting people,
25 hurting themselves, or doing other things.

1 I mean, it breaks my heart hearing
2 some of these statements from some of
3 these kids. I likened what we did at the
4 school to cancer. When kids have cancer
5 physically, they get put in a hospital;
6 they get isolated; they get separated;
7 they get given poison every day that kills
8 them with hopes that through that whole
9 process of pain and hurt and hardship that
10 they will come back out stronger; that
11 they will be healthy and get over that
12 cancer.

13 Mental illness is real. Emotional
14 illness is real. These kids were
15 suffering from mental illness and
16 emotional illness. Those same principles
17 apply. You have to separate these things,
18 which is hard. You have to separate them
19 from the things that they want to do, the
20 destructive behaviors. It's not fun.

21 In the cognitive behavioral theory,
22 it says that Step 1 feels like hell.
23 That's what it describes it as. That
24 first initial three to nine months feels
25 like hell, because they don't feel stable;

1 they don't feel in control. Until they
2 start getting to a point of self-
3 realization is when they finally start
4 doing better. And that is why you've
5 gotten all these letters from kids and
6 parents that are now succeeding and doing
7 well, whereas before they were not.

8 I want to reaffirm to you that I
9 never committed this crime to K. I
10 never touched her inappropriately. I
11 never spoke to her in any inappropriate
12 manner or behavior. There is no evidence
13 of me physically, on computer,
14 electronically. There was no DNA found.
15 And in what she said, there would have
16 been DNA found on a couch, on the carpet
17 in these areas. There would have been DNA
18 found. There was DNA found, and it wasn't
19 mine. I did not do this. I promise you
20 this.

21 The kids who have been most abused
22 in this situation have been my kids. Why
23 isn't anybody looking after my kids?
24 Being without a dad; being threatened to
25 have him put in prison; getting death

1 threats; getting bullied at school; having
2 to put up with a horrible, unstable
3 environment because everything had been
4 taken from them. Their Christmas toys had
5 all been marked up from the raid on my
6 house. All their toys were-- I mean the
7 shock, the trauma that little kids from 10
8 to 3, when you can't go home because
9 people are tearing your house up. When
10 does their consideration come in?

11 I want to put out to you that if
12 all the information and all the witnesses
13 would have come, they would have seen that
14 K.● had--she had mental--she has mental
15 illness. It is documented. Before she
16 came--that's the reason she came to the
17 school. She had a very large psychiatric
18 evaluation that went step by step through
19 all of these things that she does.

20 In today's world, if somebody takes
21 a gun into the school and shoots it up,
22 everybody else is a victim and they're
23 this monster. But in today's society,
24 somebody can come in and make a false
25 allegation about sexual misconduct. It

1 shut down the school. It killed my
2 career. It hurt over 100 staff. They
3 lost jobs immediately. Look at the impact
4 of that statement.

5 All these other kids were sent home
6 without therapy. Their therapy was cut
7 off immediately. All their lifelines, the
8 help, everything that they had growing up
9 to be stable was taken from them that fast
10 (indicating by snapping his fingers), 86
11 students and their families. All of that
12 was gone overnight, and these kids went
13 home. Two of them ran away, and nobody
14 knows where they're at. Two of them have
15 died on overdoses since they've left, and
16 one killed his family and killed himself
17 in jail.

18 We were dealing with the hardest
19 kids that nobody in the state wanted to
20 deal with. They'd get kicked out of
21 everywhere else, and they would come to
22 me. And I always had open arms, and I
23 would never kick kids out. They'd run out
24 of money, it didn't matter. They would
25 stay until they finished, until they

1 wanted their diplomas. Whatever they
2 needed, they got from the school and from
3 me.

4 I can't implore enough. I have
5 given my life to make Keokuk a better
6 place. Everything I did was to make
7 Keokuk a better place to live; to make the
8 staffs' lives better; to make the kids'
9 and the families' lives better. It wasn't
10 always easy. And there's no magic pill
11 that works on every student. There's no
12 place that 100 percent effective, but we
13 gave it our best shot. We took the kids
14 that nobody else wanted. We tried.

15 We donated thousands of dollars to
16 scholarships of local students. We
17 donated thousands of hours of community
18 service every year to show each of these
19 kids that's what makes a good community is
20 them giving back; and instead of taking,
21 giving.

22 I would just pray that all this
23 other evidence and things you'd look at,
24 because I have been painted in the most
25 horrible light I have ever seen, and that

1 is the farthest thing from the truth.

2 These kids that have come, they
3 lived in my house for free. I babysit
4 their kids when they were in jail. I paid
5 for their U-Hauls to go home. I gave them
6 facility vans when they didn't have
7 vehicles.

8 That's what we were trying to do
9 out there. And that's what I tried to do
10 with my whole life, is dedicate it to
11 helping these kids, because there is
12 nothing greater than seeing all these
13 people with their kids and their families
14 back together. To seeing kids who hate
15 their parents come back and love their
16 parents. To see that reunion is the
17 greatest thing in the whole world. To see
18 them go home and be successful; to get
19 graduation cards from college; to see
20 marriage; to see all these things in the
21 kids who have been cast aside and are
22 finally coming back up.

