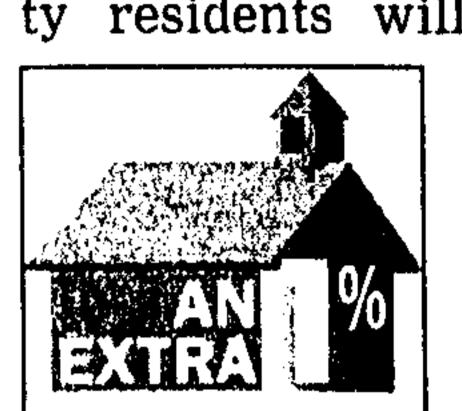
Readers get answers to option tax questions

By Becky Stover Gazette staff writer

CEDAR RAPIDS — Linn spend a portion of it, but the County voters will go to the committee approves such repolls Tuesday to decide whether they want to increase the sales tax by 1 percent to pay for school construction and repairs in their districts.

Some districts would use the sales tax income to pay off debt from bond issues.

If approved, most Linn County residents will pay 6 cents



able items.

would pay 7 cents on the dollar. this fall.

The vote and the proposed tax are countywide, meaning that a simple majority of county voters must approve the tax before it goes into effect countywide.

A local option tax is a fairly new funding method for school districts, and even after months of information and campaigning, people have a lot of questions about the proposal.

Here are some of the questions Gazette readers said they wanted answered:

How much of the state's lottery income schools? . goes Doesn't the money we spend on lottery tickets go to the schools? Iowa lawmakers did not earmark lottery pro-. ceeds for education or any other specific purpose, reports state budget director Randy Bauer. The \$34 million the state takes in annually from lottery ticket sales goes into the state's general operating fund. About 40 percent of the general fund goes to K-12 schools. That translates into about \$28

students. Lottery proceeds make up less than 1 percent of the state's \$4.8 billion budget.

per student, when one divides

\$14 million by the state's 500,000

Why can't we pay for school infrastructure out of the state's sur-

The state does not give school districts money for building or remodeling projects. Historically, the construction and repair of school buildings has been the local community's responsibili-

Two years ago, lawmakers approved the local option sales tax for schools after debating and rejecting a proposal to spend the state's surplus on school infrastructure.

What other options are currently available school infrastructure projects?

There are essentially two funding methods available right now for large-scale projects: a bond issue or a local option tax. The physical plant and equipment levy can be used to fund infrastructure needs, but the levy typically raises only enough to cover ongoing maintenance.

What would happen if Cedar Rapids school district did what LOT group (which is opposed to the tax) suggested and spent all of its year-end

cash surplus? It's illegal for a district to spend all its cash reserves. The district

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could petition the state School Budget Review Committee to quests on a very limited basis

The district's ending balance for the fiscal year on June 30 was \$10.3 million in all funds, including several reserved for specific purposes. Of that, \$3 instead of 5 million was in the physical cents on the plant and equipment fund --dollar on tax- the only fund the district can use for large capital projects People buy- without state permission — and ing items in another \$5.1 million is the gen-Bertram and eral fund cash reserve balance, Prairieburg, where a 1 percent most of which is designated for local option sales tax is already cash-flow purposes until propercollected for civic purposes, ty tax payments start coming in

and under very specific circum-

stances, generally tied to previ-

ous bond issues.

What's that 3 percent income surtax we pay with our state income tax each year? Doesn't that go to fix schools?

The income surtax approved by voters in September 1996 as part of an instructional support levy — cannot be used for school building projects because that usage was not on the ballot. The surtax primarily pays for instructional materials such as microscopes and textbooks, technology and all-day kindergarten. The five-year surtax is to be paid through the 2001 tax

local option sales tax be in effect at once? If how many options are

Yes. Iowa law allows local communities to levy up to 1 percent for school infrastructure and another 1 percent for city projects. For example, Black Hawk and Scott counties have both, so residents pay a tax of 7 cents on the dollar.

Can the tax be used for any of the recreation projects proposed by the city last year when it sought a local option sales tax?

