



Partly cloudy  
High 89°  
Low 69°  
Details, 8B

CITY & REGION | 3A

## Crafting with a mission

Friends tackle challenge of sending toys overseas



SPORTS | 1B

## Tapping into depth

Mesecher keeps WB-ND rolling by stopping Highland



# THE HAWK EYE

176th year — No. 353

THURSDAY, JUNE 27, 2013

75¢

## Court boosts same-sex marriage

Area activists react to justices' decision to overturn Defense of Marriage Act.

By CHRISTINA CRIPPES  
ccrippes@thehawkeye.com

Burlington's Kathy Harris-Johnson had to take the extra step of signing paperwork so doctors at the Veterans Affairs hospital could talk to her spouse, Patty, about her medical condition.

• **More court battles expected**

See page 5A

It may be a simple enough step, but it is one of several ways — sometimes small, and other times not so small — that same-sex couples have not had the same rights as their straight counterparts. Even in Iowa, where the state Supreme Court ruled in 2009 that preventing same-sex couples from marrying violated the Constitution's "equal protection" clause.

In a ruling worth 1,000 rights — at least to married same-sex couples in states where their union is recognized — the United States Supreme Court overturned the 1996 Defense of Marriage Act, which federally defined marriage as between a man and a woman.

Patty Harris-Johnson's reaction to Wednesday's decision was simply, "I

think it's great."

"Couples don't realize that when straight couples get married, there's over 1,000 rights and privileges that they receive from the federal government that gay couples don't get," Patty Harris-Johnson said, adding the ruling means they will receive more rights and privileges than they had before Wednesday.

The Human Rights Campaign states there are "1,138 benefits, rights and protections" based on marital status in federal law that same-sex couples had been denied because of the Defense of Marriage Act. Wednesday's decision, though, said states still have the right to determine whether to recognize the marriages of same-sex couples.

**States' impacts**

The ruling will affect an estimated 1,500 same-sex couples from Iowa who were married in the state between 2009 and 2011. More out-of-state couples also have wed in Iowa, one of 12 states, plus the District of Columbia, with approved same-sex unions.

Jason Dinesen, an accountant and a board member for gay rights group One Iowa, said the lack of federal recognition for Iowa's same-sex married couples is a headache at tax time. He said these couples must file separate federal taxes, though they can file jointly at the state level.

See Marriage page 5A

## Historic decision fuels advocates

By MARK SHERMAN  
Associated Press

WASHINGTON — In a historic day for gay rights, the Supreme Court gave the nation's legally married gay couples equal federal footing with all other married Americans on Wednesday and cleared the way for same-sex marriages to resume in California.

In deciding its first cases on the issue, the high court did not issue the sweeping declaration sought by gay rights advocates that would have allowed same-sex couples to marry anywhere in the country. But in two rulings, both by bare 5-4 majorities, the justices gave gay marriage supporters encouragement in confronting the nationwide patchwork of laws outlawing such unions in roughly three dozen states.

Gay-rights supporters cheered and hugged outside the court. Opponents said they mourned the rulings and vowed to keep up their fight.

In the first of the narrow rulings in its final session of the term, the court wiped away part of a federal anti-gay marriage law, the Defense of Marriage



J. Scott Applewhite/Associated Press

**Gay rights advocate Vin Testa waves a rainbow flag Wednesday in front of the Supreme Court at sun up in Washington.**

Act, that has kept legally married same-sex couples from receiving tax, health and pension benefits that are otherwise available to married couples.

Justice Anthony Kennedy, joined by the four liberal justices, said the pur-

pose of the law was to impose a disadvantage and "a stigma upon all who enter into same-sex marriages made lawful by the unquestioned authority of the states."

See Historic page 5A

## Charges dropped against boat pilot

Case ends against Schier in connection to 2012 crash; Metcalf still faces charges.

By ANDY HOFFMAN  
ahoffman@thehawkeye.com

All criminal charges were dismissed Wednesday against one of two Burlington boat pilots involved in a crash on the Mississippi River that killed four people last year.



