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Gaps in victims compensation

Advocates say the disparity is a product of racial bias

CALEB MCCULLOUGH
Journal Des Moines Bureau

DES MOINES — In Iowa's victims compensation program, a fund intended to help the victims in the aftermath of crime, a gap exists in who gets approved that some advocates say is a product

of racial bias.

According to data from claims made between 2019 and 2021 obtained by the Associated Press and shared with Lee Enterprises, Black Iowans were more likely to be denied claims for victims compensation.

The disparity in Iowa's victims compensation program is significant, but smaller than some other states the Associated Press analyzed. For 2019 through 2021, Black Iowans made up 13.4% of

applications and 19.4% of denials — meaning their share of denials made up about 6 percentage points more than their share of applications. Meanwhile, white applicants made up 64.3% of applications and 59% of denials.

For the same time frame, Black applicants were denied nearly 20.2% of the time, while white applicants were denied 12.8% of the time. Hispanic applicants were denied 11.3% of the time. Overall, Iowa's victims compensation

program denied 14% of all applications for victims compensation.

Victims compensation is a process in every state that reimburses things like medical bills, funeral expenses, lost wages and other expenses. In 2022, Iowa's program — a division of the attorney general's office — paid out \$3.2 million to victims of crimes, according to a state report. There is a range of reasons someone could be denied compensation, including missing deadlines and

contributing to the crime.

There are some caveats to the data collected: the number of total applications was gathered from federal reports, while the number of denials was provided by the state. The state offered different totals for each year than the federal governments, likely because it counted claims differently than the federal government.

Please see **VICTIMS**, Page A4

SPEAKING OUT AT WEST HIGH GRADUATION



TIM HYNDS, SIOUX CITY JOURNAL

Patrick Baughman, Sioux City West High School's 2023 valedictorian, is shown Friday holding a Sioux City Journal photograph of him waving the book "This Book is Gay" at the end of his graduation speech. Baughman ended his commencement speech at the school's graduation by holding up a copy of the book, decrying its removal from West's library and then presenting it to school superintendent Rod Earleywine. The book was removed from the school's library earlier this year after a complaint from a conservative Twitter account.

Standing up for LGBTQ+ rights West High student's graduation speech goes viral

CAITLIN YAMADA
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SIOUX CITY — Patrick Baughman knew he wanted his West High School valedictorian speech to spread a message of finding one's destiny. He also knew he wanted to use the platform to support the LGBTQ+ community.

In front of his classmates, their families, community members and district administration, Baughman ended his speech with a declaration for trans rights and against "banned books."

"Support trans rights and read banned books," he told the crowd at the Tyson Events Center on May 26.

He proceeded to hand a copy

of "This Book is Gay" to Superintendent Rod Earleywine, a book that was removed from the district earlier in the year after the Libs of TikTok Twitter account called it "pornographic."

A clip from a Sioux City Journal video of the speech began spreading online through various social media sites, garnering almost 900,000 views on Twitter less than a week later. A separate Journal video of his whole speech drew nearly 24,000 views.

"The reaction online has been pretty good. It hasn't been this swarm of [negativity] its been just people being good and spreading love and that's what I wanted to do that day," he said.

Inspiration for the speech

All school year Baughman knew he was valedictorian and would be giving a speech at graduation. Each year, the speech usually has a theme that is meant to inspire.

Baughman had read "Don Quixote" by Miguel de Cervantes and "The Alchemist" by Paulo Coelho for school, both of which have a theme of finding one's destiny.

Those books, along with a close friend coming out as transgender, the ongoing anti-LGBTQ+ legislation, students speaking out at other

public events, and the removal of this "This Book is Gay" guided his speech writing.

In December, one of Baughman's closest friends came out to him as transgender and with all of the anti-LGBTQ+ legislation, he knew he wanted to include a theme of love in his speech.

"She's one of the best people in my life," he said.

Please see **LGBTQ+**, Page A4

WATCH: To see Patrick Baughman's graduation speech, point your smartphone camera at the QR Code and tap the link. **NEWSVU**

City code enforcement manager urges awareness

DOLLY A. BUTZ
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SIOUX CITY — Every two to three years, Sioux City Code Enforcement Manager Darrel Bullock said city inspectors walk through every rental unit in the metro to ensure those domiciles are safe for occupancy.

However, if tenants notice deficiencies, including floor settling and plaster falling off walls, Bullock advised they should contact their landlord and, then, the city's inspections services department if the landlord fails to address those problems. A building that continues to move a number of years or decades after it was constructed could be indicative of issues with the foundation or the structure itself, according to Bullock.

"We don't take any of our decisions to red tag a property lightly. But our focus and concern is health and safety. That's what the building department is always about, whether it's a brand new structure or a 200-year-old structure," Bullock said Friday, less than a week after a century-old apartment building collapsed on the other side of the state.

