

Santa Monica Daily Press

A newspaper with issues

LOTTO

FANTASY 5

33, 29, 35, 4, 18

DAILY 3

Afternoon picks: 4, 5, 2

Evening picks: 5, 3, 5

DAILY DERBY

1st Place: 7, Eureka

2nd Place: 5, California Classic

3rd Place: 1, Gold Rush

Race Time: 1:43.96



NEWS OF THE WEIRD

by Chuck Shepard

In November, police in Brooklyn, N.Y., set a trap and arrested a 44-year-old man and his 22-year-old associate for having kidnapped a teenager earlier in the day and having sought a \$20,000 ransom from his mother; the sting was set up after the men, for some reason, released their victim (who went straight home) but continued to demand the ransom.

According to a December Miami Herald story, the condition of museum-goers who grow faint or suffer anxiety attacks while viewing art (or viewing too much in a short time) has a name, "Stendhal's Syndrome," that, although rare, has been studied for almost 200 years.



QUOTE OF THE DAY

"I'm a follower of American politics."

— George W. Bush



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Jamie Wetherbe/Special to the Daily Press

Elaine Binner, owner of Elaine's Pet Depot, stands in front of the cage where a stolen puppy once lived. Police are searching for a suspect.

How much for that doggie in the window?

Absolutely nothing if you're a puppy thief

By Daily Press staff

MID CITY — Apparently a man fell in love with two puppies at a local pet store so much on Tuesday that he just had to have them. So he stole them.

Workers at Elaine's Pet Depot, 2919 Wilshire Blvd., say a man came into the store shortly after 12:30 p.m. and asked to see the puppies — a Maltese and a Yorkshire terrier. After playing with the puppies for about a half hour, the suspect tucked them under his arms and ran out of the store while the clerk was looking the other way. He was last seen running north on Yale Street.

"It's weird because he stood at the door for two seconds," like he

was showing the dogs to someone outside, said assistant manager Jenny Kutner, who was in the store during the theft.

Police are currently investigating the canine caper, which amounts to grand theft. Santa Monica Police officers are looking for the suspect, who is described as black, between 25 to 30 years old, 6 feet tall and about 180 pounds. Witnesses say the suspect had long, black hair that was combed back, and was wearing blue jeans, a light blue sweater and white tennis shoes.

The Maltese is described as "white and fluffy" with black points and a shaved neck and legs. He was called by store employees as "Fluffy Puppy." The dog, which had a price tag of \$1,200, weighs about three

See THIEF, page 6

Business owners feel trapped within City Hall's tangled web

Planning department should be transparent, director says

BY JOHN WOOD

Daily Press Staff Writer

CITY HALL — The red tape here has got to go, business owners have long complained. It takes too long to set up shop in Santa Monica, they say.

Bolstered by a recent report from a business school student group, proprietors got another boost Tuesday from within the

bureaucracy itself. And bureaucrats find themselves having to untangle themselves from the red tape in order to remove it for others.

Suzanne Frick, who heads the planning department, said change is needed to make it easier for business and residents to navigate.

That means reviewing everything from the role of various workers to department processes, as well as the laws and codes that govern projects in Santa Monica. It's a job sure to take months, if not years.

See RED TAPE, page 5

SMPD books Weller

By Daily Press staff

SMPD HDQTRS. — The elderly man charged with 10 counts of felony vehicular manslaughter related to the Farmers' Market crash turned himself into police on Tuesday.

Russell Weller, 87, was brought to the Santa Monica Police Department at noon by his attorneys, where he was booked for vehicular manslaughter and released.

Weller, of Santa Monica, pleaded not guilty to the charges last Tuesday. He will remain free without bail until he is tried. He faces a

minimum sentence of probation and as much as 18 years in jail, if convicted.

Prosecutors, who were denied by LA Superior Court Judge Paula Adele Mabrey to hold Weller in lieu of \$50,000 bond, said they have more than 3,000 pages of evidence and 800 witnesses in their case against Weller. A preliminary trial is scheduled for Feb. 9.

Weller sped through the Santa Monica Farmers' Market on July 16, reportedly mistaking the accelerator for the brake. He killed 10 people and injured 63 others.

Housing project's \$1.5M renovation completed

BY JOHN WOOD

Daily Press Staff Writer

PICO NEIGHBORHOOD — A \$1.5 million remodel of a large apartment building here has been completed, three years after the property was first purchased.

The improvements are among the most extensive ever performed by officials at the Community Corp. of Santa Monica, a nonprofit that converts old buildings and constructs new affordable housing projects throughout the city.

"It's that same footprint, but it's

practically a new building," said Sue Keintz, the director of housing development at Community Corp. "We just replaced everything."

Though the nonprofit has been criticized for putting too many projects in the Pico neighborhood — an area historically prone to crime and violence — Keintz said even though the nonprofit was founded in the Pico neighborhood, projects aren't concentrated there.

"The facts speak for themselves," said Keintz, also a

See PROJECT, page 6

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You need to slow down, Aquarius



JACQUELINE BIGAR'S STARS

The stars show the kind of day you'll have:

★★★★-Dynamic ★★★★★-Positive ★★★-Average
★★-So-so ★-Difficult

ARIES (March 21-April 19)

★★★★ Tempers flare, and you might be right in the midst of an argument when you least want to be. Stop. Pull out. Evaluate whether you might be oversensitive right now. Take an overview if possible. Seek out more facts. Tonight: Happy to nestle in.

TAURUS (April 20-May 20)

★★★★ Take it easy, and don't push too hard. You might want to see someone take another view, but you cannot change what is. A partner or associate helps you pull things together and get the job done. A friend could have strong feelings. Tonight: Easy does it.

GEMINI (May 21-June 20)

★★★★ A boss pushes you very hard; resist having a strong reaction. How you handle this situation could make a huge difference in what goes down. Let your imagination flow, and don't let someone put you down. Tonight: Midweek romp.

CANCER (June 21-July 22)

★★★★ Basics do count, but convincing someone who might be a bit high-strung in your life could be difficult, to say the least. Your feelings detach some, allowing you to see a situation much differently. Always take the high road when possible. Tonight: Happy at home.

LEO (July 23-Aug. 22)

★★★★ You might want to keep the conversation going, even if you hit a stalemate or a hot situation involving another person. You can make peace through discussions and understanding the other's point of view. Tonight: Indulge this person.

VIRGO (Aug. 23-Sept. 22)

★★★★ Expenses soar, causing you to feel a bit out of sorts. Understand why others or a specific associate needs to spend so much. Others seek you out for help. Be there for them. Express your unique flexibility, which marks this year. Tonight: Your treat.

LIBRA (Sept. 23-Oct. 22)

★★★★ Your charm might unnerve someone close to you. You will know, because this person tells you everything he or she thinks you are doing wrong. Don't take what this person says to heart, but evaluate his or her comments openly. Tonight: Don't let anyone take the moment from you.

SCORPIO (Oct. 23-Nov. 21)

★★★★ Don't take out your aggravation on someone else; rather, throw yourself into your job. You could be unduly tired from all the energy you have been expending. Schedule a massage or a round of golf—whatever works for you. Tonight: Get a good night's sleep.

SAGITTARIUS (Nov. 22-Dec. 21)

★★★★ Aim for more of what you want from a situation involving a group of several friends, recognizing that you don't have control over everyone, only yourself. Expenses are going overboard. Tonight: Where your friends are, having fun.

CAPRICORN (Dec. 22-Jan. 19)

★★★★ Avoid questioning someone who is in charge, because that can only take you down a difficult path. Relax, despite the tension. People are going through their own problems. Try not to add to what is happening, if possible. Tonight: Work late if you want to.

AQUARIUS (Jan. 20-Feb. 18)

★★★★ You might be reaching out for an expert or hopping on the computer. Carefully review a situation that involves your finances. You could be giving too much of yourself or indulging someone way too much. Be honest with yourself. Tonight: Slow down.

PISCES (Feb. 19-March 20)

★★★★ A partner could be instrumental in what goes down, should you let it happen. You might want to put a halt to a spending spree, or find other ways to express your feelings. Keep in mind your ultimate goals. Tonight: Togetherness works.