More questions and answers about the proposed local option sales tax in Linn County will appear in the Sunday Gazette.

Tumey jury deadlocks

Prosecution says it will take case back to court

By Rick Smith

Gazette staff writer TIPTON — Prosecutors say they will try schizophrenic Dean Tumey again after a jury here Friday gave up its three-day effort to find him guilty or not guilty of the 1980 murder of 17-year-old Sandra Jo Pittman of Davenport.

At the close of 20 hours of deliberation, seven jurors voted for acquittal, five for conviction, juror Jerrel Gallagher said shortly after the jury decision.

The Cedar County jury's first vote had been 9-3 to acquit, said Gallagher, a former school superintendent and retired owner of an insurance agency.

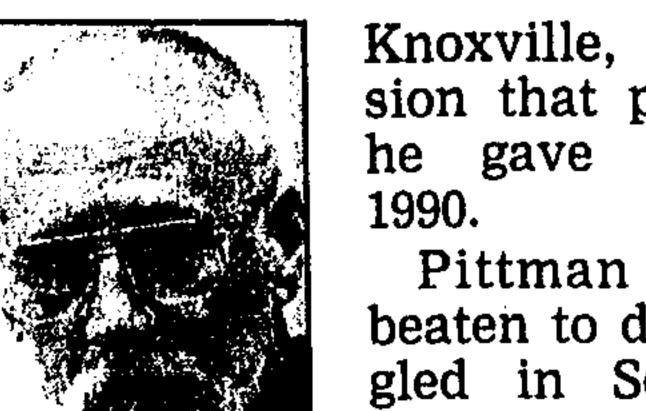
The hung jury seemed to provide a certain symmetry in a case in which it took authorities 19 years to bring Tumey, an early suspect, to trial.

"I said (to the other jurors) that it was an appropriate verdict — poetic justice because it has been so long," Gallagher, of Tipton, said.

Gallagher, among the five who voted to convict, said many jurors struggled with Tumey's long history of mental illness and some agreed with the defense attorneys that he had been too mentally ill to make confessions.

"Mr. Tumey, does have a lot of mental problems," Gallagher said.

The heart of the case against Tumey, who has suffered from paranoid schizophrenia since 1973 and in recent years has been receiving out-patient treatment at the Veterans Affairs Medical Center in



Dean Tumey

sion that prosecutors say county.

Pittman was brutally gled in September 1980, and her body left in a

Schizophrenic

ing evasive answers to questions about the Pittman murder when first asked in 1980 and with reaffirming his alleged 1990 confession in 1992.

Most recently, in an August pretrial interview with a psychiatrist hired by the prosecution, Tumey said he witnessed the Pittman murder and has wrestled with guilt for years for not intervening to stop it. He said three other men killed her. Gallagher said some jurors thought investigators should take a look at other suspects at whom defense attorneys pointed a finger during the two-week trial.

Prosecutor Alan Ostergren, assistant Muscatine County attorney who helped handle the Tumey prosecution, said a new trial date for Tumey would be set next week. Tumey, 54, remains jailed.

"We believe there is sufficient legal basis to go forward with a murder charge against Dean Tumey," Ostergren said. "We believed that in the first place, and we believe that now."

Brad Norton of Lowden, Tumey's lead defense attorney, said he was disappointed in the verdict but added that the age of the case made it difficult to sort out.

He hasn't decided if he will seek to

Knoxville, was a confes- have any second trial moved to another

he gave authorities in Family members of victim Pittman and defendant Tumey attended every day of the trial and sat in the courtroom during beaten to death and stran- the three days that the jury deliberated

behind closed doors. Max Pittman, father of the victim, said Highway 30 rest area near the hung jury didn't change his family's Clarence in Cedar County. belief that Tumey is the one who picked Tumey, who was then up his 17-year-old daughter at a Daven-34, also is accused of giv- port emergency shelter and murdered

> "Being he confessed three times, I cannot see why he would do that if he didn't do it," said Pittman, of Bettendorf.

Patty Sorgenfrey of Onslow, one of Tumey's sisters, said she and the rest of her family have not wavered in their belief that her brother is innocent.

