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B The Gazette
Friday
July 9, 2004

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CORRIDOR**CEDAR RAPIDS****Boat club reschedules fireworks for Saturday**

The Cedar Boat Club will stage its 29th annual fireworks show Saturday night in the Ellis Park/Mohawk Park areas along the Cedar River.

Heavy rains forced cancellation of the show, originally scheduled for last Saturday. It was the first rainout in the history of the show, said Dean Brown, who is on the club's fireworks committee.

Police will begin to close Ellis Boulevard NW from Ellis Lane to 16th Street NW around 4:30 p.m., including access to Zika Avenue NW at 16th. Boat ramps also will close about the same time. At a time to be determined by police, Ellis Boulevard from 16th to Edgewood Road NW and 20th Street to Hidden Hollow Lane NW also will be closed.

No artists answer call for memorial to MLK Jr.

So far, no artists have expressed interest in creating a memorial for Martin Luther King Jr. in front of the African American Historical Museum and Cultural Center of Iowa.

The deadline is Monday, but officials aren't worried. They said it's possible that artists are waiting until the last minute and, if no one applies, they will keep looking.

A "call to artists" was announced June 19, and public artists were notified in mailings from the Iowa Arts Council and Cedar Rapids Visual Arts Commission, said Richard Luther, development manager for Cedar Rapids.

The memorial will be built at the base of the 12th Avenue Bridge, which was recently renamed the Dr. Martin Luther King Jr. Memorial Bridge. The budget is \$30,000.

Artists who want to apply should call (319) 286-5046 or go to www.cedar-rapids.org and click the "call to artists" link under the "latest city news" heading.

IOWA CITY**Child-care provider picked for new center**

City officials have tentatively selected Bradford Childcare Services to operate the Apple Tree Children's Center in the city-owned Court Street Transportation Center expected to open next year.

The downtown facility at 325 S. Dubuque St. is expected to provide child care Monday through Friday from 6:30 a.m. until 6 p.m. beginning in July 2005, city officials said. The facility will handle 100 children ages infant through 6.

Bradford Childcare Services, a non-profit corporation, operates 30 centers and early education programs in three states. Eight are in Des Moines.

The city made several attempts to find a child-care provider to house the transportation facility and parking ramp. Under a tentative contract, Bradford will pay \$40,415 in rent for the first year of a five-year contract and \$82,850 annually for the remainder of the contract.

City Council will hold a brief meeting today to set a Wednesday public hearing on contracting with the firm.

RAMBLIN'

Gazette columnist Dave Rasdal is on vacation. His next column will appear Monday.

CRIME

Man held in student's death

West Des Moines man is accused of vehicular homicide of UI student

By Frank Gluck

The Gazette

IOWA CITY — A West Des Moines man was accused Thursday of driving while high on marijuana and killing a University of Iowa student last year at a downtown Iowa City intersection.

Thomas H. Eldridge, 21, turned himself in to police

Thursday on suspicion of vehicular homicide pending an initial appearance this morning in Johnson County District Court. Bond was set at \$20,000 cash.

Amanda Skolnick, 20, died at University Hospitals shortly after she was run down Sept. 4 at Linn and Burlington streets, police said.

Eldridge was traveling be-

tween 12 and 14 mph when he made a left turn onto Burlington from southbound Linn Street and did not apply the brakes after striking Skolnick, investigators said.

Skolnick, who was dragged 30 feet, died from blunt force trauma to her head, investigators said. Eldridge was not injured.

Eldridge admitted to police he had recently smoked marijuana and provided a

urine sample.

A subsequent test showed his blood contained enough of the drug to meet the state's threshold for presumed intoxication, said Sgt. Doug Hart of the Iowa City Police Department.

Hart declined to say how much Skolnick had been smoking, saying only that he had smoked the marijuana within 12 hours of the accident.

Eldridge was a Kirkwood

Community College student at the time but later moved to West Des Moines, Hart said.

Police were awaiting the results of crime lab testing before seeking charges against Eldridge, said Iowa City police Sgt. Brian Krel.

Vehicular homicide is a class B felony punishable by up to 25 years imprisonment.

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MURDER TRIAL

Jim Slosiarek/The Gazette

Lawrence Jones, 28, an inmate at the Linn County Jail, points to defendant Brian Zirtzman during Zirtzman's first-degree murder and arson trial Thursday at the Linn County Courthouse in Cedar Rapids. Jones testified that he had a conversation with Zirtzman, a fellow jail inmate, about the details of the fatal Cedar Rapids fire that claimed the lives of Jay Grahman, 38, and his daughter, Jaymie Grahman, 6, on April 5, 2003. Zirtzman, 40, is accused of intentionally setting the fire.