A portion of a six-story brick structure in downtown Davenport collapsed shortly before 5 p.m. on Sunday. Three people remain missing and are feared dead in the rubble.

"It does make an awakening for people. Be aware of your surroundings and make sure that you are in a safe location," Bullock said.

According to U.S. Census data, 32% of Sioux City's housing units were built in 1939 or earlier, eclipsing Iowa's percentage (25%) and more than doubling the national average of 12%. The median year for a Sioux City home is 1956, which is earlier than the state's (1970) and the national average of 1979.

Bullock noted that an older building may have had things loaded onto its floor systems above and beyond what those systems were designed to carry. In situations where the use of a building or occupancy has changed, Bullock said city inspectors consider what was in

Please see **CITY CODE**, Page A4

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The Mini

President Trump once had a perfect phone call. Now he has a perfect opinion of President Biden. President Trump said Biden has done more damage to this country than the five worst Presidents combined. — **RICHARD SATTER, SIOUX CITY**

Weather

A t-storm in spots
High 88 • Low 60
FORECAST • A3

Inside

SPORTS	B1	OPINION	A10, A11
LIVING	D1	OBITUARIES	B10, B11
WEATHER	A3	BUSINESS	B7, B8, B9



Victims

From A1

Of the 23 states measured by the AP, Iowa's disparity between Black applicants and denials was the eighth largest. States like California, George and Delaware rank worse, while Maryland, Michigan, Wisconsin and Pennsylvania fared better.

The gap is more pronounced when it comes to the reason for the denials: White applicants were more likely to be denied for administrative issues like missing deadlines, while Black Iowans were more likely to be denied because of so-called behavioral reasons, like provoking the crime or aiding in another crime.

Black Iowans accounted for 31.5% of those behavioral denials while making up 17% of all denials; white applicants were 46.2% of behavioral denials while making up 62.2% of all denials.

The victims services division can be difficult to navigate and the approval system can be biased against Black Iowans, said Luana Nelson-Brown, the executive director of the Iowa Coalition for Collective Change.

The group works in homicide victim advocacy and helps families of homicide victims obtain victims compensation. It received funding from the attorney general's office until it lost tax-exempt status in 2021 because of failure to file tax forms.

Unconscious bias can enter the victims compensation process in a litany of ways, Nelson-Brown said, largely stemming from a lack of cultural competence on the part of those reviewing applications and notions of who makes the "perfect victim."

Applications for assistance can be denied if police or a specialist determines the person provoked or incited the crime or was assisting in a separate criminal act. Police also must determine that an actual crime occurred, so killings determined to be in self defense or domestic disputes are often excluded.

When an all- or mostly-white team of police and victim specialists are tasked with reviewing the circumstances around a crime, biases tend to show up, Nelson-Brown said, because they lack the understanding of how crime works in Black communities.

"When you don't have someone from the Black community as a compensation specialist ... then you don't have specialists who really understand what's going on in the community," she said. "...If you don't know what's happening in the community, the climate of the community and what's going on with crimes, then it's really hard to determine whether or not you're getting an accurate picture of the crime."

Nelson-Brown said key to reducing disparities in the system would be diversifying the staff that reviews claims for victims compensation or creating a community review team made up of people representative of different communities in the state.

"Historically, the AG's office has not been very diversified, especially on the compensation side," she said. "So it's only natural for compensation specialists' bias to lean towards what they know about the community that they're making decisions about. I would suggest that they have a community peer review team, that would

be my suggestion."



Bird

Nelson-Brown said she had conversations with the attorney general's office under former Democratic Attorney General Tom Miller about making changes to the process, but those changes never came to fruition. Republican Attorney General Brenna Bird took office this year after winning the November 2022 election.

After losing its nonprofit status and state funding, Nelson-Brown's coalition is likely shutting down in the coming months, she said. But she said the work to address these biases should continue.

"We're not going to be around to do it, but somebody needs to do it," she said. "Because it's only natural for that bias to creep in. You can only operate from what you know."

Bird made reviewing the state's victim services operations a mission of her first term in office. In January, she said she would perform a "top down and bottom up audit" of the victim services section of the office. Bird's office did not respond to multiple requests for comment on whether examining racial disparities is part of that review.

"I want to sit down and talk directly with the people who were affected and providing the services to see how we can do better," Bird said in a January interview on her plans for the audit.

Tricky bureaucracy makes compensation difficult

Even when a claim is approved, receiving compensation can present a host of challenges. That was the case for the family of Michael Williams, a Black man who was murdered in Grinnell in 2021.

Like other state compensation programs, the funds are given as a reimbursement — so families generally must make the initial payment for travel, medical appointments, and other expenses out of pocket. Iowa law does allow the state to pay up to \$500 immediately if officials determine "undue hardship" would result otherwise.