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LOCAL



Samohi soccer takes the lead

Local Sports

By Daily Press staff

Samohi 3, Mira Costa 0

After finishing second in the Bay League, one game behind first place Peninsula, the Santa Monica High School Vikings' boys soccer team heading for the Bay League Crown for the 2003-04 season.

The Vikings will feature skill, technique and strong competition. Forward Barry Jackson, midfielders Andrew Martinez Carlos Lopez and Ryan Natale, will use their previous experiences to lead Samohi. The defense, which so far has had six shut-outs is led by junior goal keeper Ari Zlotoff, sweeper Micheal Eyler, junior Grant Buckingham and senior Aaron Wallachinsky. The Vikings are coached by second year varsity coach Manu Appellius and head coach Frank Gatell, who is in his seventh year.

The Vikings (10-1-2 overall, 1-0 Bay League) had their league opener at Mira Costa. Samohi opened up the scoring in the 27th minute by Martinez, assisted by Lopez. Then early in the second half, Jackson put the ball into the back of the Mustang net, when after a long throw-in by Eyler, the ball bounced around in the front of the goal, where Jackson put it away. Then in the 57th minute, junior Ross Cooper sealed the victory by scoring the third goal after the ball had deflected off a Mira Costa defender. Zlotoff recorded his sixth shut-out. The Vikings will host Peninsula on Friday at 3 p.m.

Samohi 3, Torrance 0

Last year's Santa Monica High School Vikings' girls soccer team finished second in the Ocean League, behind South Torrance. This year they look to improve. Even with a young squad, the Lady Vikings want to make waves in the Ocean League for 2003-04. Led by midfield Captain Claire Beitcher, the team will look to midfielders Payton Raffa and Zoe Mosk. In the defense, senior Lucy Fairweather anchors the defense at sweeper, and junior Allison Field and sophomore Julia Keighley mark their opponents well. The addition of freshmen forwards Samantha Greene and Michela Fitten give the Lady Vikings youth and determination. They are led by first-year varsity coach Serafin Rodriguez, and Gatell, who now directs both girls and boys programs.

The Lady Vikings (3-7-1 overall, 1-0 in the Ocean League) hosted their league opening game against Torrance. The scoring did not begin until the second half. Beitcher scored the first goal in the 59th minute by sneaking the ball past the diving goalkeeper on her near post.

Two minutes later, Fitten repeated the same way and put the Lady Vikings ahead 2-0. They did not stop there. In the 68th minute, sophomore Nicole Hoffman added in with the final goal. Sophomore Jordana Brownstone recorded her first shut-out of the season with three saves. The Lady Vikings will travel to Hawthorne for a Friday match at 4:30 p.m.

Solar expedition held at SMC

By Daily Press staff

Mars, an upcoming comet expedition and the mysterious Quaoar will be the focus of Santa Monica College's Planetarium shows and lectures for the remainder of January and into February.

The current feature show "Report from Mars," continues Fridays on Jan. 16, 23, Feb. 6 and 20. The show focuses on the robot explorers Spirit, Opportunity and Beagle II's missions on the Red Planet. "Report from Mars" is at 8 p.m. and is preceded by "The Night Sky Show," which recreates the night sky and provides the latest information on space exploration at 7 p.m.

Two guest lectures will explore other astronomical objects. "Rosetta: Unlocking Cometary Secrets," featuring Claudia Alexander of the Jet Propulsion Lab, examines the Rosetta mission, due to launch in February, which will orbit Comet Churyumov-Gerasimenko. The lecture is held at 8 p.m. Friday, Jan. 30.

"Pluto, Quaoar & the Edge of the Solar System" takes a look at the recent discovery of Quaoar, an object in the mysterious

Kuiper Belt at the edge of the solar system. The lecturer is Mike Brown of the California Institute of Technology, the co-discoverer of Quaoar. The lecture will be at 8 p.m. Friday, Feb. 27.

The astronomy shows are held in the John Drescher Planetarium, which features the state-of-the-art Digistar projection system. It is located on the second floor of Drescher Hall, 1900 Pico Blvd. The guest lectures are in Science Lecture Hall 140.

Tickets are \$5 each or \$9 for the "double bill," with discounts for children and senior citizens. For information, call (310) 434-4223 or (310) 434-3000.

In other SMC news: A lecture by Laddie John Dill will be held in conjunction with the current Malibu Art Association Juried Show at at SMC's Madison Campus, 11th Street and Santa Monica Boulevard.

On Jan. 31, from 2 p.m. to 4 p.m., internationally recognized artist, Dill, of Venice, will share stories of the evolution of his work in many media including paint and neon, glass and sand, cement relief, and marbled polymer.



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Our W swell will fade further today as most breaks drop into the shoulder high range, with some better sets at best breaks earlier on.

OUTLOOK: New W swell starts to arrive throughout the day on Thursday. Most spots will have surf in the 3-5' range while the standout spots picking up the West swell early see bigger waves before sunset. This swell will hold overnight and by Friday morning the west-facing spots will see some serious bombers. Expect a slow drop into Saturday.

Write us at wood@smdp.com and tell us what the surf is doing today at your local break.

Today the
water is:

58°

	LOW TIDES		HIGH TIDES	
	LOW ONE	LOW TWO	HIGH ONE	HIGH TWO
SATURDAY	3:49 AM	5:14 PM	9:58 AM	N/A
SUNDAY	4:32 AM	5:48 PM	12:04 AM	10:35 AM
MONDAY	5:32 AM	6:23 PM	12:43 AM	11:21 AM
TUESDAY	6:49 AM	7:06 PM	1:24 AM	12:15 PM
WEDNESDAY	8:31 AM	7:48 PM	2:07 AM	1:41 PM
THURSDAY	10:08 AM	8:48 PM	3:00 AM	3:44 PM
FRIDAY	11:19 AM	9:51 PM	3:50 AM	5:32 PM

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The Q Line

Last week, a very well organized group of school supporters filed an amendment to the city charter that would mandate City Hall fork over a minimum of \$6 million annually to the local school district, which faces severe budget cuts from the federal and state governments.

School supporters have continuously thanked the City Council for financially helping the district out in past years, but they want to ensure they get more money to keep local schools top-notch. Voters most likely will be asked in November if taxpayer money should be dedicated to

the schools. City officials, however, aren't too keen on the idea of not having control over the cash.

So this week, Q-Line wants to know, "Should the schools have a set amount of money put aside every year or should the discretion be left up to the City Council?"

Call (310) 285-8106 with your response before Thursday at 5 p.m. We'll print them in Friday's paper. Please limit your comments to a minute or less. It might help to think first about the wording of your response.



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LETTERS

A Democrat would be thrown from office

Editor:

Why haven't the Republicans impeached Bush by now? He appears to have planned the invasion of Iraq within days of taking office. If a Democratic president did the same thing, they would have impeached him already. Can you spell "Hypocrite?" I knew you could. (Apologies to the late Mr. Rogers)

Mike Kirwan
Venice

The rich get richer and poor get poorer

Editor:

A story in the Los Angeles Times stated that the "Budget Ax Would Fall Heavily on the Poor," (Jan. 10). The governor said that the cuts are "very difficult decisions that I do not take lightly."

The pain will be felt by the middle and lower classes, however, not corporations and millionaires like Schwarzenegger. It's the same old politics and outrage: The rich and powerful created the budget crisis; others will now pay the price and suffer.

John Marciano
Santa Monica

Stewart a tall and untruthful poppy?

Editor:

Yes Martha Stewart is a tall poppy, (SMDP, Jan. 13, page 6). And she most certainly is the object of an excess amount of envy. But to declare an inverse moral code which celebrates "bums" over successful, therefore worthy individuals is simplistic, and at best, mean spirited. The use of the term "bums" proves Mr. Tracinski's unalloyed prejudice. The simplistic converse of his last paragraph would be that it is righteous to hate the bum, and celebrate the high achiever.

And lest we forget, Ms. Stewart is on trial for lying to Federal investigators. Is Mr. Tracinski suggesting that we ignore that alleged perjury because Ms. Stewart is rich, and tall?

Forrest Murray
Santa Monica

Illegal immigrants are yesterday's slaves

Editor:

(This letter is addressed to David Pizarra, "Legal News and Views" columnist).

I like reading your articles. You are a thoughtful man. But ... I think President Bush's plan is good, (SMDP, Jan. 13, page 7). Nothing is going to fit perfect.

