



Santa Monica Daily Press

January 14-15, 2006

A newspaper with issues

Volume 5, Issue 54

DAILY LOTTERY

SUPER LOTTO

6 24 25 36 43

Meganumber: 17

Jackpot: \$71 Million

FANTASY 5

2 10 11 15 38

DAILY 3

Daytime: 1 2 5

Evening: 1 9 7

DAILY DERBY

1st: 12 Lucky Charms

2nd: 07 Eureka!

3rd: 02 Lucky Star

RACE TIME: 1:41.95

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NEWS OF THE WEIRD BY CHUCK SHEPARD

■ Pontypool, Wales, bus driver Mark Davis had his hair colored red, with an actual (small) fir Christmas tree woven in, along with a string of lights (according to a December BBC News report, with photo). "It gives everyone a laugh," he said, but "(i)t's very difficult to sleep with it."

■ An October profile in the Jamaica Star reported on barber Darain Housen, 40, who is well-known in St. Thomas parish as the guy who has shaped his bristly hair in the form of a baseball cap, with the bill extending out a couple of inches over his forehead.

TODAY IN HISTORY

Today is the 14th day of 2006.
There are 351 days left in the year.

On Jan. 14, 1784, the United States ratified a peace treaty with England, ending the Revolutionary War.

QUOTE OF THE DAY

"If you limit your actions in life to things that nobody can possibly find fault with, you will not do much."

CHARLES LUTWIDGE DODGSON

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New museum is a moveable feast

BY SARA KAUFMAN

Special to the Daily Press

SM BEACH — Against the shimmering blue backdrop of the Pacific Ocean, a modern day industrial palace has been sitting idle among the forklifts, drills and hustle of workmen. That all changes today, Jan. 14.

A month ago, the Santa Monica Pier stood alongside an adjacent parking lot filled with old cargo containers and equipment. This week, construction crews have been scurrying to put the finishing touches on a gigantic structure that will likely stop passersby in their tracks.

The rust-colored containers, mustard yellow columns, and white tarp roof comprise the outside shell of the Nomadic Museum — the first of its kind, and home to artist Gregory Colbert's "Ashes and Snow" exhibit.

The museum, open to the public beginning today, is as much a piece of art as the art it houses.

See ASHES AND SNOW, page 13



Fabian Lewkowicz/Daily Press

Members of the Santa Monica Fire Department and the Santa Monica Police Department's SWAT team earlier this week go over a 'pre-incident plan' in front of the Ashes and Snow Nomadic Museum just north of the pier. Trained personnel discussed strategies and procedures in case of an emergency within the exhibit, which opens this weekend.

City set to pay for lot of attention

BY CAROLYN SACKARIASON

Daily Press Staff Writer

SM BEACH — City officials are attempting to settle a lawsuit filed by the owners of multi-million property who claim City Hall's bureaucracy has prevented them from remodeling a beach home.

The City Council met behind closed doors this past week to discuss the suit, filed by Malibu Broadbeach L.P. in April of 2005. The two sides have been attempting to settle the dispute since 2003.

At issue is whether City Hall's planning department was correct in issuing a stop work order on the property, located at 1267 Palisades Beach Road. The developer argues that because a city inspector OK'd



Alejandro Cesar Cantarero II/Daily Press

This vacant lot at 1267 Palisades Beach Road, near the foot of the Arizona Avenue access stairs, has been a sore spot for the city since 2003.

See BEACH HOUSE, page 11

LOCAL

Despondent man gets lots of attention

BY CAROLYN SACKARIASON

Daily Press Staff Writer

OCEAN PARK — Police swarmed this neighborhood Thursday night, closing down several blocks for more than five hours after receiving a call that a resident home by himself was despondent.

About 20 police cars — both marked and unmarked — as well as an armored Humvee, were lined up along Hill and Sixth streets. Dozens of Santa Monica patrol officers, traffic services personnel, and SWAT and crisis negotiation teams were stationed along the 2700

See OCEAN PARK, page 14

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Santa Monica Daily Press

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)**
★★★★ This Full Moon pulls you in many different directions. You feel between and betwixt, and you are. The best intentions backfire. Lie back and do the best you can. At a certain point in your day, you might want to retreat. Tonight: OK, now play ostrich.

**TAURUS (April 20-May 20)**
★★★★ You are on overload as you try to respond to your many calls and requests. Trying to fit everyone into your schedule could be close to impossible. You could toss your plans in the air. You cannot please everyone all the time. Tonight: Catch up on others' news.

**GEMINI (May 21-June 20)**
★★★ Your expenses could get out of control because you like to spend and indulge. You might be seeing the damages right now. A little self-discipline could go a long way. You will need to say no. Examine your true needs. Tonight: Curb spending.

