

Kindhart sentence suspended

Former U of I head of vending services apologizes for thefts

By Lynn M. Toft

Gazette Johnson County Bureau
IOWA CITY — James Kindhart is a family man and valuable contributor to the community who is ashamed and sorry for stealing more than \$10,000 from the University of Iowa, friends and family told the judge who sentenced him on Friday.

"Our family has suffered immeasurably by this," Kindhart's wife, Sandra, testified during Kindhart's sentencing on charges of third-degree theft and non-felonious misconduct in office.

Judge Kristin Hibbs sentenced Kindhart, former head of vending services at the university, to two years in prison on the third-degree theft charge and one year in prison on the charge of non-felonious misconduct in office.

Hibbs suspended the terms and placed Kindhart on probation for two years. She also fined him \$750 and ordered him to perform 100 hours of community service.

Kindhart paid \$12,140 in restitution to the university on Friday, prosecutor Linda Paulson said.

KINDHART, 48, of 553 Linder Rd. NE, Iowa City, pleaded guilty to the charges last month. He was arrested last June, accused of stealing more than \$10,000 in cash from U of I vending machines between October 1995 and September 1996.

In a statement to the court Friday, Kindhart apologized to his former colleagues at the university as well as to friends

IOWA CITY

and family.

"I'm very sorry for what I've done and the devastation it created in their lives," he said. "I feel ready to move on. I can assure the court that nothing like this will ever happen again."

Kindhart's attorney, James McCarragher of Iowa City, asked that Kindhart be given a deferred judgment. Hibbs said it would be inappropriate to give Kindhart the opportunity to have the charge expunged from his record.

Hibbs said she does not doubt Kindhart is the good family man, coach and civic leader described by his children, pastor, friends and associates in civic organizations. But Kindhart violated those trusts, she said.

THE COURT, Hibbs said, has seen the other side of Kindhart — the side who steals.

"You were a public employee in a position of trust and supervising other people," Hibbs said. "Those people were put in the unusual situation of having to deal with their supervisor."

Maggie Van Oel, who as director of Residence Services at the university indirectly supervised Kindhart, said his actions undermined the environment in her department.

"This case is not only one of simple theft from vending services," Van Oel read in court from a statement she'd prepared. "It had an impact on the students in the residence halls and the university community as a whole. It was a calculated theft that occurred day after day, month after month."

Employees who noticed discrepancies in the safe which held vending services money, and made officials aware of those problems, still fear retaliation from Kindhart, Van Oel said.



James Kindhart (left) of Iowa City walks out of the Johnson County Courthouse on Friday after his sentencing hearing on charges that he stole more than \$10,000 from the University of Iowa. With him are his wife, Sandra (back middle), and his attorney, James McCarragher of Iowa City (right back), and friends.

Photo by Kris Reitz, Gazette Intern

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Paulson, in recommending that Kindhart be ordered to serve the two-year and one-year concurrent terms, rather than receive probation, said Kindhart denied wrongdoing even up until he made his guilty pleas last month. Kindhart claimed the discrepancies were a result of a sting that the university had asked him to operate, she said.

Kindhart later changed his story to say the thefts stemmed from his financial troubles, Paulson said. "He had a certain public image he wanted to maintain," she said, noting that Kindhart used some of the funds to buy a house and a car and put some money in the bank for his children's education. "How he chose to maintain it is an insult to hard working and honest people in the community."

McCarragher countered that Kindhart wasn't making excuses for what he did, but simply trying to explain what he was

thinking when he made a misjudgment.

"This action and conduct is totally out of character for (Kindhart)" McCarragher said.

Grant Wood Elementary Principal Paul Davis testified on behalf of Kindhart, describing him as a tireless fund-raiser for the school and a friend to young people.

"(Kindhart) realized he made a mistake and embarrassed not only his family but himself," Davis said. "He is very aware his reputation has been tarnished."

Slayings spur caution for basketball tournament

From Associated Press and Gazette staff reports
DES MOINES — The slayings of two Des Moines-area motel workers have prompted school officials to warn participants of next week's girls' basketball tournament to be careful and stay in groups.

"Going from rural Iowa to Des Moines or Minneapolis basically means we have to watch out for each other," said Armstrong-Ringsted Superintendent James O'Meara.

The Iowa Division of Criminal Investigation on Wednesday said agents believe the deaths of two female motel workers may be linked. Each woman was alone at the time of the attack.

Mariana Redroban, 15, of Ecuador, was stabbed to death in January in a room at the West Des Moines Walnut Creek Inn where she worked as a housekeeper.

Zurijeta Sakanovic, a 21-year-old Bosnian refugee, was strangled and stabbed to death in September at the Clive Budgetel Inn where she worked.

Veteran coaches Larry Niemeyer of Cedar Rapids Jefferson and Ed Hansen of Solon said they aren't doing anything differently than in previous years. The players, coaches and chaperons travel as a group during their stay in Des Moines.

Being extra cautious is "just standard procedure for us," Niemeyer said. "We always make sure the girls are supervised at all times."

Coaches and chaperons always stay on the same floor as the girls, Niemeyer added.

Hansen said he has made his players aware of the situation, but they are never allowed to go anywhere by themselves.

O'Meara said school administrators have checked out the team's motel and made sure it had security cameras, and the girls have been warned as they always are when they travel to Des Moines. "We have seven chaperons going along with 13 members of the team, so there's a good ratio of chaperons to players," he said.