Although Williams' family was approved for compensation, they faced hurdles in verifying expenses and the fund did not cover everything, like food while they were traveling.

Paula Terrell, Williams' aunt, said she was the only one in the family with a credit card, so she shouldered travel costs and navigated the reimbursement process for lodging, rental cars, gas and other expenses as the family traveled for the trial of the man who killed Williams. She said there was high scrutiny that made it difficult to get reimbursed for expenses.

Terrell worked with a victim advocate from a Cedar Rapids-based firm who was able to secure free hotel rooms and meals for the family, and the process "would have been impossible without an advocate."

Still, the process left the family feeling like they had to fight to receive any compensation.

"Everybody doesn't have a credit card and the means," she said. "Murders are not something that is planned for. I just wish they could be a little lenient. We were victims but we felt we fought the whole time."

"We just weren't treated like victims," she added.

LGBTQ+

From A1

In March, the Twitter account Libs of TikTok tweeted out a screenshot of West High School's library catalog showing "This Book is Gay" available; the tweet described the book as "pornographic" and said it "teaches kids about gay sex and encourages the use of sex apps."

The district shortly after removed the book from the library stating "We do not promote books that could compromise student safety." The district's policy on reviewing and removing books was not used.

The National Coalition Against Censorship, a nonprofit group opposed to censorship in schools and libraries, sent a letter to the Sioux City Schools, protesting the removal without using the reconsideration policies in place. Later the group received a response from the school board.

"Primarily, the book presented safety issues as it describes how to access unsuitable websites and other 'hookup' processes. It is completely inappropriate for our students, said School Board President Dan Greenwell in response.

"As a result of the safety issues, we determined that the inappropriate book would be pulled. The book also contains horrible graphic and verbal details to describe sex acts. It did not go through our normal review process when it was originally ordered and placed on the shelf. Our policy was violated at that time."

West High is a diverse and accepting school, Baughman said, and he felt like the banning was a hurtful move by the district.

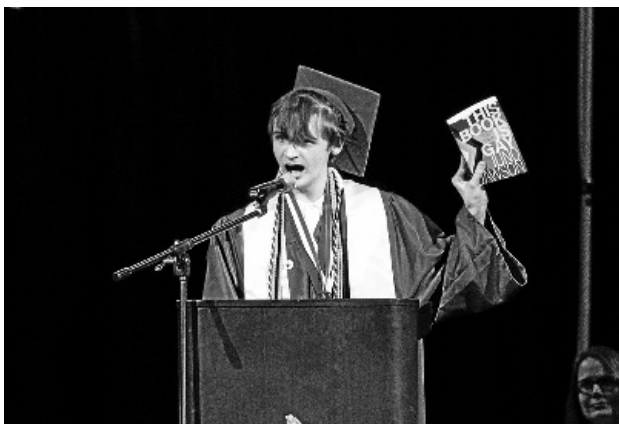
Baughman said he knew he wanted to include this moment in his speech. He reached out to teachers and librarians trying to figure out what happened.

As a member of the LGBTQ+ community, Baughman decided to buy the book and read it. He said it is a guide to LGBTQ+ life.

"This is a book that needs to be shown to people like me who are gay, or people like my friend who are trans," he said. "It talks about the things we're not going to learn in school."

Quoting artist Keith Haring during the AIDS epidemic stating "Silence Equals Death," Baughman said it's a book that dismantles the silence around being gay.

Then in April, Baughman attended and was recognized during the Governor's Scholar Recognition Ceremony.



JESSE BROTHERS, SIOUX CITY JOURNAL

Patrick Baughman, valedictorian of West High School, speaks out for trans rights and against "banned books" while holding up "This Book is Gay" by Juno Dawson during his speech at the commencement ceremony for Sioux City West High School and VIBE Academy at the Tyson Events Center in Sioux City May 27, 2023.



COURTESY

Sioux City West student Patrick Baughman with Gov. Kim Reynolds and Lt. Gov. Adam Gregg during the 21st annual Governor's Scholar Recognition Ceremony on April 30.

The ceremony recognized students with the highest academic ranking from all Iowa high schools, allowing them to shake hands with Gov. Kim Reynolds and Lt. Gov. Adam Gregg and get a picture.

Many students utilized the opportunity to protest the anti-LGBTQ+ legislation by wearing pride pins, pride clothing and anti-book banning shirts.

Baughman wore two pride pins at the ceremony, one featuring a pride flag in the shape of Iowa.

Davenport West High School senior Clementine Springsteen took the opportunity to shout "Trans rights are human rights" on stage. Baughman said he was inspired by Springsteen.

"If they can do that, I can do that," he said.