**CANCER (June 21-July 22)**
★★★★ You are all smiles. Expect to touch base with many people right now. You could find someone to be quite hyper and touchy. Let go of an immediate problem, because you might be making more out of it than you need to. Tonight: Know when to cut the socializing.

**LEO (July 23-Aug. 22)**
★★ You might want to hide out or play it cool until midafternoon, when the Moon slides into your sign. You will feel the difference and be quite revived and enthusiastic. You might be relieved to feel more like your old self. Tonight: As you wish — finally.

**VIRGO (Aug. 23-Sept. 22)**
★★★ Make the most of the daylight hours, when you are full of vim and vigor. Listen to and handle others with clarity, sensitivity and understanding. By late afternoon, you might want to retreat or take some time off. Tonight: Early to bed.

**LIBRA (Sept. 23-Oct. 22)**
★★★★ Take charge and handle matters that others might not be able to. Others might buck your leadership, but ultimately, events fall into your lap. Surround yourself with friends late afternoon. Let the good times happen. Tonight: You are the party.

**SCORPIO (Oct. 23-Nov. 21)**
★★★★ You toss and turn between two alternatives, perhaps having a difficult time coming up with answers. You might not like what happens, but no matter how you juggle plans and what you hear, you won't make a difference. Tonight: A force to be dealt with.

**SAGITTARIUS (Nov. 22-Dec. 21)**
★★★★ Build understanding and confidence by keeping communications open right now. You could be overwhelmed by what happens and what goes on. Listen to others and think positively. Tonight: Try something very different.

**CAPRICORN (Dec. 22-Jan. 19)**
★★★ You are juggling more than you can generally handle. No one would believe that could ever happen to the Goat, but it can and will. Deal with a partner on a closer level. Examine an offer carefully before saying yes. Tonight: Togetherness becomes a theme.

**AQUARIUS (Jan. 20-Feb. 18)**
★★★★ Stay even despite all the challenges that could be tossed in your face. Your ability to accept others turns the day around to make it even better. Accept an invitation that allows friends in. Let what you want happen. Tonight: Let the party begin.

**PISCES (Feb. 19-March 20)**
★★★★ You might not be sure how to juggle all the different invitations, requests and needs that come in as demands. You'll succeed, but by late afternoon, you are more than ready for a nap. Yes, you are tired. Tonight: Play it easy.



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COMMUNITY BRIEFS

Meet Councilman Rosendahl

By Daily Press staff

Have a problem that you want to get off your chest? The Santa Monica Democratic Club will present Los Angeles City Councilman Bill Rosendahl to discuss common challenges and common problems. Traffic, development, homelessness, rapid transit and other common concerns are to be discussed. There will be plenty of time for questions. The free public event will take place on Wednesday, Jan. 25 at 7 p.m. and will be held at St. Anne’s Church community room on 20th Street in Colorado. Free parking and refreshments also will be available.

Malibu doctor prescribed top post at Medical Center

By Daily Press staff

Dr. David B. Baron must be doing something right. The Malibu family physician has been elected to chief of staff at the Santa Monica-UCLA Medical Center for 2006. Dr. Baron had served as the medical center’s vice-chief of staff for the past two years, as well as chair of its family medicine department. A 14-year Santa Monica resident, Dr. Baron runs a concierge medical practice called Primary Caring of Malibu, which uses a membership model to provide patients with a wide range of personalized services and amenities. He is a board-certified family physician who completed his residency in family medicine at the medical center in 1991. He attended medical school at the University of Pennsylvania and earned his undergraduate degree from Amherst College in Massachusetts. Dr. Baron also is a singer/songwriter and pianist who performs with other physicians in a band called Malpractice. The band has performed at numerous events, including several hospital functions. “This is an exciting time of construction and modernization as Santa Monica-UCLA Medical Center’s rebuilding project moves toward completion,” Dr. Baron said. “I look forward to working closely with the current medical staff and newly arriving physicians from Orthopaedic Hospital to forge a new, unified group of caring health professionals dedicating to creating a center of excellence for the Westside community and its residents.” Joining Dr. Baron as officers on Santa Monica-UCLA’s executive medical board are Drs. Chester Griffiths and Denise Sur, who were elected vice-chief of staff and secretary-treasurer, respectively. Dr. Griffiths is an ear, nose and throat specialist based in West Los Angeles. Dr. Sur is director of the UCLA family medicine residency program. Other members of the board, which oversees medical affairs at Santa Monica-UCLA, are Drs. Gerald Finerman, Denise Freese, William Growdon, Peter Lefevre, Philip Levin, James Luck, Bernard Weintraub and Dennis Woo.

Walking for peace and remembrance

By Daily Press staff

The Buddhist community invites the entire community to join in walking for peace on Jan. 22. The peace walk will begin at 2 p.m., starting at Reed Park located at the intersection of Wilshire and Lincoln Boulevards. The group will walk silently without banners or signs, to the beach where we they pause at “Arlington West” just north of the Santa Monica Pier to remember who have died in the Iraqi war. The “hearts of peace” Sangha (a term for the Buddhist monastic community) plans monthly walks in different locations of greater Los Angeles. For more information, call (818) 385-1355.

