

Partly cloudy, patchy fog in the evening
 High **43°**
 Low **32°**
 Details, 8B



SPORTS | 1B

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Notre Dame, Mediapolis enter matchup as top-ranked teams in SEI Superconference



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Beavers will decide police shooting case

Attorney for Autumn Steele's son doubts county attorney's fairness.

By **ANDY HOFFMAN**
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An attorney representing the 7-year-old son of a woman fatally shot by a Burlington police officer said Friday he doubts Des Moines County Attorney Amy Beavers has the "judgment, competence and integrity to fairly and fully investigate" the officer's actions on her own.

Adam Klein, an Atlanta, Ga., attorney, told The Hawk Eye Friday evening he is concerned about Beavers' decision to rely on her own judgment to determine whether Officer Jesse Hill's actions were justified.

Beavers said Friday afternoon she will make the decision herself whether the fatal shooting of Autumn Steele by Hill was legal.

Her announcement comes less than 24 hours after saying she did not know whether she would ask the Iowa Attorney General's

office to review the Iowa Division of Criminal Investigation's report on the case before making her final decision.

"I'm going to make the decision myself," she said Friday afternoon. "This is what I was elected to do. It's my statutory duty to make decisions like this. I do not think I need the attorney general's assistance."

Beavers said before making her decision to resolve the issue herself, she spoke with Klein, who she described as an attorney for Steele's family.

Beavers said Klein indicated he had no concerns about her making the decision on whether Hill's actions were within the law without input from the attorney general's office.

"I talked to him about noon (Friday) and asked him if he had any concerns about me handling the decision myself," she said. "He said he didn't. The only concerns he had was about the dog's situation and when the documents (DCI report) would be released."

However, Klein told The Hawk Eye that was not correct.

"Ms. Beavers seriously misrepresented our conversation," he said. "First, I am not the lawyer for the family of Autumn Steele, nor did I ever claim to be. I represent her 7-year-old son, Kai."

"Autumn's husband, Gabe, and their son, Gunner, and her mother are represented by other lawyers ... Her statement to the press that she spoke to a lawyer for the family is a naked attempt to hide the fact that she broke her promise to discuss the matter with Autumn's family before coming to a decision."

Klein said as a prosecutor Beavers is supposed to carefully review all the evidence, speak with the victim's family and come to the decision whether she or the attorney general is better suited to investigate this case.

"These are among the hardest decisions a prosecutor faces," he said. "She must carefully examine all the evidence, look within herself and decide whether a fresh perspective might better serve the interests of justice. In Ms. Beavers' case, this arduous

See Shooting, 5A



John Lovretta/The Hawk Eye

West Burlington Police Chief Frank Newberry laughs with, from left, Curtis Cloke, Burlington Police Chief Doug Beard, Maj. Dennis Kramer and Lt. Richard Hand with the West Burlington Police Department before singer Jason Black gave a motivational talk to junior high school students in West Burlington. Newberry and fellow law enforcement officers were honored Friday at two school assemblies at West Burlington High School. Black, whose story involves two near-death experiences, is performing a benefit concert for Newberry tonight at the Capitol Theater.

Making their comebacks

Newberry honored at assemblies where singer shares near-death stories.

By **JOEY AGUIRRE**
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WEST BURLINGTON — Police Chief Frank Newberry was in the house Friday morning for an assembly honoring him and fellow law enforcement officers by world-renowned singer and actor Jason Black.

It was a story of certain death, turned into success.

Black, whose story involves two near-death experiences, told the students two simple steps to be successful, regardless of what the world hands you.

In March 1999, Black was driving on a freeway when he smashed into a motionless, unlit car in the fast lane resulting in broken bones and severe brain trauma that left him with behavioral disorders.



John Lovretta/The Hawk Eye

Singer Jason Black gives a motivational talk to junior high school students Friday at West Burlington High School. Black, whose story involves two near-death experiences, told the audience there are two simple steps to being successful.

After making a full recovery, in 2001 he was moving into his new home and carrying a heavy square glass table. One of the teenage boys helping him carry

the table, dropped it, causing the table to crack upward. The large piece of glass crashed down into Jason's neck, creating a deep gash that extended from his

earlobe to his chest, semi-decapitating him. The opera singer was left with damage to his voice box, both jugular veins, nicked spine, severed nerves, paralyzing of his diaphragm, arm and his vocal cord.

Six months later, he spoke his first words and hasn't looked back since.