Confession claim made

Linn jail inmate testifies Zirtzman talked to him about fatal fire in C.R.

By Elizabeth Kutter

The Gazette

CEDAR RAPIDS — A convicted drug dealer who said he never lies "under oath" testified Thursday that Brian Zirtzman confessed to setting the fire that killed Jaymie Grahman and her father, Jay Grahman, in April 2003.

Lawrence Jones, 28, originally of Chicago and a one-time member of the Vice Lords street gang, said he took notes during

a conversation he had with Zirtzman during a church service at the Linn County Jail.

Zirtzman, 40, has been held at the jail on a \$500,000 bond since June 20, 2003, when he was charged with first-degree arson and two counts of first-degree murder in the April 5, 2003, fire.

Cedar Rapids Capt. Al Brockhohn, who investigated the fire, will testify as the trial continues this morning at 9 in Linn County District Court. The prosecution is expected to rest its case today.

On Thursday it was Jones' turn to take the stand. Jones has been held in the jail for 21



Brian Zirtzman

On trial for allegedly setting house fire that killed a C.R. man and his daughter

months on federal drug charges and as a government informant.

Jones said he hoped testifying against Zirtzman would result in a reduction to his 15-year federal sentence for dealing drugs.

"They tell you there ain't

► TRIAL, PAGE 8B

HIGHER EDUCATION

Fraternity at UI seeks \$500,000 in hazing case

By Zack Kucharski

The Gazette

IOWA CITY — The Phi Delta Theta fraternity says punishment meted out to it by the University of Iowa was too harsh and based on a secret and illegal tape recording, so it is asking for nearly \$500,000.

Fraternity members filed a claim with the State Appeal Board back in January. The fraternity claims a significant portion of the University's suspension of recognition of the fraternity was based on wrongful conduct by Vice President for Student Services Phillip Jones because he used an illegally obtained recording to support a hazing allegation.

Although they were originally accused of hazing and alcohol violations in November 2001, the hazing accusation was dropped about two years later on the advice of UI legal counsel.

"From the beginning, the fraternity had admitted the alcohol violation, and this matter would have long since been resolved, without the loss of recognition, but for the University's wrongful conduct in continuing to use the illegally obtained audio recording to pursue the hazing allegation during the past two years," the claim states.

The fraternity is seeking damages against the UI and Jones totaling \$480,700, according to the claim filed with the State Appeal Board. The amount is based on 50 lost memberships, 25 future memberships, loss of alumni donations, and harm to reputation and other civil damages. The fraternity is also seeking to recover about \$20,000 in legal fees.

The appeals board can pay the claim or deny it. However, the fraternity could file a lawsuit beginning today if the claim is denied.

The initial investigation began more than two years ago. The fraternity's recognition was revoked in January 2002 after student Elmer Vejar filed a written complaint with the UI involving incidents which occurred Fall 2001.

Vejar turned over photographs which he said depicted alcoholic beverage containers within the fraternity house and delivered a recording he said was made with a sound-activated tape recorder he planted in the fraternity house.

But the fraternity got the national chapter

► APPEAL, PAGE 8B

The Phi Delta Theta fraternity claims punishment was too harsh and based on an illegal tape recording.

Grand jury finds new jail in Johnson's best interest

Panel cites expense of housing inmates outside of county

By Jamie Nicpon

News correspondent

IOWA CITY — A Johnson County grand jury found that building a new jail might be in the county's best interest due to the cost of incarcerating prisoners in other counties, such as Linn.

During an informal meeting last night, Johnson County Board of Supervisors Chairman Terrence Neuzil read a copy of the report

that summarized the results of the annual county jail inspection.

"The grand jury was concerned with the expense of housing prisoners elsewhere, and suggested that perhaps another attempt should be made to fund a new facility," Neuzil said as he read from the report.

Voters in November 2000 defeated a \$19 million bond referendum which would have helped build a new jail.

The report found that the county jail is being properly maintained, but expressed concerns regarding "space limitations."

Total costs for housing Johnson County prisoners, in out-of-county facilities for 2003 was \$373,320, or an average of \$31,110 per month, according to the report.

The majority of that, \$362,460, was paid to Linn County. The monthly costs for housing prisoners in the Linn County Jail in 2003 varied from a low of \$15,120 in June to a high of \$51,960 in March, according to the report.

Other counties that were paid to house Johnson County prisoners in 2003 included Benton (\$1,500) and Cedar (\$9,360).

The annual jail inspection, which was conducted in January, revealed two additional concerns, also associated with space constraints.

"The only criticisms noted in the report of the jail inspector were the inability to provide adequate prisoner separation, due to the design of the jail, and the inability to provide an adequate exercise area due to limited space," Neuzil said.

With the exception of concerns surrounding size, the grand jury found that the jail "appeared to be properly managed and maintained."