A week before graduation, Baughman wasn't sure ex-

actly what he was going to say in his speech. He had a general idea, but it wasn't until the Thursday before Saturday's graduation that he finalized the plan.

That Thursday, West High had a student council banquet. Baughman's friend who had come out as trans to him earlier in the year, came out to the rest of the council during a speech.

"That night I was super-inspired and started writing my speech," he said.

The speech and reaction

Taking all of these impactful events, Baughman knew he wanted to feature "This Book is Gay" in his speech.

He initially assumed he was supposed to submit his speech to West High Principal Rebecca Rieken in ad-

vance, but there was a misunderstanding and Rieken had said he was good to go.

He was still worried on the day of graduation that someone would try and stop him, so he didn't write down the last part of his speech regarding the book. The only person who really knew was one friend, Baughman said.

At the moment, he had his book hidden in a binder and a general idea of what he wanted to do and say.

"This is my one chance to do this, I need to do it for everybody, not just for me but for my friends, for all of the people I care about at West," he said.

With at least 1,000 people at the Tyson, Baughman challenged the students to fight for the world they want to see.

"Don't let them take away our love, don't let them ban the books of the people we love and don't stop fighting," he said. "They can ban this book, but they cannot take it away from us."

The reaction was an outpouring of positivity and love, Baughman said. Former teachers, classmates, and random strangers on the internet thanked him for speaking out and supported the message.

While there were some negative comments, Baughman said he and a friend read through the negative comments and laughed about them.

He didn't want the moment to be about him, he wanted it to be about the message. He hopes people realized LGBTQIA+ people aren't going to disappear and they just want to be invited into society.

"Trans people are humans, just like anybody else," he said. "I think governors need to listen to their constituents, need to listen to the people and not just go for their religious or political views."

When he went to receive his diploma, Baughman said Earleywine told him "We're on your side." Baughman wants the district and school board to take more of a stand.

"If I can go out there and do that, I think anybody else can go out there and do that," he said. "Everybody is going to have a platform at some point in their lives and I took my opportunity so I think others can, too."

WATCH: For a clip of Sioux City West Valedictorian Patrick Baughman talk about his speech, point your smartphone camera at the QR Code and tap the link. [NEWSVU](#)

City code

From A1

the building before and whether the structure will hold what's going in. He said that probably wasn't the case 50 or 60 years ago.

"There could have been stress or fatigue at that time. And then, over the continued period of years, continual loading and re-loading of the structure could cause failures in certain areas," he said.

Bullock said moving and shifting facade issues and cracks that have continued to expand are red flags for inspectors that a building may be in danger of collapse.

"We all know concrete cracks — that happens. But, depending on how it stays, or, if it continues to move, we're going to continue to look at that," he said. "We're going to look at the foundation, the basement walls to make sure that there's not any decay or movement of the soil that have created an unsafe condition."

Numerous placarded buildings in the city have been rehabbed or demolished, over the years, according to Bullock. He recalled a single-story building that experienced a roof collapse after it was red tagged or placarded.

"We placarded the building and got everybody out of the structure because it was in an unsafe condition. The roof did actually col-



ERIN HOOLEY, ASSOCIATED PRESS

An apartment building that partially collapsed two days earlier can be seen Tuesday in Davenport, Iowa.

lapse on that one," he said.

According to a story published in The Journal, the building at 1411 Jackson St. partially collapsed in the early morning hours of Feb. 7, 2016. At the time of the incident, officials said snow may have caused the older building's roof to collapse. No injuries were reported. In 2012, the structure housed an international restaurant.

"We have a red tag program for dilapidated structures. Unfortunately, it's not always the most popular opinion amongst people when we have to do it, but safety is our primary concern. We do what we have to do," Bullock said. "If we find that a structure is unsafe for occupancy, we will

placard that structure immediately."

In March, Bullock's department declared the Argonaut, a century-old apartment building at 519-25 11th Street, unfit for occupancy. Heating problems, due to an inoperable boiler, had been an issue off and on for several months in the four-story brick building, which was housing 22 people at that time.

"That one had to do a lot with other issues, such as health concerns beyond sanitary conditions. There was no heat in that building. So, we had people that were trying to survive in subzero temperatures in the building," Bullock said. "(The owners) were given numerous notices because

it was not imposing imminent danger, but it was a danger to the tenants. They ignored them to the point where we had to placard the building and remove the tenants from those unsafe conditions."

The Lucas Magdalene Trust sold the Argonaut to ITM LLC for \$475,000 in April 2022. Less than a month later, ITM sold the property to Wave Investment Team, Inc., of Provo, Utah, for \$800,000, according to Woodbury County property records. Wave Investment partner Zach Magalei previously told The Journal that his company spent thousands of dollars to get the building back to a livable condition.

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