At Treynor High School in southwestern Iowa, which is making its fifth straight trip to the tournament, Principal Tom Vint said his team knows to be careful.

But because of the warning, "We will ask our people to use good judgment and be cautious," Vint said.

Jail: Sheriffs say keeping jails nearly full improves efficiency and helps pay expenses

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Borushaski stayed in the Linn County Jail during the trial because Polk County authorities wanted to keep her apart from Sneed.

Sneed murdered Borushaski's parents at the Iowa State Fair in 1996 and implicated Borushaski and her husband as conspirators. Sneed's testimony helped convict both of murder.

IN LINN County, Sheriff Don Zeller and Maj. Carl Kolz put the average daily prisoner count at 199. About two per month are from other counties, but the daily federal prisoner average was 77 during the first six months of this fiscal year. That compares to only 29 daily in fiscal 1994-95.

More zealous federal enforcement of drug laws and the addition of an Immigration and Naturalization Service office in Cedar Rapids are driving federal prisoner numbers higher, Zeller said.

The Linn jail's capacity is now 212. A plan is being considered to add space by converting second-floor office space into cells. The jail opened in 1984.

Zeller and Kolz insist keeping the jail nearly full by housing federal or prisoners from other counties improves the operation's efficiency and helps pay expenses.

"It takes the same amount of deputies to watch 150 prisoners as it does 200," Kolz said.

However, Linn County juvenile prisoners declared adults by the court must be sent elsewhere because of a 20-year-old federal court ruling. Though de-

clared adults, these juveniles must be kept separate from adult prisoners. Benton County is where most of Linn County's juveniles go.

JOHNSON COUNTY Sheriff Bob Carpenter said his jail rarely has out-of-county inmates.

"We don't have the capacity right now," Carpenter said. "A lot of times we're pretty close to the max."

Carpenter said the jail will occasionally hold an inmate overnight for another county. He said the jail also sometimes holds female inmates for Cedar County, which doesn't have adequate facilities to house females.

The Johnson County Jail has a capacity of 92, Carpenter said, and the average daily population is between 75 and 80.

Muscatine County also likes housing outside prisoners. "I'll gladly take them off their hands. It's a moneymaker," said Muscatine County Sheriff Lowell Snyder.

Snyder's 101-inmate jail charges \$50 per day to other counties and \$55 for federal prisoners. Muscatine County has received about \$241,000 for out-of-county inmates and nearly \$20,000 for federal inmates this fiscal year.

Polk County has a serious jail space shortage. It has 145 inmates scattered among 30 Iowa counties. Polk is working to resolve the problem by spending \$10 million to refurbish an old warehouse into a jail. It's two-thirds completed. It will house 300 inmates, but still falls short of needs, said Marv Wilson, Polk County's jail administrator.

Polk County last year spent \$3.25 million on out-of-county placements and \$669,000 for officers' overtime to transport the inmates from Des Moines.

Cedar County also has problems. Its 104-year-old jail holds just nine inmates. Cedar County paid other counties \$31,975 between July 1 to Dec. 31 to house its inmates, not including transportation and overtime costs, said Sheriff Keith Whitlatch.

Union Pacific postpones E. Iowa spur lines plan

By Dale Kueter

Gazette staff writer

The Union Pacific Railroad's plan to construct four new spur lines between Fairfax and ADM Corn Processing has been sidetracked by more pressing matters.

"The project has been postponed," said Union Pacific spokesman Ed Trandahl. "There are other projects that have been given higher priority for the Union Pacific for various reasons."

The railroad, the nation's largest, has been plagued by service problems since taking over the Southern Pacific. The congestion on its lines produced a near crisis in Texas in January.

In the last quarter of 1997, the Union Pacific had losses of \$152 million as it tried to straighten out its massive shipping snags. Warning about further losses this year, the company recently slashed its quarterly dividend to

Other projects that have been given higher priority, according to spokesman Ed Trandahl

stockholders from 43 cents a share to 20 cents.

Two years ago the Union Pacific and CRANDIC railroads proposed construction of a new transfer yard east of Fairfax.

Four new tracks, from 7,800 to 9,600 feet long, were envisioned south of Prairie Creek between the present Union Pacific and CRANDIC tracks.

Both the Union Pacific and CRANDIC cited the need to expand holding yard capacity in order to serve ADM and other Cedar Rapids companies.

"We don't have any date for going through with it," said Trandahl of the expansion.

He said the project was going

to be jointly financed by the two railroads and ADM. "As far as the Union Pacific is concerned, we are withdrawing at this point. I can't speak for the other parties." He said the feeling is that switching demands can be handled for now, "but things could change."

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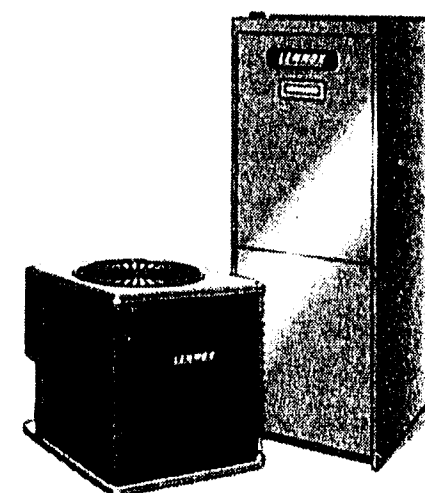
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