"My family would not have been able to endure the 25 years of his illness if we had not tried to understand it," Sorgenfrey said. "And we will continue to be a support to him."

She said she wasn't sure the prosecutors had the same understanding of her brother's long history of paranoid schizophrenia or that they fairly portrayed its severity to the jury.

She took exception to prosecutor Ostergren's characterization of her brother as "crazy like a fox."

Little has been added to the evidence in the case since Tumey's alleged 1990 confession, and some jurors wondered why Tumey wasn't arrested and prosecuted then if the case against him was so good, juror Gallagher said.

Contact writer Rick Smith at (319) 398-8312 or ricks@fyiowa.com

Can more than one LINN DISTRICT COURT/Felonies

Action has been taken on the following felony cases in Linn District Court:

William M. Kimpton, 28, of Cedar Rapids, entered an Alford plea of guilty to a charge of third-degree burglary. An Alford plea allows a defendant to plead guilty but not necessarily admit to all aspects of the charge. The charge was filed in connection with a March 21 incident in the 600 block of 66th Avenue SW. He was sentenced to up to five years confinement in a correctional department facility. The judgment has been appealed to the lowa Supreme

Richard M. Magoon, 22, of Cedar Rapids, pleaded guilty to a charge of third-degree burglary filed in connection with an Aug. 8, 1997, incident in the 1100 block of H Avenue NE involving a construction trailer belonging to ESCO Electric. Magoon was given a five-year suspended sentence and placed on

Gregory S. Toal, 32, of Cedar

with intent to deliver a controlled substance (marijuana). Charge was filed in connection with an April 19 incident in the 1400 block of Edgewood Road NW involving approximately six pounds of marijuana. Toal was fined \$1,000 and sentenced to up to five years' confinement in a correctional department facility.

The following defendants, originally accused of felony offenses, pleaded guilty to lesser or amended misdemeanor charges:

Lary M. Swyter, 50, of Cedar Rapids, charged with lascivious acts with a child, pleaded guilty to indecent contact with a child. He was accused of fondling or touching a child in the groin or inner thigh area

between Jan. 1 and March 5. Swyter was sentenced to 365 days in jail with all but 60 days suspended. He was placed on probation.

Christopher L. Philips, 23, of Lisbon, charged with second-degree burglary, pleaded guilty to criminal trespass. Charge was filed in

connection with an April 18 incident in Lisbon. Philips was given a deferred judgment and placed on probation.