However, his plan gives our country at least some control and some accountability in a situation where currently we have none.

Furthermore, it gives the immigrant the ability to live in peace without looking over his/her shoulder, always living in fear. And, the immigrant can go back and forth over the border during holidays, etc.

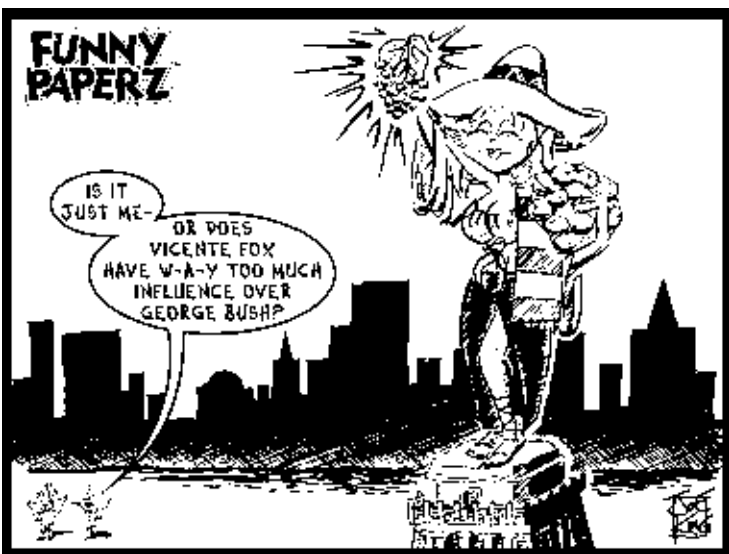
I have no problem with the \$7 head of lettuce. I'd rather pay \$7 straight up for what I want than \$1 for lettuce and \$6 (probably more) in taxes to cover the medical expenses and schooling for immigrants' families. That is the real cost of the lettuce and should be so charged. That's what we do with most other products.

I find most troubling your last sentence "The fact that our society needs illegal immigrants who work for below minimum wage rates and that is not going to go away."

I find that comment border line (pun intended) racist. Change "illegal immigrants" to "slaves" and read it again. Couldn't the same sentence have appeared in a Southern paper in Civil War times?

Society needed slaves in their view. They thought it would never go away. Slavery did. And this problem can. Bush's plan is the first step in that direction.

Eric Cooper
Santa Monica



Charging an 87-year-old driver is an outrage, an injustice



INCITES

By Ed Silverstein

In a colossal miscarriage of justice, the LA County District Attorney is charging Russell Weller with 10 counts of felony vehicular manslaughter. These extremely harsh charges stem from the incident in which 10 pedestrians were killed and an additional 63 injured when the 87-year-old driver lost control of his car and sped through the crowded Santa Monica Farmers' Market last summer.

Certainly the families of the victims and those injured want their pound of flesh. But is this a crime that should be prosecuted?

What we know for sure is that Weller rear-ended a Mercedes, then accelerated into the market, reaching speeds of 60 miles an hour. His Buick LeSabre smashed through the crowds for nearly two blocks before bodies and debris caused the car to come to a stop.

Weller was not charged with hit and run or leaving the scene of an accident, which seems to be the only legitimate excuse for charging him with a crime. Rather, he was charged gross criminal

negligence because he reached unsafe speeds and never applied the brakes.

The authorities concur that what most likely occurred was when Weller hit the Mercedes, he tried to slam on the brakes, but instead hit the gas pedal. So why didn't he hit the brakes?

Imagine that you are Weller. You're in an accident. You hit the brakes and unaccountably the car shoots forward. Your first frenzied thought might be that the brakes aren't working or the accelerator has become stuck. The instinct is to jam harder on the brake pedal, but in this case you're actually pushing the accelerator. Add to this the violent impacts and horror of crashing through the crowd, and you begin to understand why Weller might have lacked the presence of mind to correct his error.

According to experts, it is not uncommon in pedal misapplication situations, as this is called, to travel for 10 or more seconds before the driver realizes his mistake — more than enough time to accelerate to the 60 miles per hour reached by the Buick.

The fact that Weller was 86 years old may very well have been a contributing factor. A man of his advanced age would have a significantly slower reaction time and the potential for increased confusion. Some say he should be held accountable because he was aware that his age made him unfit to drive.

But even if this is true, it is the California state legislators that are guilty of gross negligence. Our representatives are all too aware that Americans are getting older, living longer and becoming more dangerous on the road. No one denies that more rigorous and comprehensive testing of older drivers is desperately needed, yet they refuse to act because they are wary of arousing the ire of senior voters.

But even if Weller is potentially guilty of a crime it makes little sense to prosecute him.

Weller has led a previously exemplary life and does not represent a threat to society. He will never drive again so he is not a future threat to others.

Weller's prosecution will be a media circus requiring expensive security and attorney man-hours for news conferences and press briefings. If the county prevails and Weller receives the maximum sentence of 18 years, which he has virtually no chance surviving even a fraction of, the costs of incarcerating an 87-year-old with poor health would be prohibitive.

There are some who feel that he deserves to be punished for what he's done, even if it was an accident. But what more can be done to this man? His life is ruined. Civil suits will rob him of any wealth he has accumulated. His reputation and good name, built with a lifetime of good deeds and charity, has been obliterated.

His health has deteriorated drastically. His remaining days will be spent sick, destitute, wracked by guilt and shame, and devoid of any joy.

In fact, putting this extremely elderly man through the stressful ordeal of a trial might very well be a death sentence. This would constitute a cruel and unusual punishment, particularly if he were innocent.

So why are we prosecuting tragedies? Part of it is because of the out-of-control litigation. Already Santa Monica has been named in numerous lawsuits. If Weller is found guilty of criminal negligence, the city could argue it does not bear responsibility for not having barricades. Another answer is overly aggressive prosecutors looking to make a name for themselves. Cases such as these are sensational and attract an increasingly tabloid press.

Finally, we as a society have become intolerant of misfortune. We feel a need to assign blame for everything. But as is often the case, tragedies spring from a series of events that cannot be foreseen and are not the fault of anyone.

Such was the case with Russell Weller. And to prosecute a good man who was a victim of tragic circumstances only creates another tragedy.

(Ed Silverstein lives in Santa Monica and shops at the Farmers' Market. Comments can be e-mailed at edsincites@aol.com).

LOCAL



MBA students give SM City Hall poor marks

RED TAPE, from page 1

"Our goal is really to make the process as transparent and expeditious as possible," Frick said. "It's just that our job is also to make sure we're enforcing the rules and regulations."

Business owners and residents have long complained that City Hall is too slow and cumbersome in approving projects and minor plan changes. They argue the bureaucracy causes an unfair burden on profits for some businesses, while driving away others from ever coming to Santa Monica.

In response, the department is currently examining the laws that govern multi-family projects and new buildings downtown, and also may soon review local zoning codes, Frick said. Meanwhile, City Manager Susan McCarthy is defining the scope of an independent review of the department expected to begin sometime this summer or fall, Frick added.

The department also will review the suggestions of a team of five MBA students from the University of Southern California who compared Santa Monica's planning department to those in the cities of Burbank, Culver City and Pasadena. They found that Santa Monica lagged behind the other cities in the time it takes to approve new businesses, among other things.

Commissioned by the Santa Monica Chamber of Commerce, the student group suggested improving customer service and better managing the expectations of local merchants. They gave their presentation on Tuesday to a group of 100 at the chamber's monthly luncheon in a penthouse ballroom at the Four Points Sheraton downtown.

"Nobody was perfectly pleased with the way things were," student Audney DePaulo said. "Most of the frustration came when (merchants) expected it would be a three- or four-month process and a year and a half later they didn't have their bakery open or whatever."

Also recommended was a clearer, more comprehensive Web site that could be accessed by prospective businesses; more education for City Hall staffers, businesses and residents; better defined department goals; better public relations and the removal of certain subjective elements of the approval process, including some hearings, among other things.

But officials said simplifying the process in Santa Monica will be anything but easy — the city's eight square miles are becoming increasingly more dense each year and new laws are passed routinely.

"The process in Santa Monica has definitely evolved, because it is a special city to a lot of people — a small beach community significantly denser than the other

communities (in the study)," planning commissioner Darrell Clarke said. "Quality of life has been very important."