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SNOW AND SURF REPORTS

CONDITIONS

DATA PROVIDED BY ONTHESNOW.COM

BEAR MOUNTAIN

NEW SNOW (24 Hrs) 0"	BASE DEPTH 12"-12"	LIFT HOURS 8:30am - 4:00pm	RUNS OPEN 10	LIFTS OPEN 9/12
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CONDITIONS: Packed Powder, Machine Made, Machine Groomed, Loose Granular

JUNE MOUNTAIN

NEW SNOW (24 Hrs) 0"	BASE DEPTH 60" - 84"	LIFT HOURS 8:30am - 4:00pm	RUNS OPEN 35	LIFTS OPEN 6/16
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CONDITIONS: Packed Powder, Machine Groomed

MAMMOTH MOUNTAIN

NEW SNOW (24 Hrs) 0"	BASE DEPTH 120" - 144"	LIFT HOURS 8:30 am - 4:00 pm	RUNS OPEN 150	LIFTS OPEN 20/28
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CONDITIONS: Packed Powder, Machine Groomed

MOUNTAIN HIGH

NEW SNOW (24 Hrs) 0"	BASE DEPTH 12"-12"	LIFT HOURS 8:00 am - 10:00 pm	RUNS OPEN 12	LIFTS OPEN 7/16
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CONDITIONS: Machine Groomed, Hard Packed

MT. BALDY

NEW SNOW (24 Hrs) 0"	BASE DEPTH 6"-12"	LIFT HOURS 8:30 am - 4:30 pm	RUNS OPEN 4	LIFTS OPEN 2/14
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CONDITIONS: Packed Powder, Machine Made

SNOW SUMMIT

NEW SNOW (24 Hrs) 0"	BASE DEPTH 12"-12"	LIFT HOURS 8:00 am - 4:30 pm	RUNS OPEN 10	LIFTS OPEN 9/13
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CONDITIONS: Packed Powder, Machine Made, Machine Groomed, Loose Granular

SNOW VALLEY

NEW SNOW (24 Hrs) 0"	BASE DEPTH 18"-12"	LIFT HOURS 8:30 am - 4:00 pm	RUNS OPEN 2	LIFTS OPEN 4/11
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CONDITIONS: Machine Groomed

CONDITIONS

WATER TEMP: 59°

DATA PROVIDED BY WETSAND.COM

SWELL FORECAST (3-10 FT)

Today is when our next NW swell is due, but rain and high winds are due as well. Saturday's surf (blown out as it may be) will start out in the early morning around waist to chest high (when not affected by the extreme high tide hitting by mid morning) and then later in the day size should increase to head high or better.

LONG RANGE SYNOPSIS

NW swell fills in during the weekend but rain, winds...

TIDE FORECAST FOR SANTA MONICA

SATURDAY Low Tide: High Tide:	2:26AM 8:35AM	2.3FT 6.0FT	3:56PM 10:33PM	-0.9FT 3.7FT
SUNDAY Low Tide: High Tide:	3:00AM 9:08AM	2.3FT 5.9FT	4:25PM 11:00AM	-0.7FT 3.7FT
MONDAY Low Tide: High Tide:	3:35AM 9:41AM	2.2FT 5.6FT	4:52PM 11:28PM	-0.4FT 3.8FT
TUESDAY Low Tide: High Tide:	4:12AM 10:12AM	2.2FT 5.3FT	5:19PM 11:57PM	-0.1FT 3.8FT
WEDNESDAY Low Tide: High Tide:	4:54AM 10:45AM	2.2FT 4.8FT	5:44PM N/A	0.3FT N/A
THURSDAY Low Tide: High Tide:	5:44AM 12:27AM	2.3FT 3.9FT	6:08PM 11:20AM	0.7FT 4.2FT
FRIDAY N/A				

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The **Q**Line

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Officials are giving renewed consideration to construction of a subway line that would run from downtown Los Angeles to the beaches of Santa Monica. Leaders at City Hall say they are generally supportive of the 15-mile underground transit line that would free up commuters from freeway gridlock, though there is some debate as to exactly what path the transit line should take. Some officials say a monorail system might make more sense for the area.