Schier

Joseph Schier Jr., 24, no longer will face criminal charges related to the crash on O'Connell Slough in the early morning of May 19, 2012.

As part of the dismissal signed by District Judge John Wright, all costs for the prosecution of the case will be paid by the state.

Robert Rehkemper, the attorney representing the second boat pilot, Douglas Metcalf, also filed motions Wednesday in Des Moines County District Court seeking to have evidence against Metcalf suppressed because investigators violated his constitutional rights the morning of the crash.

Rehkemper also filed documents indicating two separate lab tests of Metcalf's blood indicated his alcohol level was .053 and .046, well below the legal limit of .08.

A hearing date on the motions to suppress toxicology tests and scientific testimony related to those tests has not been set. Metcalf's trial is set to begin at 9 a.m. Oct. 29.

See Charges page 5A

## Having a blast



John Lovretta/The Hawk Eye

**Steve Manning of Interstate Maintenance Inc., based in Mattoon, Ill., uses a power washer Wednesday to clean debris from the underside of Great River Bridge in Burlington. Workers started cleaning the bridge Tuesday and hope to be finished next week.**

## Franklin St. homicide investigation continues

Police stay quiet on circumstances, motive in death of Burlington man.

By ANDY HOFFMAN  
ahoffman@thehawkeye.com

Burlington police continue to investigate the shooting death of Terry Page, who was found dead behind his home Tuesday morning.

Lt. Jeff Klein, who now leads the department's criminal investigation division, said Wednesday officers are interviewing people in the case.

"We are still doing interviews and following up on leads as they come in," he said. "We also have detectives in Iowa City at the autopsy."

Results of the autopsy being performed on the 36-year-old Page were not available Wednesday, he said.

Klein said no one has been taken into custody and the cause of death and the circumstances surrounding it are not being released.

Page's girlfriend, Tammy Lewis, found him shot to death shortly after 5 a.m. Tuesday at 1205 Franklin St., where they lived with Lewis' two children.

Authorities obtained search warrants Tuesday for the home and for

vehicles parked in the vicinity of the crime scene. Results of the search warrants or what police were looking for have not been released.

Although police declined to reveal specific details surrounding Page's death, several people at the scene said he died from at least one gunshot wound.

See Homicide page 5A

## New Hartford relaxes as other parts of eastern Iowa prepare for flood

**Bradley Garrison, 5, sits in the front of a canoe Wednesday with his grandparents, Keith and Diana Stoops of Chautauqua, Ill., as they paddle through Mississippi River floodwater in Chautauqua.**



John Badman/The Telegraph

Independence prepares for near-record flooding.

By DAVID PITT  
Associated Press

DES MOINES — Overnight rain largely missed New Hartford allowing the city's residents to return home Wednesday, but rain in other locations in eastern Iowa have heightened concerns about flooding.

New Hartford residents were told Wednesday morning they could go home. They had been evacuated at 3 a.m. Tuesday as nearby Beaver Creek, normally a stream a couple feet deep turned into a fast-moving river far over its banks. About a third of the city of 500 was under about 3 feet of water.

"They are coming back but there are still streets where people can't get down," said Mitch

• **Flooding concerns return to Midwest**

See page 5A

Nordmeyer, the Butler County emergency management director.

As he surveyed flood damage he found mostly flooded basements with no homes found yet with water in the first floor. "We got extremely lucky," he

said. The flooding was due to more than 7 inches of rain that pounded the area Monday.

Much of the water surged into town from the east side where a county rock road serving as a natural levee washed out in several places. The county will begin repair on the road as soon as it's possible.

See Flood page 5A

Iowa's Oldest Newspaper  
86 pages, 13 sections

Business 7A  
City & Region 3A

Classifieds 4C  
Corrections 2A

Dear Abby 7C  
Deaths 6B

Editorial 6A  
Happenings 5C

Iowa & Illinois 2A  
Sports 1B

TV listings 6C  
Weekend 1C

BURLINGTON, IOWA  
Call 1-800-397-1708  
for home delivery.



63331 00075 2