Still, Clarke said local residents and merchants shouldn't be left wondering what the next step in the process is. He said part of the problem is the conflict between residents and business, while another part is the relationship between the various boards that review the projects — the City Council, the Planning Commission and the Architecture Review Board — and city staff, who structure the recommendations and can therefore limit the "visibility" of board members.

Clarke said comparing Santa Monica to other cities isn't exactly fair.

"The process in Santa Monica has definitely evolved, because it is a special city to a lot of people — a small beach community significantly denser than the other communities (in the study)."

— DARRELL CLARKE
Planning Commissioner

Frick agreed.

"The study did not go into depth or detail about the philosophies of the varying cities, nor did it really look at the success of businesses within the city," she said. "So Santa Monica may have a more rigorous approval process, but that's related to a number of factors, related to the quality of life and the type of environment we're trying to create in Santa Monica. Which then, in turn, leads to businesses becoming very successful."

Students said the bottom line is that more information needs to be gathered — from merchants, residents and City Hall.

"You're talking about five MBA students for one class over the course of one semester," DePaulo said. "Obviously, there's more work to be done."

Still, Frick, who said many of the suggestions were already being worked on by City Hall staffers, added it's a useful part of the process.

"What the city will be doing — and hopefully the evaluation will contribute to — is stepping back and looking at the processes, and looking at improvements, in both the processes and the regulations," she said. "Staff will be pursuing that objective in the course of developing new regulations and presenting recommendations to the City Council."

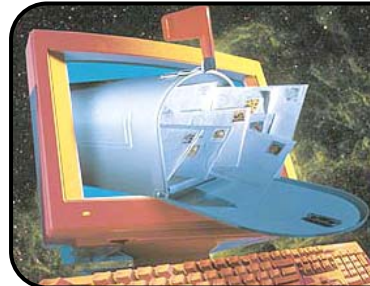
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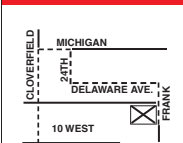
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Apples to apples?

A snapshot of the planning departments in four cities. Santa Monica was found to have the worst customer service and slowest approval times in a study conducted by a group of MBA students from USC.

CITY	ANNUAL BUDGET	STAFF	CASES/YEAR
Santa Monica	\$2,565,389	18	190
Burbank	\$1,701,192	13	126
Culver City	\$1,136,336	13	40
Pasadena	\$3,200,000	34	100

Notes: Staff figures exclude building and safety, and support staff. Cases handled exclude those settled "over the counter" and license applications, in an attempt to show the quantity of cases related to local merchants.

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Four new affordable complexes in the works for Santa Monica

PROJECT, from page 1

homeowner in the Pico neighborhood. "Our affordable housing is located all over the city of Santa Monica, from the north to the south border and from the west to the east border ...

"If you imagine this corporation's development of affordable housing, it started there — it was the rosebud, if you will, and then it blossomed out from there."

Maria Loya, a board member of the Pico Neighborhood Association, said she supports affordable housing projects throughout Santa Monica — including in the Pico neighborhood.

"Affordable housing doesn't need to mean gang members, it doesn't need to mean problems with drugs or anything like that," she said. "The fact is, people deserve to have affordable housing and we support that opportunity."

Bought by the nonprofit in 2000, the building was treated for termites, underwent a complete seismic retro-

"Affordable housing doesn't need to mean gang members, it doesn't need to mean problems with drugs or anything like that."

— MARIA LOYA
Board member, PNA

fit and plumbing was replaced from lines to faucets. Also installed was a new foam roof, double-pane windows, sliding doors, individual patios, landscaping, lighting, security gates and a facade designed by local architect Peter Schechter.

New kitchens and bathrooms also were added to some of the units in the course of renovating the 38-unit building. With the project's final completion last year, the Pico neighborhood is home to some 400-plus Community Corp. apartments.

"Most of our other renovations are smaller in size," said Robin Raida, the project manager at 2112-2120

Delaware Ave. "This was more in line with the new construction projects."

CCSM, which owns 78 properties in Santa Monica, has spent more than \$150 million buying and upgrading real estate in Santa Monica since it was formed in 1982. It owns 1,182 rental units citywide and plans to build 179 more in the next four years.

Those projects include a 50-unit building to be built at 3021 Santa Monica Blvd., a 44-unit building to be built at Santa Monica Boulevard and 26th Street, a 41-unit building at Broadway and 16th Street and a 44-unit building at Main and Pacific streets.

Puppy love gone wrong at pet store

THIEF, from page 1

pounds and suffers from hypoglycemia. The dog was hospitalized last week and is on prescription medication.

"We were all huddling over this dog," said Elaine Binner, who owns the store.

The Yorkshire terrier weighs 1 1/2 pounds, is tan and black, and is suffering from a cold. The dog, described as a "toy," had been at the pet store for about week and had a price tag of \$1,475. Both dogs are about 2 1/2 months old.

Binner and Kutner aren't taking the theft lying down. They contacted several news outlets and handed over the surveillance tape that shows the man in the store. It was aired on television news stations Tuesday night. Both Binner and Kutner on Tuesday were telling all of the store's customers about theft, and handing flyers to them that describe the animals.

Binner said police told her the suspect has hit two other pet stores recently, but this is the first time he's been caught on tape.

"It would be nice if I could get my puppies back," Binner said, adding she hopes to stop the suspect from doing it again. "After tonight, he'll never come to Santa Monica again."

About two years ago, a teenage girl stole a pug but because of the news coverage surrounding the theft, the store got the dog back.

The dogs have microchips that were implanted last month. The Maltese's number is 44592D6103. The Yorkshire terrier's number is 4540569938.

Anyone with information is asked to contact the SMPD at (310) 458-8451.

— Jamie Wetherbe

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Elderly driver unknowingly hits girl on trike

By The Associated Press

APPLE VALLEY — An 86-year-old motorist told investigators she didn't know her car struck a little girl on a trike, breaking the youngster's leg, authorities said. "She wasn't taken into custody," said Sgt. Victor Holley of the San Bernardino County Sheriff's Department. "She was an 86-year-old woman who was having some driving problems. She wasn't aware she hit anything."

Ruby Serviss, 86, allegedly hit the 9-year-old girl, who was riding on a tricycle, and kept driving Sunday evening, investigators said. The woman spotted another child on a bicycle and she steered to avoid hitting that youngster, Holley said.

The injured girl was flown by air ambulance to Loma Linda University Medical Center for treatment of a broken leg, Holley said.

Serviss was found later at her Apple Valley residence.

The accident is being investigated as a felony hit and run, officials said, and will be forwarded to the district attorney's office for possible prosecution.

CenterLine rail rolling along

By The Associated Press

SANTA ANA — Transit officials approved details of the 9.3-mile route for the CenterLine light-rail project, including a spur to Santa Ana College and a short underground passage near South Coast Plaza.

The next steps include environmental impact studies and a search for money to build the \$1 billion commuter line.

On a 9-2 vote Monday, the Orange County Transportation Authority directors approved the route that passes almost entirely in Costa Mesa and Santa Ana. The route would involve widening Bristol Street and condemning as many as 500 pieces of property.

Officials said the light rail system will be necessary to help meet the transportation demands of a growing and aging population.

CenterLine was originally envisioned as a 28-mile Orange County system.

"This is not the best project in the world, and we don't have all the answers yet. But we have to get started," authority board member Shirley McCracken said.

Board members Chris Norby and William Campbell, who are county supervisors, cast dissenting votes. Norby said CenterLine is little more than a trolley that will lumber along at 17 mph, and Campbell said a bus system would be cheaper.

As now envisioned, CenterLine would begin at John Wayne Airport and go through the South Coast Metro and South Coast Plaza areas of Costa Mesa. It would run along Anton Street and turn right on Avenue of the Arts, where it would go underground for about 1,100 feet, then surface. It would turn left onto Sunflower Avenue, then right onto Bristol Street.

At Santa Ana Boulevard, the line would turn right and loop around the Santa Ana Civic Center. The last stop would be the Santa Ana Regional Transportation Center.

Homes marketed on Trump golf course

By The Associated Press

RANCHO PALOS VERDES — Donald Trump expects construction to begin this spring on the first five homes at Rancho Palos Verdes Ocean Trails Golf Club. They are expected to sell for \$3 million to \$5 million each.