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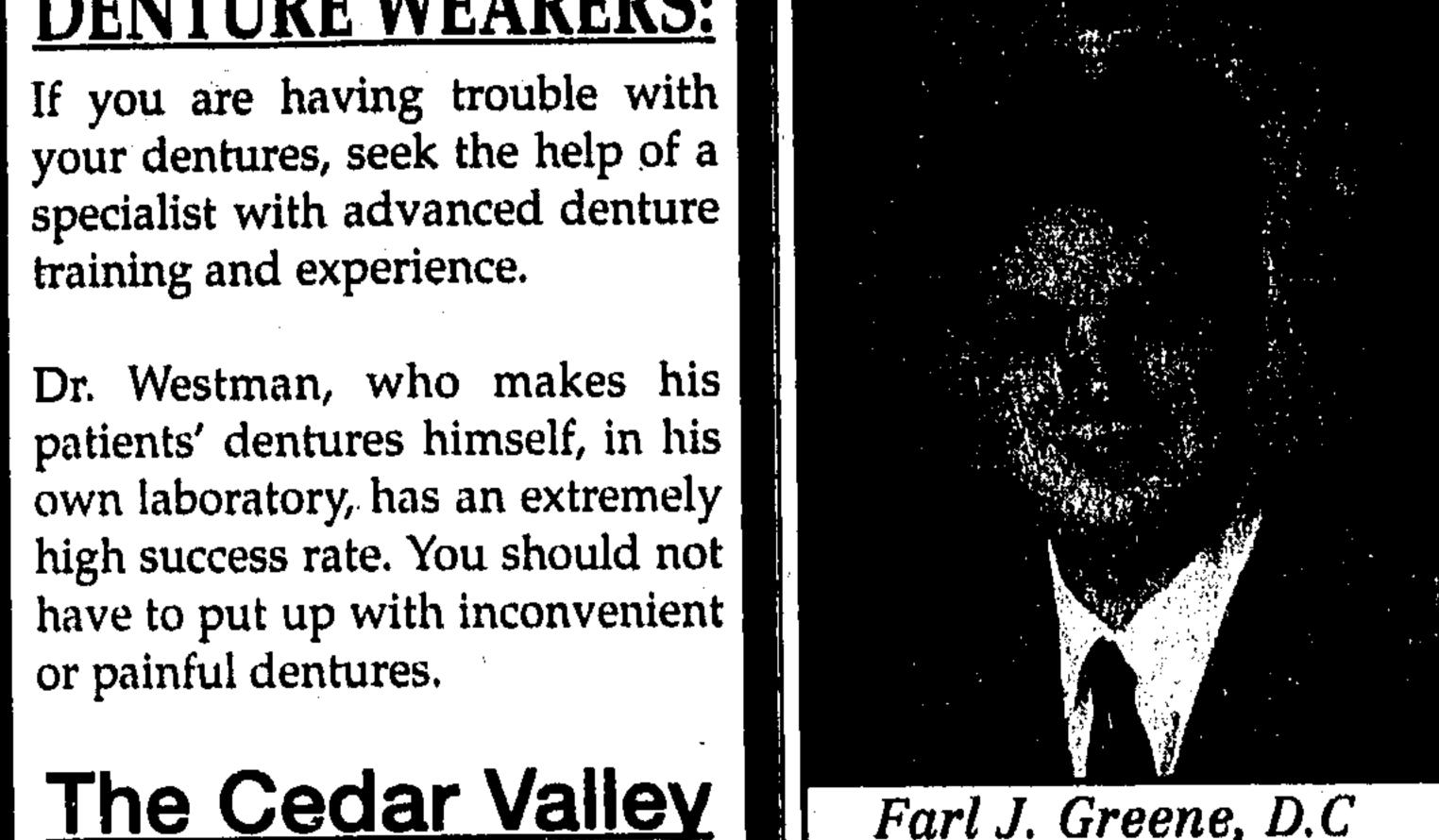
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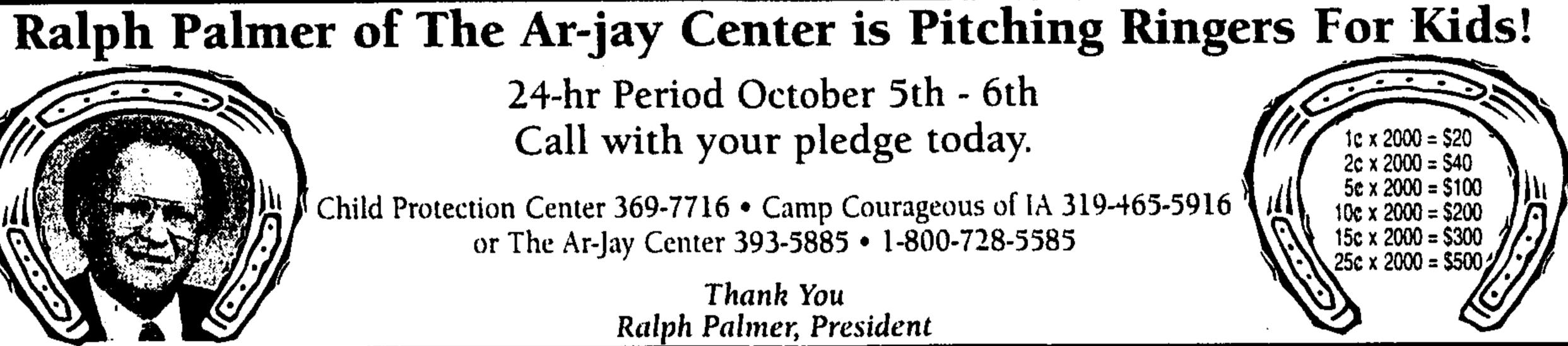