"Through my multiple miracle testimony I've just found, there's been a lot of people that have been decapitated right? I'm just the only one that can tell you about it," Black said. "There are certain things you can only learn in extreme circumstances, and I've been blessed to live through those."

The assembly is part of a benefit concert to help Newberry. The show is scheduled for 7 p.m. today at The Capitol Theater. Students were given coupons at the assembly Friday that makes tickets half price.

See Newberry, 5A

B'ton students will take new writing tests

New assessment aimed at measuring critical thinking skills.

By **JOEY AGUIRRE**
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All Burlington students will have a new assessment to take this year.

In August a team of teacher coaches met and talked about how to look at writing differently within the school district. As they worked through the process, they looked at two possible solutions.

The first was a writing assessment to be used as a screener, to identify what students' strengths and weaknesses are along with areas upon which they can improve.

"This helps us guide instruction according to what that data

tells us," Curriculum Director Sharon Dentlinger said. "The other thing we talked about is how do we use writing to get to the true, critical thinking that we want kids to have. Writing is the most effective way to show critical thinking skills, so how do we bring that to all of our courses?"

Now the district gives the Iowa Assessment, which is the primary assessment that comes with the four tests required to give by law: reading comprehension, science, math and social studies.

The reading is a comprehension test, so it doesn't really measure the writing ability.

"That's why we are putting in this districtwide writing assessment so that's to fill in that gap of not having a true assessment for that," Dentlinger said. "We also

See Writing, 5A

Sprint sets up as RadioShack files for bankruptcy

Up to 2,400 stores will be sold, while 4,000 will be closed.

By **ANNE D'INNOCENZIO** and **MICHELLE CHAPMAN**
 Associated Press

NEW YORK — Sprint's latest plan for luring new subscribers is to occupy the remains of RadioShack.

The long-struggling consumer electronics chain filed for bankruptcy protection Thursday. Part of its plan is for Sprint, the No. 3 U.S. wireless carrier, to

open mini-shops in as many as 1,750 of RadioShack's remaining stores.

RadioShack, which was founded nearly a century ago, said in its Chapter 11 filing it plans to sell 1,500 to 2,400 stores to its largest shareholder, investment firm Standard General. It is seeking to close the remainder of its 4,000 U.S. stores.

RadioShack's bankruptcy filing could affect four southeast Iowa stores.

The corporate-owned stores at Westland Mall in West

See Bankruptcy, 5A

Ethanol spill likely more harmful to fish than people

Spill cleanup continues north of Dubuque.

By **KATHLEEN SLOAN**
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More than two days after a train derailment caused an ethanol spill adjacent to and into the Mississippi River about 10 miles north of Dubuque, clean up efforts are ongoing.

The area is remote and hard to get to.

"At approximately 11:20 a.m. central time on Wednesday, an eastbound freight train derailed

north of Dubuque. Fifteen total cars derailed, plus two engines. Fourteen of the 15 derailed cars were carrying ethanol," Canadian Pacific Railway spokesman Jeremy Berry said Friday.

According to Iowa Department of Natural Resources spokesman Kevin Baskins, three cars went into the river, but were removed by Friday afternoon. The size of the spill still is being assessed, but leakage was judged to be stopped by Friday afternoon, he said.

Associated Press reporter Dave Pitt said it was an 81-car train, three of which caught fire and eight were believed to be leaking.

Because the tracks were between the river and a steep hillside, the fire was inaccessible to firefighters and wasn't put out but burned out by Thursday morning, Baskins said.

Baskins said "the guestimate" used for modeling to determine the ethanol dispersal rate downstream was 50,000 gallons.

Davenport, about 70 miles downstream from the spill, is the closest city that takes its water supply from the Mississippi River, Baskins said. Dubuque uses ground water, he said.

The modeling shows little potential effect on the water sup-

ply, he said.

The DNR notified Burlington and Keokuk, cities that also take their water supply from the Mississippi River, but the danger is remote, according to Burlington Waterworks General Manager Alan Borden.

Burlington is about 160 miles downriver from the spill.

"There is a lot of dilution between here and there," Borden said.

The waterworks isn't testing the water at this point, although Borden has asked the Burlington

See Ethanol, 5A



Crews work at the scene of a Canadian Pacific freight train derailment north of Dubuque Thursday. Three railcars plunged into the river, and eight leaked ethanol after the derailment Wednesday.

Dave Kettering/Associated Press