

Domestic batterer loses appeal in court ruling

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In a 4-3 decision, the Iowa Supreme Court has ruled that previous domestic violence incidents can be entered as evidence in a case where self-defense is being claimed as long as the evidence is clearly useful to prove something during trial.

On Dec. 16, 2013, a Scott County jury convicted Toby Ryan Richards, 42, of Davenport, of one count domestic abuse assault causing bodily injury. The charge is a serious misdemeanor under Iowa law

that carries up to a year in jail.

He was sentenced to 120 days in jail and ordered to pay a fine of \$315 and court costs of \$2,706.88 for a total of \$3,021.88, which he still owes.

According to court records, during his trial, Richards claimed self-defense saying that his girlfriend at the time attacked him and he was defending himself from her during an argument between the two on Feb. 2, 2013.

Scott County prosecutors introduced evidence during the trial that Richards had previously

abused the woman, allegedly slapped her, struck her in the neck with his cellphone and threw her against a refrigerator, according to court records. Prosecutors said the acts were admissible as evidence because they were "probative of Richard's intent on committing the charged assault."

Richards objected to the evidence, contending that because he had asserted self-defense, his intent was not at issue, and that the real purpose of the other-acts testimony was to establish his violent propensity and suggest that

if he had assaulted the woman in the past, he must have done so again.

The Iowa Court of Appeals upheld the district court's decision and Richards' conviction.

Writing for the majority in an opinion issued Friday, Justice Daryl Hecht affirmed Richards' conviction saying that "a defendant does not eliminate the relevance of intent evidence by asserting self-defense. Accordingly, other acts evidence may be admissible to prove a defendant's intent in connection with the

claim of self-defense, provided the evidence does not otherwise present a danger of unfair prejudice that substantially outweighs its probative value."

Writing for the minority, Justice David Wiggins said the ruling was another example of the high court overreaching in terms of other acts evidence.



Richards

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Q-C families teach others about food allergies

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Becky Hodson of Bettendorf knows firsthand the challenges and dangers of living with food allergies.

"It is very serious. It can be life threatening," she said.

She and her family deal every day with the allergy to peanuts that her son, Daytona, 13, suffers. He was diagnosed with food allergies as an infant and has experienced anaphylaxis, or anaphylactic shock, from accidental exposures.

The Hodsons were among those participating Saturday in a food allergy awareness event. The Quad-Cities Food Allergy Network, or QCFAN, teamed up with Bettendorf Hy-Vee to host the second Food Allergy Awareness Festival at the store.

Hodson is co-executive director of QCFAN with Kara Negus, who formed the group in 2012.

Saturday's event was created in 2015 by Kim Denman, Bettendorf Hy-Vee's registered dietitian, to raise awareness of food allergies. Saturday, the event included a kids walk, games, free food samples, new product launches and the Hy-Vee Healthy Bus.

Daytona's allergy means that in addition to peanuts, he also has to be aware of foods cooked in peanut oil, processed with peanuts and simply being around places where peanut dust can cause him to experience anaphylaxis. It can cause swelling, hives, lowered blood pressure and dilated blood vessels. In severe cases, if not treated soon, it can be fatal.

"Whenever I am in an environment I should not be in, my ears turn bright red, my breathing may become constricted a bit, my skin gets itchy and I get hives," he said.

"If I go to a baseball game where they sell peanuts, a lot of times we have to wipe down the seats. It is the peanut protein (that makes) a person with allergies reacts to peanuts."

Daytona was selected to speak at the National Food Allergy Conference next weekend in Orlando, Fla. He submitted a proposal in January for



JOHN SCHULTZ, QUAD-CITY TIMES

Volunteer Darica Hayes, a senior at Davenport Central High School, creates a large bubble Saturday during the fourth annual Village in Bloom in the Village of East Davenport.

Art events draw Q-C crowds

Village in Bloom, Beaux Arts offer browsing options

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Art enthusiasts had multiple options to sample Saturday in the Quad-Cities.

Families checked out the Village in Bloom Festival of the Arts in the Village of East Davenport while a variety of artists displayed their work at the Beaux Arts Festival in front of the Figge Art Mu-

seum on Davenport's 2nd Street. Beaux Arts continues today.

Phil Young of Davenport brought his family to Village in Bloom.

"This is the third time we've made it down with the crew," he said. "There's a lot of fun stuff for kids."

His daughters Sydney, 4, and Ginny, 2, saw puppets, created their own art and got their faces painted.

"What's his name?" Ginny asked her father while he was holding her as she pointed up at Ronald "Toto" Johnson, the

stilt walker.

The girls said they like the face painting and the jugglers.

"And the popcorn," Sydney said.

"She likes that kettle corn," Young said.

The sweet smell of kettle corn filled East 11th Street as bagpipes were played from the live stage behind Lagomarcino's while jazz music came out of the 11th Street Precinct.

The event, in its fourth year, has become a tradition for families like the Youngs as well as for Rebecca Drummond of Betten-

IF YOU GO

The Beaux Arts Festival continues 10 a.m. to 4 p.m. today on 2nd Street in front of the Figge Art Museum, Davenport.

dorf, who has been bringing her son Jayden, now 5, to the event for three years. Drummond also had her 7-month-old daughter, Bella.

"The balloons," Jayden said when asked what he likes best.

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A \$100 bill was laid into the paint before the clear coat finish was applied to this Volkswagen Beetle, reflecting a saying among owners: "Throw enough money at them and eventually it will stick."

VW OWNERS SHOW OFF



LOUIS BREMS PHOTOS, QUAD-CITY TIMES

Kevin McCarville wipes down his 1957 Volkswagen sedan sunroof Beetle on Saturday at the Bi-State Volkswagen Club show, held at the German American Heritage Center in Davenport.

Food Allergy Network

For more information about the Quad-Cities Food Allergy Network, contact:

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<p>Memories Splash Punta Cana ALL-INCLUSIVE! 4 nts, SU-MO, May 15-16, 23 only \$749*</p>	<p><small>*Prices per person based on double occupancy (unless otherwise stated) including round-trip airfare from O'Hare (exclusive vacation flights or scheduled air) or other US certified air carriers, round-trip airport/hotel transfers, hotel taxes and baggage handling, fuel surcharges, all pre-collected U.S. and foreign taxes and fees including September 11th Security Fee, \$10 late booking fee if applicable (for bookings within 14 days of departure) and the services of an Apple Representative. Cancun/Punta Cana via Frontier Airlines and Los Cabos/Jamaica via XTRA Airways. Restrictions/blackout dates may apply. All packages are based on the lowest hotel/air classes available at time of publication, capacity controlled and subject to availability and change without notice. Promotional pricing may only be available for a limited time. Baggage fees apply for carry-on, 1st and 2nd checked bag based on carrier flown. Please see a full description of baggage fees on www.applevacations.com. ALL-INCLUSIVE resorts include all meals, drinks, non-motorized watersports and more. \$10 Dominican Republic Tourist Card fee payable at resort airport upon arrival-cash only, U.S. dollars. (Fees subject to change). Prices advertised available through applevacations.com. Apple Vacations is not responsible for errors or omissions. Cancellation policies apply. See the Apple Vacations Fair Trade Contract ©2016. All public charter flights on Frontier Airlines PC#14-064, Alaska Airlines PC#15-088 and XTRA Airways PC#15-094 are operated by Apple Vacations, LLC.</small></p>	

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