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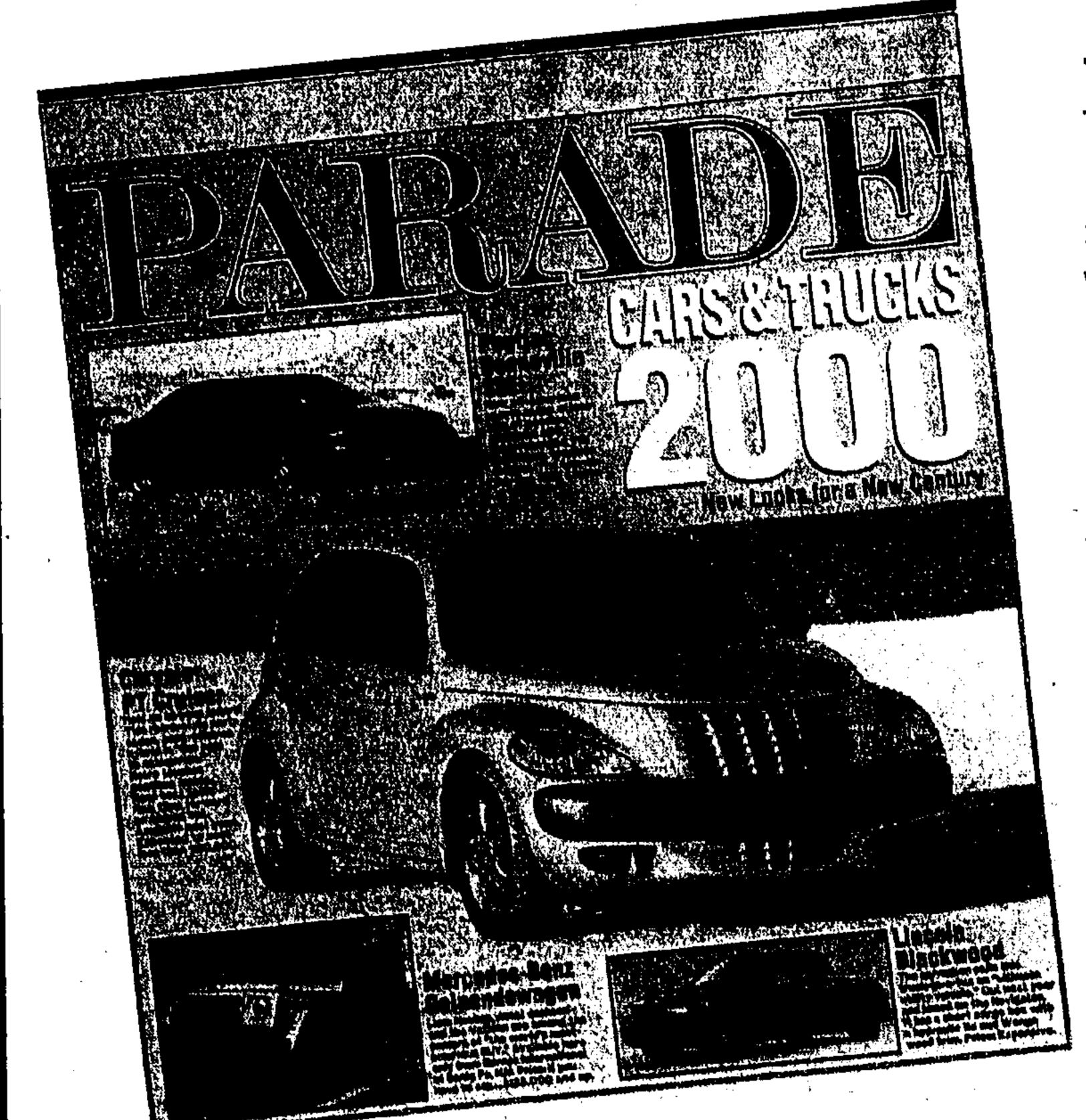


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