23 That's what I want my legacy to be,
24 not this. And I would ask you to please
25 look at that and just see where we sat and

1 what we tried to do.

2 Thank you.

3 THE COURT: The Court has considered
4 all the sentencing provisions provided in
5 Iowa Code Chapters 901 and 902. The
6 following sentence is based upon my
7 judgment of what will provide the maximum
8 opportunity for your rehabilitation and at
9 the same time protect the community from
10 further offenses by you and others.

11 The Court has specifically
12 considered the following factors,
13 including the contents of the Presentence
14 Investigation: the Court did sit through
15 the trial in this case; the victim impact
16 statements presented here today; the
17 letters in support that were submitted on
18 behalf of Mr. Trane; the statements by Mr.
19 Trane; and, everything else brought before
20 the Court here today.

21 It is the order of the Court acting
22 pursuant to Section--under Count I,
23 Section 709.11, on the charge of Assault
24 With Intent to Commit Sexual Abuse, the
25 Defendant is committed to the custody of

1 the Director of Iowa Adult Corrections for
2 a period of time not to exceed two years
3 and given credit for time served.

4 On Count II the sentence on
5 Pattern, Practice, or Scheme to Engage in
6 Sexual Exploitation By Counselor or
7 Therapist, in violation of Iowa Code
8 Sections 709.15(2)(a) and 709.15(4)(a),
9 the Defendant is committed to the custody
10 of the Director of Iowa Adult Corrections
11 for a period of time not to exceed five
12 years and given credit for time served.

13 On Count III, the Child
14 Endangerment charge, it's an aggravated
15 misdemeanor, in violation of Iowa Code
16 Sections 726.6(1)(a) and 726.6(7), the
17 Defendant is committed to the custody of
18 the Director of Iowa Adult Corrections for
19 a period of time not to exceed two years
20 and given credit for time served.

21 The fine on each of those, on Count
22 I, will be \$625.00; on Count II, it will
23 be \$750.00; on Count III, it's \$625.00. A
24 35 percent surcharge will be added on each
25 of those fines.

1 Given your financial circumstances
2 as shown in the Presentence Investigation,
3 the Court will suspend or waive the fines
4 and related surcharge in each of those
5 counts.

6 Counts I and II are sex-related
7 offenses, so within five days from this
8 date, the Defendant shall register with
9 the county Sheriff or within five days of
10 release from custody or placement on
11 probation, parole or work release, and
12 shall complete all necessary sex offender
13 registry forms as directed and shall pay a
14 \$25.00 sex offender registration fee
15 pursuant to Section 692A.110(1) of the
16 Code of Iowa.

17 You are informed of your duty to
18 inform the county Sheriff of any changes
19 of address in this state or any other
20 state within five days.

21 A civil penalty in this case will
22 be imposed in the amount of \$250.00 under
23 692A.110(2).

24 In addition to the sentences
25 imposed above, the following sentence is

1 hereby ordered under 901B and shall
2 commence at the end of the sentence
3 imposed for the underlying offense, and
4 the Defendant shall be under supervision
5 as if on parole, as provided in the Iowa
6 Code for a period of ten years.

7 Each of the sentences imposed in
8 this case, Counts I, II, and III shall run
9 consecutive to each other.

10 There is no mandatory minimum in
11 this case. The Defendant is given credit
12 for time served.

13 Again, taking into account all of
14 the circumstances, the sentence in each of
15 these cases is not suspended.

16 A no contact order in this case
17 shall issue for the protection of K.● for
18 a period of five years from this date.

19 The Defendant will be liable for
20 court costs in this case. Again, given
21 your financial circumstances, there are
22 court-appointed attorney fees in this case
23 as set forth in the document here today.
24 The Court will limit that to \$5,000.00 on
25 a reasonable ability to pay adjustment.

1 Pursuant to Iowa Code Sections
2 901.5(9)(a) and (b), the Court will
3 publicly announce the Defendant's term of
4 incarceration may be reduced from the
5 maximum sentence because of statutory
6 earned time, work credits and program
7 credits. The Defendant may be eligible
8 for parole before the sentence is
9 discharged.

10 Pursuant to Iowa Code Section 81.2,
11 the Defendant shall submit a physical
12 specimen for DNA profiling.

13 In reaching the sentence, I've
14 taken into account what will be the
15 maximum opportunity for your
16 rehabilitation; protection of the
17 community from further offenses by you and
18 others; your age; your prior record, which
19 is non-existent; your employment
20 circumstances, family circumstances; the
21 nature of the offenses committed.

22 In reaching this decision, sir,
23 I've taken into account primarily--it's a
24 very difficult decision when a man of your
25 promise, and I consider you a young man

1 yet, an extremely talented person, you
2 have the ability to impress people; you
3 have the ability to inspire people, if you
4 choose to do so.

5 On the other hand, let me also
6 mention I did take into account your
7 family very significantly, with five
8 children and a wife. In the other
9 circumstances I took that into account. I
10 just wish you had.

