



U.S. Department of Justice

Civil Rights Division

*Special Litigation Section
4 Constitution Square – 150 M Street, NE
Washington, DC 20002
Telephone (202) 514-0212*

December 6, 2024

VIA FEDEX

The Honorable Brenna Bird
Attorney General of Iowa
Office of the Attorney General of Iowa
Hoover Building
1305 East Walnut Street
Des Moines, IA 50319

Re: Investigation of Individuals with IDD in Nursing Facilities

Dear Attorney General Bird:

As you are aware, on November 21, 2019, the United States Department of Justice opened an investigation under, *inter alia*, Title II of the Americans with Disabilities Act (ADA), 42 U.S.C. § 12101 *et seq.*, of Glenwood Resource Center (GRC) and Woodward Resource Center (WRC), two State-operated facilities serving people with intellectual/developmental disabilities (IDD). On December 8, 2021, the Department of Justice concluded that there is reasonable cause to believe that the State of Iowa violates the rights of residents of GRC and WRC under Title II of the ADA by not providing them services in the most integrated setting appropriate. During the investigation, we uncovered evidence regarding the potential segregation of people with IDD in other institutions. Accordingly, the Department of Justice is opening an investigation to determine whether the State of Iowa unnecessarily institutionalizes people with IDD in nursing facilities, in violation of Title II of the ADA, 42 U.S.C. § 12101 *et seq.*, and the U.S. Supreme Court's decision in *Olmstead v. L.C.*, 527 U.S. 581 (1999).

We encourage the State to cooperate with our investigation. We will seek to minimize any potential disruption our investigation may have on State operations. Upon completing our investigation, if we conclude that there are violations of law, we will provide written notice of the results of our investigation and identify the minimum measures that we believe are necessary to remedy the violations. We will also notify you in writing if we close the investigation. The opening of this investigation is public information.

The investigation will be conducted by the Civil Rights Division's Special Litigation Section. We request that the State's point of contact for this matter reach out to Benjamin Tayloe, Jr., at benjamin.tayloe@usdoj.gov or (202) 309-5320, to discuss next steps and the investigation process generally.

Thank you for your time and attention to this matter.

Sincerely,

/s/ Regan Rush

Regan Rush
Chief, Special Litigation Section
Civil Rights Division

cc: Kelly Garcia
Director, Iowa Department of Health and Human Services

Lisa Reel Schmidt
Assistant Attorney General, Office of the Attorney General of Iowa