The 7,000-square-foot to 10,000-square-foot homes in the 36-home site development will be called The Estates at Trump National Golf Club. Trump plans to rename the course he purchased in 2002 for \$27 million.

"The Estates at Trump National Golf Club will be the finest development on the California coast," Trump said Monday, adding he plans to live in one of the estates. "With their spectacular ocean views and the best golf course in California, where all 18 holes front on the ocean, these homes are sure to attract the most discerning buyers who are seeking both luxury and privacy."

The 260-acre site saw 16 acres break away and fall into the ocean in 1999. The dormant landslide, activated in part by leaking golf course lakes, has been removed.

Student an accessory to murder by lying

By The Associated Press

SANTA ANA — A teammate of a former football player charged with killing an El Modena High School wrestler pleaded guilty to being an accessory to murder after the fact for lying to detectives to protect his friend.

Albert Thomas Medina III, 21, entered the plea Monday and told the court he would now cooperate with Orange County sheriff's detectives investigating the Nov. 9 shooting death of 17-year-old Diego Armando Gonzalez. Medina will be sentenced July 12.

Gonzalez, whose body was found at an Orange Park Acres construction site, was shot twice in the head and the corpse was torched.

Former Santiago High School football star Brandan Dante Perry, 20, and Veronica Paz, 22, his on-again, off-again girlfriend, were charged with the killing. Gonzalez worked with and used to date Paz, authorities said.

Perry and Paz, being held without bail, faced a hearing on Friday. Two other people, including a 16-year-old, are also charged with accessory to murder.

Medina told Superior Court Judge Marc Kelly on Monday that he knew Nov. 14 that Perry and Paz had killed Gonzalez. He said he lied to protect his former teammate.

"He realizes that he made a mistake," defense attorney Frank J. Coughlin said. "He's never going to make that mistake again. The message here is, 'Don't lie to the police. Don't lie to protect a friend.'"

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DAYS ON THE MARKET

By Jodi Summers

Bob knows what the good life feels like. It's not just that he has had a successful career as an attorney and has a comfortable lifestyle in Santa Monica, or that he's happily married and a proud father. What rounds out the scenario is his second home — a house in the mountains near Big Bear. Ten years ago, Bob paid a little more than \$50,000 for a three-bedroom vacation home on a nice piece of land. What he got in return was not only a home for family vacations, but a rental property that yields extra income. Today, the home is worth more than three times what he paid for it. The downside is the property

comes with perpetual financial duties and homeowner concerns.

A recent survey by Roper Starch Worldwide reveals that Americans think of the ultimate status symbol is owning a vacation house like Bob's. The challenge is buying a rental house that is desirable enough that the rent pays its expenses.

Rental houses can make great investments despite that in most cities, rental houses don't produce enough cash flow to be considered terrific investments. Even if there is a modest negative cash flow — meaning the expenses exceed the rent income — during ownership, the upside is that well-located rental houses have an advantage few other investments can match: Terrific long-term market value appreciation.

"I bought my place with the idea of having a place to retire to when I got older," Bob said. "The expenses got to be a bit much, so I started renting it out. I didn't make a profit at first, but I got tax

benefits from owning it. Now, the rents have increased and the mortgage hasn't. Ten years later, I've paid off the mortgage, and I make a tidy profit every month."

For anyone of us who purchased a residence locally more than two years ago, we have come to realize that our home has been our best investment. Sure, there are temporary ups and downs in home market values, such as the post earthquake dip in the '90s, but the long-term trend is up, up, up.

Most of us bought with 20 percent or less down. Lately, properties have been increasing by more than 20 percent per year. If you put 20 percent down on a property last year, and your home has increased 20 percent in the past 12 months. That's a 100 percent return on investment.

Sure, you have to pay the mortgage payments, property taxes and maintenance. But those costs, especially after the itemized tax deductions, are close to what it would cost to rent an equivalent house or apartment. The big advantage of home

ownership is that you're building equity.

So, if owning one home is such a great investment, owning more is better, because your rental house tenants will pay your carrying costs. That's why so many investors own one or more rental houses.

Most rental house investors start their property portfolio by holding on to their former homes when they move to a better residence. A key to a good rental house is that it's commuting distance of a major metropolitan area. If you're not interested in trading up, do what Bob did and buy your retirement home before baby boomers start retiring in droves and drive up prices.

Next week we'll talk about the expenses involved in the purchase and maintenance of rental houses.

(For your real estate needs, e-mail Jodi Summers at jodis@boardwalkrealty.com, or call (310) 309-4219).

Teacher's pet — the state's housing finance agency

Buying a home on a teacher's salary just got easier

By Daily Press staff

Teachers who want to be homeowners might be able to realize their dreams with the help of a new government program.

Knowing how difficult it can be to buy a first home on a teacher's salary — especially in California's most expensive counties — the California Housing Finance Agency has announced the doubling of the downpayment assistance amount, from \$7,500 to \$15,000, or 3 percent of the home sales price, which ever is greater, in what's called the "Extra Credit Teacher Program."

The program is a special first-time home buying program designed specifically for eligible teachers, administrators, classified employees and other staff members

who serve in California's high priority schools.

The \$15,000 in downpayment help is available where it is needed most — in areas where the cost of housing is out of reach for many first-time home buying teachers. The 18 counties defined by CalHFA as high cost include Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Solano, Sonoma, Monterey, San Benito, San Luis Obispo, Santa Barbara, Santa Clara, Santa Cruz, Ventura, Los Angeles, Orange and San Diego.

"In California, our dedicated teachers face the double dilemma of buying a home on a teacher's salary, and in one of the country's most expensive housing markets," said Theresa Parker, executive director of CalHFA.

Since its inception in July 2001, the program has helped realize the dream of homeownership for more than 550 California educators. Eligible teachers, administrators, classified employees and other staff throughout the state's remaining 40 counties can continue to take

advantage of the program's downpayment assistance of \$7,500 or 3 percent of the home purchase price, which ever is greater. Interest on the second loan is forgiven if the borrower remains employed at a high priority school for three years, and no payments are required on the second loan until the home is either sold or refinanced.

The program downpayment assistance is combined with CalHFA's 30-year fixed below market interest rate first loan program and also can be combined with other CalHFA deferred downpayment assistance programs to substantially decrease the borrower's out-of-pocket expense.

CalHFA, the state's affordable housing bank, was chartered in 1975 to meet the housing needs of low and moderate income Californians and has helped more than 120,000 families purchase their first homes. More information on program and the full complement of CalHFA homeownership programs are available at 1-800-789-2432, or at www.calhfa.ca.gov <<http://www.calhfa.ca.gov>>.

SANTA MONICA RESIDENTIAL REAL ESTATE TRANSACTIONS

SOLD	246 21ST SANTA MONICA 90402
Date Sold	SqFt: 3,944 List Price: \$2,695,000 Bed: 5
01/08/2004	Lot Size: 8,940 Sold Price: \$0 Pool Bath: 5
SOLD	1039 CENTINELA AVE SANTA MONICA 90403
Date Sold	SqFt: 4,700 List Price: \$2,395,000 Bed: 6
01/08/2004	Lot Size: 7,500 Sold Price: \$1,350,000 Bath: 6.5
SOLD	2608 5TH ST SANTA MONICA 90405
Date Sold	SqFt: 1,116 List Price: \$760,000 Bed: 3
01/05/2004	Lot Size: 3,120 Sold Price: \$750,000 Bath: 2
SOLD	418 10TH ST SANTA MONICA 90402
Date Sold	SqFt: N/A List Price: \$2,695,000 Bed: 5
01/09/2004	Lot Size: 7,496 Sold Price: \$2,600,000 Bath: 4.5
SOLD	951 22ND ST SANTA MONICA 90403
Date Sold	SqFt: 1,441 List Price: \$1,295,000 Bed: 2
01/09/2004	Lot Size: 8,000 Sold Price: \$1,320,000 Bath: 1
SOLD	1140 CENTINELA AVE SANTA MONICA 90403
Date Sold	SqFt: 2,063 List Price: \$1,399,000 Bed: 3
01/08/2004	Lot Size: 9,000 Sold Price: \$1,425,000 Bath: 2
SOLD	1319 11TH ST #2 SANTA MONICA 90401
Date Sold	SqFt: 545 List Price: \$274,000 Bed: 1
01/08/2004	HOD: \$188 Sold Price: \$280,000 Bath: 1

