

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF IOWA  
CENTRAL DIVISION

In the matter of:

Americans United for Separation of  
Church and State, et al  
Plaintiffs,

**JUDGMENT IN A CIVIL CASE**

vs.

Case Number: 4:03-cv-90074 (Lead)

Prison Fellowship Ministries, et al  
Defendants,

**XX Decision by the Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

**IT IS ORDERED AND ADJUDGED** that the contractual relationship between the state of Iowa, as managed and directed by the named state Defendants and InnerChange and Prison Fellowship violates the Plaintiffs' Establishment Clause rights as contained in the Federal and Iowa Constitutions by impermissibly funding the InnerChange treatment program at the Newton Facility.

**IT IS FURTHER ORDERED AND ADJUDGED** that the InnerChange treatment program is permanently enjoined from further operation at the Newton Facility, or any other institution within the Iowa Department of Corrections, so long as it is supported by government funding. The Director of the Department of Corrections shall make arrangements, within a reasonable period of time not to exceed sixty (60) days, for the removal of InnerChange employees from the Newton Facility consistent with inmate safety and other correctional needs.

**IT IS FURTHER ORDERED AND ADJUDGED** that the Director of the Iowa Department of Corrections shall order any and all persons associated with the payment of funds under the current contract with InnerChange to cease all payments to InnerChange or Prison Fellowship as of the date of this Order, including those expenses for services already provided in the preceding quarter.

**IT IS FURTHER ORDERED AND ADJUDGED** that InnerChange and Prison Fellowship are ordered to repay the Department of Corrections the full amount of state funds paid to InnerChange since the inception of its contractual relationship with the Department of Corrections in 1999. Since the program is on-going, that amount shall be no less than \$1,529,182.70. InnerChange and Prison Fellowship will not be required to pay the expenses incurred by the Department of Corrections for in-kind support in the form of buildings, utilities, transportation, etc. The Director of the Department of Corrections is further ordered, that of the \$1,529,182.70, \$843,150 shall be refunded, in pro rata fashion, to the individual Telephone

Funds from which it was taken. The remainder of the recoupment, in an amount no less than \$686,032.70, shall be returned to the Tobacco Trust.

**IT IS FURTHER ORDERED AND ADJUDGED** the injunctive and other equitable relief contained herein be SUSPENDED pending appeal. Fed. R. Civ. P. 62 (c). Notwithstanding this stay, InnerChange and Prison Fellowship shall post a supersedeas bond for the amount of \$1,529,182.70 with the Clerk of Court.

Dated this 5th day of June, 2006.

MARJORIE KRAHN, CLERK

By: Donnell Vance  
Deputy Clerk