11 I'm sentencing you for the crimes
12 the jury convicted you of. What you're
13 saying here today is there should be a
14 different result because you didn't do
15 them.

16 In this case, there was a large
17 breach of trust of your legal duty, and
18 the jury found that to be the case in this
19 case.

20 It is of the utmost serious nature.
21 Your acts against very troubled and
22 vulnerable young people is one that merits
23 serious consequences. This was done while
24 they trusted you. They were totally
25 reliant on you, as you pointed out in your

1 statements here today. This is something
2 that just cannot be tolerated.

3 Consecutive sentences in this case
4 were based on that these are separate acts
5 over time, as pointed out in the arguments
6 made here today, extended over time.

7 Finally, nothing you said here
8 today gives the Court any confidence that
9 things will change for you. I've
10 considered every factor imaginable not to
11 come up with this result. Given the
12 circumstances, I believe it to be the just
13 result in this case.

14 Finally, and very importantly, your
15 statement here today just--you're
16 switching the tables. The people who are
17 the victims, who the jury found to be the
18 victims, are now victimizing you. And you
19 are just re-victimizing them by what
20 you're saying here today. So that's the
21 reasons for the sentence, sir.

22 Now that you've been sentenced, it
23 is the Court's duty to advise you of your
24 right to appeal. Under Iowa law, you have
25 the right to appeal your judgment and

1 conviction to the Iowa Supreme Court.

2 This appeal is started by filing a
3 notice of appeal with the Clerk of the
4 District Court. This notice must be filed
5 within thirty days of today's date.
6 Filing the notice of appeal is
7 jurisdictional, which means that if for
8 any reason the notice is not filed with
9 the Clerk within thirty days, you would
10 lose your right to appeal.

11 A copy of the notice of appeal must
12 also be served upon the County Attorney by
13 delivering a copy to the County Attorney's
14 Office or mailing it to said office.

15 You must also promptly mail or
16 deliver an informational copy of the
17 notice of appeal to the Iowa Attorney
18 General's Office.

19 You must also file with the notice
20 of appeal with the Clerk of Court that you
21 have served the notice of appeal on the
22 County Attorney's Office and the Attorney
23 General's Office.

24 Sir, if you cannot afford an
25 appeal, you have the right to apply to

1 this Court for the appointment of a
2 lawyer, the furnishing of a transcript of
3 the evidence, the printing of any record
4 on appeal, and necessary briefs on appeal
5 at the expense of the State.

6 However, you must file an
7 application showing that you cannot afford
8 to pay for these items before the Court
9 would order the State to pay for these
10 expenses.

11 If you have any questions
12 concerning that, bring those to the
13 attention of your attorney at once.

14 Appeal bond will be set at
15 \$50,000.00.

16 Is there anything else by the
17 State?

18 MS. TIMMINS: No, Your Honor.

19 THE COURT: Mr. Parrish?

20 MR. PARRISH: Your Honor, the
21 appeal bond is set at \$50,000.00. I
22 believe the regular bond on this matter as
23 per the uniform bond from the Supreme
24 Court, it started out at \$50,000.00. I
25 believe it was an aggravated misdemeanor,

1 as opposed to a felony when it started.
2 We would ask the Court to consider the
3 uniform bond.

4 THE COURT: Is it cash or surety or
5 cash only on the underlying bond?

6 MR. PARRISH: It's cash that has
7 been posted, Judge.

8 THE COURT: I'll put it as cash or
9 surety, \$50,000.00.

10 MR. PARRISH: Thank you. I
11 appreciate that.

12 The other condition, Judge, is
13 whether or not he's going to be able to
14 travel while he's on bond. He would like
15 to go back to Idaho and not remain in Iowa
16 and to go back with his family.

17 THE COURT: Are there any
18 additional restrictions placed on him that
19 the State is asking for if he is able to
20 post bond?

21 MS. TIMMINS: Your Honor, we'd just
22 ask that the same restrictions continue.

23 THE COURT: Well, I'm not putting
24 any additional restrictions on unless
25 they're put in writing and so forth. At

1 this time, he has shown up for every
2 hearing. He has shown up for everything.
3 Again, the prison sentence has been
4 announced. So I think he'll show up.

5 There will be a no contact order
6 issued with K●. in this case, which I
7 don't think would probably be an issue
8 anyway.

9 MR. PARRISH: He will abide by
10 that, Judge.

11 THE COURT: Okay.

12 MR. PARRISH: Thank you.

13 THE COURT: All right. That's all.

14 (The proceedings concluded at 4:25
15 p.m.)

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C E R T I F I C A T E

I, Scott A. Landon, a Certified Shorthand Reporter for the State of Iowa, do hereby certify that I acted as the official court reporter at the hearing in the above-entitled matter at the time and place indicated; that I took in shorthand all of the proceedings had at the said time and place; that said shorthand notes were transcribed by me; and, that the foregoing pages are a full and complete transcript of the shorthand notes so taken.

Dated this 13th day of June, 2018.

 /s/ Scott A. Landon
CERTIFIED SHORTHAND REPORTER

Transcript ordered: May 16, 2018

Transcript delivered: June 13, 2018