SOLD	2016 EUCLID ST #15 SANTA MONICA 90405
Date Sold	SqFt: 1,450 List Price: \$569,000 Bed: 3
01/07/2004	HOD: \$330 Sold Price: \$587,000 Bath: 2.5
SOLD	2613 6TH ST #1 SANTA MONICA 90405
Date Sold	SqFt: 934 List Price: \$490,000 Bed: 2
01/07/2004	HOD: \$190 Sold Price: \$490,000 Bath: 2
SOLD	1138 20TH ST #3 SANTA MONICA 90403
Date Sold	SqFt: 1,647 List Price: \$635,000 Bed: 2
01/07/2004	HOD: \$299 Sold Price: \$582,000 Bath: 4
SOLD	1419 15TH ST #7 SANTA MONICA 90404
Date Sold	SqFt: 588 List Price: \$295,000 Bed: 1
01/08/2004	HOD: \$180 Sold Price: \$305,500 Bath: 1
SOLD	2620 ARIZONA AVE #2 SANTA MONICA 90404
Date Sold	SqFt: 1,333 List Price: \$475,000 Bed: 2
01/09/2004	HOD: \$225 Sold Price: \$470,000 Bath: 2.5
SOLD	1118 3RD ST #607 SANTA MONICA 90403
Date Sold	SqFt: 1,501 List Price: \$925,000 Bed: 2
01/05/2004	HOD: \$478 Sold Price: \$925,000 Pool Bath: 2
SOLD	521 SAN VICENTE BL #C SANTA MONICA 90402
Date Sold	SqFt: 1,188 List Price: \$598,000 Bed: 3
01/06/2004	HOD: \$220 Sold Price: \$605,000 Bath: 2

SOLD	1228 14TH ST #301 SANTA MONICA 90404
Date Sold	SqFt: 1,625 List Price: \$641,000 Bed: 3
01/09/2004	HOD: \$399 Sold Price: \$638,000 Bath: 1.75
SOLD	846 21ST ST #5 SANTA MONICA 90403
Date Sold	SqFt: 2,000 List Price: \$825,000 Bed: 3
01/09/2004	HOD: \$300 Sold Price: \$930,000 Bath: 2.5
SOLD	837 LINCOLN BL #9 SANTA MONICA 90403
Date Sold	SqFt: 956 List Price: \$549,000 Bed: 2
01/09/2004	HOD: \$250 Sold Price: \$539,000 Bath: 2
SOLD	931 10TH ST #B SANTA MONICA 90403
Date Sold	SqFt: 2,000 List Price: \$1,140,000 Bed: 3
01/06/2004	HOD: \$290 Sold Price: \$1,140,000 Bath: 2.5
SOLD	2442 28TH ST SANTA MONICA 90405
Date Sold	SqFt: 0 List Price: \$895,000 #Units: 2
01/07/2004	Lot Size: 8,995 Sold Price: \$905,000 GRM: 12.60

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REAL ESTATE



Low interest rates result in high demand and prices



IN YOUR SPACE

By Christina S. Porter

Interest rates are the lowest that they have been since 1958. This has brought an explosion in demand for commercial real estate, by both the investor and the user — demand also has been boosted by the high risks and low yields seen in alternative investments. The result is a sharp increase in commercial real estate prices and drop in capitalization rates.

For example, apartment prices in the Los Angeles Basin have nearly doubled in the past eight years, and apartment cap rates have fallen to below 6 percent in some cases. Similar, but less dramatic changes also have occurred in the retail, industrial and office markets. The key question is: What will happen to interest rates in the future? To answer this question, we've talked to some of the leading economists and mortgage lenders in the area. Their answer is unanimous — interest rates will be going up. However, most anticipate a relatively modest climb over the next 12 months, followed by a steeper climb starting in late 2004.

According to Mark Zandi, chief Economist at Economy.com, driving this increase in rates will be:

■ Increased demand for capital by firms expanding in a strengthening economy.

■ Reduced desire by the Fed to keep interest rates low. Once they see job growth occurring again and the GDP heating up (as projected for 2004), and once the presidential election takes place in the fall of 2004.

■ Reduced demand for U.S. T-Bills and other U.S. securities by foreign investors, due to a projected drop in the value of the dollar.

■ Moderate growth in inflation, particularly starting in 2005.

Specifically, Economy.com projects the Federal Funds Rate climbing slightly from its very low level of 1 percent today to 1.4 percent 12 months from now, and then more steeply to 5 percent by mid-2006. Long-term mortgage rates are projected to climb from 5.5 percent today to 6.6 percent 12 months from now, and then to 7.4 percent by mid-2006.

The Blue Chip Economic Indicators group projects that the prime rate will bottom out at 4.05 percent in the fall 2003, then climb to 4.48 percent 12 months from now and to 4.84 percent by year-end 2004. (They do not provide projections for 2005).

John Gardener Sullivan, principal of Keystone Mortgage Corp., also expects interest rates to climb. He notes that while short-term interest rates remain low, long-term interest rates have already started to climb upward. For example, rates on 10-

year T-Bills have moved from 3.1 percent in June to 4.1 percent in October. Rates on a typical \$5 million commercial real estate loan are currently approximately 5.75 percent (10-year fixed, 25 year amortization schedule, 75 percent loan to lenders value). He sees the rates climbing by about 50 to 75 basis points over the next six months and by approximately 225 basis points over the next two to three years.

If interest rates were to climb by 225 basis points, mortgage payments would increase by about 23 percent. This likely would have a negative impact on property prices, although to what degree is difficult to quantify. Factors that would play in the equation include expected returns at the time from alternative investments, expected returns from real estate investments, the perceived risk associated with real estate, inflation, and the degree to which current property taxes have already been dampened to anticipated increases in mortgage rates.

The negative impact on prices that any increase in interest rates would have was cited by a number of NAI brokers as the reason

that they have relatively conservative projections of future property values.

The above is taken from NAI Capital Commercial's Market Report.

(Christina S. Porter is a senior associate at NAI Capital Commercial Real Estate, where she specializes in leasing and selling office and industrial buildings.)

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or your rights. Well you are not alone, after an accident, most victims spend more time figuring out how they are going to fix their car and what they are going to drive than on their rights and possible hidden injuries. There are currently thousands of auto accident victims who are living a life of misery and pain because they did not learn their rights and options as an auto accident victim. Don't let this happen to you or your loved one. To receive your free report entitled, "What You Need To Know if You Have Been In An Auto Accident". Call the Toll-Free 24 Hour Recorded Message at **1-888-246-3790**. The call is free and so is the report. Call Now!

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5/27/2003	Colorado Ave.	\$2,900,000	9,841 sf
2/20/2003	Centinela Ave.	\$16,000,000	94,441 sf
4/11/2003	Arizona Ave.	\$1,700,000	10,860 sf

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NATIONAL

Constitutionality of ban on Utah polygamy challenged

BY ALEXANDRIA SAGE
Associated Press Writer

SALT LAKE CITY — A leading civil rights attorney filed a federal lawsuit on Monday challenging Utah's ban on polygamy, citing the recent U.S. Supreme Court ruling that struck down a Texas sodomy law.

The lawsuit says Salt Lake County clerks refused a marriage license on Dec. 22, 2003 to plaintiffs G. Lee Cook, an adult male, and J. Bronson, an adult female, because Cook was already married to D. Cook. That woman had given her consent to the additional marriage.

In denying the marriage license, the county violated the plaintiffs' First Amendment right to practice their religion, attorney Brian Barnard says in the complaint.

The lawsuit does not mention what faith the plaintiffs observe, except to say polygamy is a "sincere and deeply held religious major tenet."

The lawsuit argues that the Supreme Court ruling last June in Lawrence v. Texas, which struck down laws criminalizing gay sex, protects the defendants' privacy in intimate matters.

In the Texas case, two gay men who were arrested after police entered their apartment and found them having sex were "entitled to respect for their private lives," Justice Anthony M. Kennedy wrote in the majority opinion. "The state cannot demean their existence or control their destiny by making their private sexual conduct a crime."