"The jail staff appeared to

be doing a satisfactory job of providing a clean and humane environment for the inmates," the report concluded.

Neuzil praised Sheriff Robert Carpenter and Capt. David Wagner, jail administrator, and their respective staff for managing the facility.

The chairman added that he was pleased with the grand jury's report because it helps to increase public awareness as to the costs associated with housing prisoners outside of Johnson County.

Appeal/Fraternity wants return of recognition

► FROM PAGE 1B

involved immediately following the allegations and never had its charter revoked, said Steve Snyder, 46, the chairman of the chapter advisory board.

The fraternity continued operating without the UI's official recognition, but was unable to participate in most events. Membership dropped from 62 members to around 30 once it lost official recognition, Snyder said.

UI President David Skorton notified the fraternity in a letter dated June 29 that he was ending the indefinite suspension.

Skorton declined to rule on the fraternity's claims that Jones did not have authority to issue an indefinite sanction or whether it was excessive compared to other organizations.

The fraternity will become eligible for recognition after meeting several parameters including:

- Verify new members since 2001 and parents are notified in writing about the 2001 alcohol violation.

- Submit a statement of the chapter's disciplinary action to share with parents or potential members.

- Acknowledge verbally and in writing the chapter members will observe all rules of the Interfraternity Council at all times.

- Present a post-violation plan to prevent similar incidents in the future to the Interfraternity Council and UI Administration.

The fraternity is ready to begin recruiting again this fall with the university's formal recognition, Snyder said.

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C.R. man to serve on Bush panel

The Gazette

A Cedar Rapids businessman is among members of the Iowa business community that will be a part of the Iowa Small Business Leaders for Bush Coalition, which was announced by U.S. Secretary of Commerce Don Evans recently.

The Iowa Small Business Leaders coalition will help recruit others to support President Bush and Vice President Dick Cheney.

Tad Cooper of Cedar Rapids is the executive vice president of Advanced Service

Corp., a renewable energy and environmental project management firm. He is a lifelong Iowa resident and a graduate of the University of Iowa.

Also on the panel is John Gilliland, a Cornell College graduate, who is vice president for government relations at the Iowa Association of Business and Industry. The former Iowa deputy secretary of state is a Small Business state chair for the Bush-Cheney '04 campaign.

Gilliland lives in West Des Moines.

Trial/Inmate said he took notes

► FROM PAGE 1B

nothing promised to you, but I wouldn't mind (a reduction)," he said.

Jones said Zirtzman told him firefighters found 6-year-old Jaymie in the bathroom of the burning house at 3755 H Ave. NE.

"He laughed about the little girl," Jones said. "When I asked him why he was laughing, he stopped."

Zirtzman was a Grahman family friend, who spent the afternoon and evening of April 5 at their home playing cards and watching TV. He lived across the street with his parents at 3748 H Ave. NE.

Zirtzman is accused of setting the fire at the Grahman house so he could rescue the family and be a hero.

Jones said the only time he spoke with Zirtzman was in the jail chapel. They sat in the back row, where Zirtzman talked and Jones made notes, according to Jones. He denied going to the church service just to talk to Zirtzman.

"They tell you there ain't nothing promised to you, but I wouldn't mind (a reduction)."

Lawrence Jones

Linn County Jail informant

"(Zirtzman) didn't really talk to nobody," Jones said.

After their conversation, Jones said he called his court-appointed attorney John Bishop, Linn County Attorney Harold Denton and the Drug Enforcement Administration to tell them what Zirtzman had said.

Zirtzman's attorney Casey Jones asked why Zirtzman had talked to him when he hadn't spoken to anyone else or given any newspaper interviews.

"People just run their mouth all the time," Jones replied.

During cross examination, attorney Jones addressed the witness by each of his known aliases — Marion Jackson, Foley and Lawrence Wheat.

"Mr. Wheat," attorney

memory like that, I wouldn't be selling drugs."

In earlier testimony Thursday, Dr. Richard Lynch, a pathologist and professor emeritus at the University of Iowa, described injuries suffered by Jay Grahman.

Lynch, who conducted the autopsy on Grahman, said he had second- and third-degree burns over 37 percent of his upper body — face, scalp, neck and shoulders. Additional injury occurred from smoke damage to his mouth, throat and lungs.

Lynch said it is typical to see a period of improvement for 24 to 48 hours with serious burns, but then fluid accumulates in the lungs and infection sets in. Grahman's immediate cause of death, three days after the fire, was bacterial pneumonia, the result of smoke and burn damage to the air ways.

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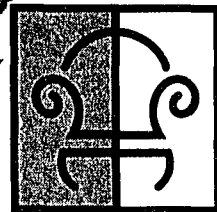
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