Lawyers representing polygamists have recently cited the Supreme Court ruling. Last month, the attorney for convicted bigamist and child rapist Tom

Green argued his client's convictions should be thrown out in light of the case. Currently, the appeal of another bigamist, Rodney Holm — who was convicted of bigamy and unlawful sexual conduct with an underage girl — questions the constitutionality of Utah's bigamy law in light of Lawrence v. Texas.

But Barnard said his lawsuit isn't clouded by rape or sexual misconduct.

"Hopefully, given the way we've framed this, this will be a nice, clear legal challenge as to the constitutionality of that statute," Barnard said.

Utah attorney general Mark Shurtleff said the lawsuit goes "way beyond the privacy interest the Supreme Court ruled on."

"Any time you involve marriage, family, children — fundamental units of society — the state does have a compelling interest in what that is," Shurtleff said. "It happens to be a felony crime here."

"It would be inappropriate for any clerk...to issue a wedding license to anyone planning on committing a felony," he said.

Polygamy was a part of the early beliefs of The Church of Jesus Christ of Latter-day Saints, but was abandoned more than a century ago as the territory sought statehood.

The Utah Constitution bans polygamy and the Mormon church now excommunicates those who advocate it, but it is believed that thousands in Utah continue the practice.

Also on Monday, Shurtleff's spokesman, Paul Murphy, said at least 12 men living in the polygamous towns of Hildale, Utah, and Colorado City, Ariz., had been ordered to leave town without their wives and children, including the mayor of Colorado City, Ariz., Dan Barlow.

Polygamist community mayor resigns during power struggle

By The Associated Press

ST. GEORGE, Utah — A mayor of the one of the twin polygamist communities straddling the Utah-Arizona border has resigned in an apparent power struggle with church hierarchy.

Dan Barlow, the first and only mayor in the 19-year history of Colorado City, Ariz., submitted a one-sentence resignation letter Monday. The town clerk said a new mayor will be selected by the Town Council.

At an early Saturday meeting, Dan Barlow and about 20 men were ousted from the Fundamentalist Church of Jesus Christ of Latter Day Saints, a maverick offshoot of the Mormon church, The (St. George) Spectrum reported Tuesday.

Reading from what he said was a revelation from God, church leader Warren Jeffs stripped the men of their priesthood, their wives and children and their right to live in town, an unidentified source told the newspaper.

The housecleaning, coming after months of an intensified power struggle between Jeffs and Colorado City's Barlow family, has set anti-polygamists and law enforcement officers on guard.

Mohave County (Ariz.) Sheriff Tom Sheahan deployed four deputies and a canine unit from Kingman to Colorado City. He said they will patrol the town as "a prevention measure." A deputy from Washington County (Utah) Sheriff Kirk

Smith's office has been patrolling the neighboring town of Hildale, Utah.

With about 6,000 residents, the two towns are dominated by the FLDS, a breakaway sect of the mainstream Church of Jesus Christ of Latter-day Saints. The FLDS church still teaches polygamy as a central tenet, a practice the Salt Lake City-based Mormon church abandoned a century ago.

Both Sheahan and Smith said they were relieved there has been no violence, but law officers haven't dropped their guard.

As in previous excommunication cases, women and children fear that they would be "assigned" to other men. After her father was ousted from the FLDS church at the Saturday meeting, one 16-year-old girl told The Spectrum in a telephone interview that she was worried she would be ordered to marry an older man.

The Spectrum did not identify the girl, but said an anti-polygamy activist drove to Colorado City from Phoenix on Sunday to remove her and a second girl from the community.

Utah Attorney General Mark Shurtleff said the state will establish a hotline for those who want to flee the polygamous enclave. In addition, more than 10 governmental and nonprofit agencies, including the Division of Child and Family Services and the Children's Justice Center, will help those who come forward, said Shurtleff's spokesman, Paul Murphy.



WORLD BRIEFLY

Bush: Free trade leads to prosperity

By The Associated Press

MONTERREY, Mexico — President Bush told leaders from across the Americas that free trade is the best road to prosperity in the hemisphere, but several Latin American nations remained unconvinced.

Although they still have broad disagreements, leaders at the 34-nation Summit of the Americas worked hard Monday to show that relations were improving, pledging to strengthen democracy and fight terrorism in the region.

The most visible example of that diplomatic outreach came when Bush invited Mexican President Vicente Fox to visit his Texas ranch. Fox accepted and praised Bush's new immigration proposal, which would allow some foreign workers to live temporarily in the United States.

The presidents smiled, shook hands and walked together into the new Monterrey public arena, where heads of state formally inaugurated the two-day summit of the Organization of American States.

Bush also reached out to the rest of Latin America, saying his government was committed to "embracing the challenge of ... bringing all the hemisphere's people into the expanding circle of development."

Sharon ready to impose boundaries

By The Associated Press

JERUSALEM — Prime Minister Ariel Sharon faced stiff opposition as he promised to seek parliamentary approval and consult with the United States before imposing what he calls a temporary boundary on the Palestinians.

Meanwhile, Israeli troops in the West Bank conducted house-to-house searches in the Tulkarem refugee camp for a second day Tuesday, and Palestinian witnesses said about 200 residents were rounded up for questioning.

The Israeli military said it arrested six suspects, including one man allegedly planning to carry out a suicide bombing in Israel.

Sharon reiterated Monday that he remains committed to

the U.S.-led "road map" plan that envisions a peace deal by 2005, with a Palestinian state as a centerpiece.

But during a heated session of the Knesset, Sharon said Israel would move unilaterally if it becomes apparent "within a few months" that the Palestinians are not meeting their obligations — especially dismantling militant groups. Both sides so far have failed to move forward on the peace plan.

Politicians build front to oust Rowland

By The Associated Press

HARTFORD, Conn. — Republican U.S. Rep. Christopher Shays has added his voice to a growing chorus of lawmakers calling on Gov. John G. Rowland to resign, saying "he's lost the trust of the people of this state."

In a news conference at the state Capitol on Monday, Shays said he had been prepared to forgive Rowland for initially lying about his acceptance of gifts from a state contractor and employees.

"But I am not prepared to stand by a governor, even a friend, who has done wrong, lied about it and then refused to account for his actions," said Shays, who is serving his ninth term in Congress.

Rowland, a Republican, is under fire for lying about gifts he received in the form of improvements to his summer cottage. Last month, he told reporters he paid for the upgrades himself, but later admitted that much of the work was paid for, or donated by, friends and a politically connected state contractor.

Federal agents say Rowland is now a subject of their investigation. The governor maintains that he never provided favors in return for the gifts, and he has not been charged with any crime.

Wal-Mart accused of labor violations

By The Associated Press

NEW YORK — An internal audit of about 25,000 workers at Wal-Mart Stores found thousands of labor violations,

including minors working during school hours and workers not taking breaks or lunches, a newspaper reported.

The audit found 1,371 violations of child-labor laws, including minors working too late, too many hours in a day or during school hours. On more than 60,000 occasions, workers missed breaks and on 16,000 they skipped meal times, in violation of most state labor regulations.

The audit, conducted in July 2000 and distributed to top Wal-Mart executives, polled employee records at 128 stores across the country, the New York Times reported in Tuesday editions.

Wal-Mart officials downplayed the audit's findings, saying workers often forgot to punch in and out during breaks or skipped lunches so they could leave early.

The audit, by Wal-Mart auditor Bret Shipley, "doesn't reflect actual behavior within the facilities," Mona Williams, Wal-Mart's vice president for communications, told the paper. The company had enacted no reforms in response to the report, she said, because other Wal-Mart auditors had reviewed Shipley's work and found it flawed.

Dean tired of feeling like a 'pin cushion'

By The Associated Press

MOUNT PLEASANT, Iowa — Front-runner Howard Dean, feeling rivals nipping at his heels a week before the Iowa caucuses, says he is firing back at other leading candidates for the Democratic presidential nomination.

"I'm going after everybody because I'm tired of being the pin cushion here," Dean said Monday.

The former Vermont governor told several audiences that if they want to change Washington, they should not vote for a Washington politician. He singled out rivals John Kerry, John Edwards and Dick Gephardt by name for supporting the Bush administration's war with Iraq.

"I want you to remember a week from tonight when you caucus who stood up against that war when no one else would," Dean said at a Monday night spaghetti dinner in Burlington, Iowa.

The comments marked a shift in strategy for Dean, who had been behaving like a front-runner and attempting to shrug off the daily barbs from his rivals.

But with the race tightening — he is in a close competition with Gephardt, a Missouri congressman, for first place in the Jan. 19 caucuses — Dean apparently feels the need to distinguish himself and answer back. He said Monday that the race is "very close."

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ACROSS

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- 7 Hacienda house
- 11 Comfortable
- 12 Colors
- 13 Like grams
- 14 Provo's state
- 15 Like instinctively
- 17 "The Simpsons" bar
- 20 Chart over
- 23 Writer Beattie
- 24 Sign in a car window
- 26 Avril follower
- 27 Regret
- 28 Excessively
- 29 Friend of Oscar
- 31 Tavern
- 32 Ready for battle
- 33 High pair
- 34 Saws
- 37 Carry
- 39 Crowd scene players
- 43 Lei's dad
- 44 Spanish sheep
- 45 Dealer's need

46 Skedad-dles

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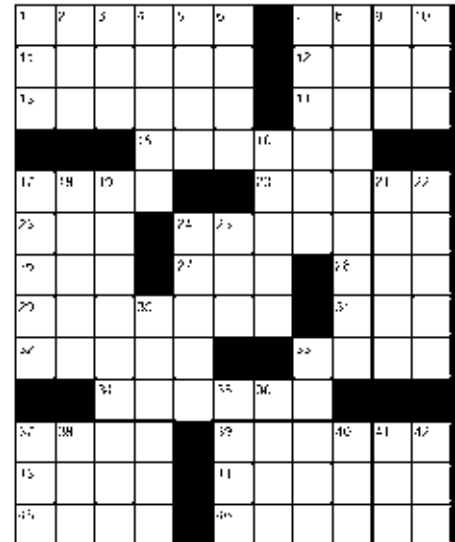
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- 5 Mongolia setting
- 6 Bottle part
- 7 Skydiving needs
- 8 Transmission type
- 9 Fish's home
- 10 Volcano output
- 15 Bungled
- 17 Venomous black snake
- 18 Radio studio sign
- 19 Puzzling
- 21 Singly
- 22 Lowly workers
- 24 Salma Hayek film
- 25 Owned by us
- 30 Adorn

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Yesterday's answer

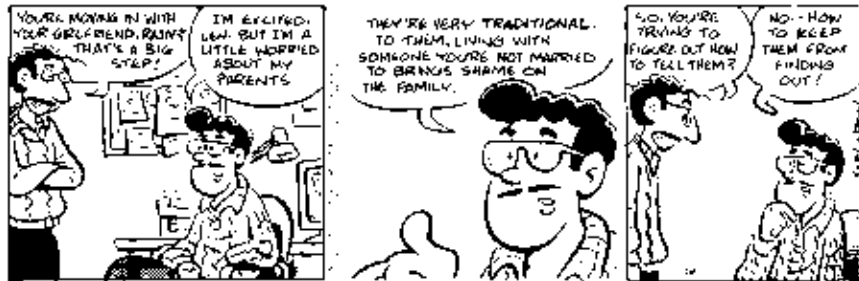
- 17 Venomous black snake
- 18 Radio studio sign
- 19 Puzzling
- 21 Singly
- 22 Lowly workers
- 24 Salma Hayek film
- 25 Owned by us
- 30 Adorn
- 33 Texas player
- 35 Sparklers
- 36 Company man
- 37 Slugger Williams
- 38 Refinery need
- 40 Carnival spot
- 41 Lowly worker
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PEOPLE IN THE NEWS

Baldwin-Basinger custody battle goes to LA courtroom

By The Associated Press

■ **LOS ANGELES** — A dispute between Alec Baldwin and ex-wife Kim Basinger over custody of their 8-year-old daughter, Ireland, will go to trial Feb. 23.

The specific issue was unclear because the case file was not available to the public.

Baldwin and Basinger were present for the hearing Monday but didn't speak to each other in court.

Several documents were filed in the case but Superior Court Judge Roy Paul wouldn't make them available pending a Jan. 23 hearing on a motion to seal them.

Baldwin and Basinger were married in August 1993. Basinger filed for divorce in 2001. At that time her petition said that she sought physical custody but the two would share joint legal custody and Baldwin would have visitation rights. The divorce became final Sept. 3, 2002.

Basinger's attorney, Neal Hersh, and Baldwin's attorney, Dennis Wasser, both declined to comment on the hearing.

■ **GARDEN CITY, N.Y.** — Songwriter Hugh Prestwood was released on \$50,000 bail following his arrest for allegedly carrying a loaded handgun in his carry-on luggage at Long Island MacArthur Airport.

Prestwood, 61, a staff songwriter for BMG Music who lives in Greenport, was on his way to Nashville, Tenn., Saturday when an X-ray screener spotted the Smith & Wesson .38-caliber revolver and two medicines for which he did not have prescriptions, police said.

Authorities arrested Prestwood at the airport and charged him with one weapon possession count and two drug possession counts. He was released Monday on \$50,000 bail and ordered to return to Suffolk County Court in Central Islip on Friday, said Robert Clifford, a spokesman for District Attorney Thomas Spota.

Defense lawyer William Ferris declined to comment on the accusations, saying only that Prestwood had been on his way to Nashville for a charity concert. "He's a very kind and lovable person," the lawyer said.

■ **NEW YORK** — The doctor being sued by George Harrison's family was wrongly portrayed in the lawsuit and has always put his patients' needs first, according to his wife.

Dr. Gilbert Lederman, who's accused in the lawsuit of forcing the ailing Harrison to autograph a guitar, was "hurt" by the lawsuit's depiction of him, Dr. Josiane Lederman told the New York Post for Tuesday editions.

"How Gil is (being portrayed) is not how he is at all. He's a sweet, caring, dedicated and devoted doctor who has always had very close relationships with all his patients," she said.

"Their families become close with ours, and our kids know most of his patients. The families come to our bar and bat mitzvahs, we go to visit them at their homes," she said.

Gil Lederman was treating Harrison for cancer. The ex-Beatle died in November 2001, about two weeks after the signing, at 58.

The Harrison family has said through its attorney that it believes Lederman orchestrated media coverage of the guitar signing to raise the value of an instrument he eventually wants to sell.

Lederman has maintained that Harrison freely autographed the guitar, and has said he wants to donate the instrument to charity.

The state Health Department reprimanded the doctor for talking to the press about Harrison without his consent. Lederman accepted his censure, reprimand and a \$5,000 fine, documents show.

■ **MONTREAL** — A dispute between a Canadian furniture store that used the late Frank Zappa's music in a TV commercial and the rocker's widow was settled out of court Tuesday.

Ameublements Tanguay Inc. has apologized to Gail Zappa for using the unauthorized music in 1995 and settled the civil lawsuit for an undisclosed amount.

Furniture company president Jacques Tanguay said

Monday there had been several attempts over the past nine years to settle the matter out of court. It was unclear how Tuesday's offer differed from past efforts, but it may have been a letter of apology acknowledging copyright violation.

Zappa's widow, who lives in California, was seeking unspecified damages from the store for copyright violation related to an appliance advertisement.

The song "Watermelon in Easter Hay" from the album "Joe's Garage" was played as background music in the ad, which ran briefly in Quebec City and eastern parts of the province. A Quebec fan notified the Zappa family about the commercial.

Tanguay has said his company commissioned a now-defunct Quebec City producer to produce the commercial. He said the producer, Karma Productions, subcontracted the musical work to a freelancer without confirming whether the Zappa song was cleared for use.

Gail Zappa has been a staunch defender of her late husband's work since his death from prostate cancer in 1993 at 52. He was inducted into the Rock and Roll Hall of Fame in 1995.

■ **NEW YORK** — Ashton Kutcher says marriage to girlfriend Demi Moore isn't on the horizon any time soon.

"I don't have any plans for it," he told the syndicated TV program "Access Hollywood." "I can check the datebook, but last I looked, there wasn't anything in there like that." Portions of the interview aired Monday. Excerpts were released in advance.

Kutcher, 25, and Moore, 41, have been gossip-column fodder because of the difference in their ages. Moore's films include "Charlie's Angels: Full Throttle" and "G.I. Jane."

The actor, who recently pulled out of his MTV prank show "Punk'd," said he wanted to take on new projects. "We're done," he said. "It was time to move on, it was time to do something different. I get bored easily man, I've got to change it."

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