So this week, Q-Line wants to know, **“If plans for a mass-transit line between downtown Los Angeles and Santa Monica go forward, what shape should they take?”**

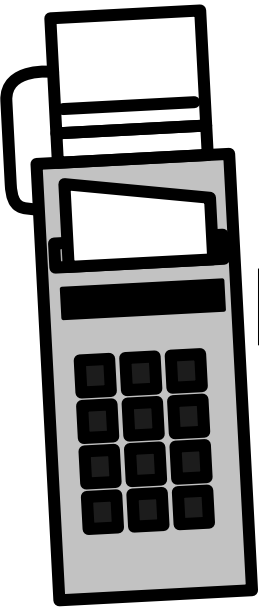
Call (310) 285-8106 before Friday at 5 p.m. and we'll print your responses in the weekend edition. Please try to limit your comments to a minute or less. It might help to think first about the wording of your response.

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OPINION

The QLine

OPINIONS EXPRESSED ON TAKING FAST TRACK

This past week, Q-line asked:

If plans for a mass-transit line between downtown Los Angeles and Santa Monica go forward, what shape should they take?

Here are your responses:

☉ “One must consider that a subway or monorail mass-transit system only travels in two directions, either east to west or north to south, back and forth. A mass transit system from Los Angeles to Santa Monica would create many negative long-lasting construction and commuter problems. One being the fact that commuters would still have to use other forms of transportation to get to the passenger pick-up depot. The construction of the monorail would mean homes would have to be removed from its path. Those homes near the rail would lose value. The construction of a subway tunnel would be a horrible ordeal due to the underground, water-soaked soil below all of west Los Angeles and Santa Monica. This water-soaked soil will cause cave-ins as it did in Hollywood. It will also cause cracked foundations in homes left near the tunnel. After this mass-transit system is completed it will be known as going from no place to nowhere.”

☉ “If (Rep. Henry) Waxman wants a subway, then its got to be a crooked, multi-billion dollar money scam. Walt Disney was right on with his monorail and so too is Herb Katz. They can be semi-mobile and placed above our existing freeways, they can be inexpensive and easily repaired. An underground subway is extremely expensive and dangerous because of earthquakes, gas leaks, floods or terrorists.”

☉ “The city of Santa Monica is doing the wrong thing by giving these city employees an increase in pay. They don’t deserve it since they make enough right now. I see city employees sitting around just talking and eating, doing anything but working. I work very hard to pay my taxes, not to give it away to these inefficient people so that money can be used for the subway line that will go from downtown to the beach which is very important.”

☉ “The best way forward for the mass-transit line between Los Angeles and Santa Monica should be to extend the Red Line subway all the way to

Santa Monica to Ocean Avenue. The City Council should ask Gov. Schwarzenegger to cut out a chunk of his 250 billion dollar bond proposal to fund the Red Line subway. Currently he has nothing in it for mass-transit. The City Council should also push forward to have the monorail to go all the way to Santa Monica without making the Triangle detour around Culver City.”

☉ “I think between a subway or monorail, the subway would have more value to it. We have to remember that we are living in earthquake country. If the monorail was built and an earthquake came along, it would be disastrous. We need to remember what happened to the Santa Monica freeway when the Northridge earthquake hit, it collapsed. If the subway were built, it would be safer. During the San Francisco earthquake, the only thing running was the subway system. The MTA has said that the safest place is a subway during an earthquake.”

☉ “Why does everything have to come to Santa Monica? Why can’t the mass-transit system go to Venice or Culver City? How do we benefit by having more people infesting Santa Monica by either monorail or subway. We want fewer people here, not more. Why aren’t our ‘elected leaders’ looking at ways to decrease the population in California, in Los Angeles County, in Santa Monica. People who write to the Daily Press about mass-transit have vested interests in subways, buses, monorails. It seems that City Council members become consultants for certain interests or work for the school district. How about working for the citizens of Santa Monica. Fewer people, fewer five-story buildings, less traffic, less businesses. Lets have a simpler, better life.”

☉ “The new mass-transit line between Los Angeles and Santa Monica should go one way only, and that is from Santa Monica to Los Angeles. Pam O’Conner should be the first person to get on that line and leave Santa Monica, not to return.”

OPINIONS EXPRESSED are those of the writer and do not necessarily reflect those of the Santa Monica Daily Press staff. Guest editorials from residents are encouraged, as are letters to the editor. Letters will be published on a space-available basis. It is our intention to publish all letters we receive, except those that are libelous or are unsigned. Preference will be given to those that are e-mailed to editor@smdp.com. All letters must include the author's name and telephone number for purposes of verification. Letters also may be mailed to our offices located at 1427 Third Street Promenade, Suite 202, Santa Monica, 90401, or faxed to (310) 576-9913. All letters and guest editorials are subject to editing for space and content.

Politicians all contend ‘they don’t know Jack’



MODERN TIMES

BY LLOYD GARVER

The current Washington scandal featuring lobbyist Jack Abramoff is sad and disgraceful. Fortunately, there is some comic relief attached to the shamefulness. It’s fun to watch Jack’s one-time pals distance themselves from the guy. The rats started jumping off this ship before it even started to sink. American history hasn’t had a similar instance of running far away from another individual since Typhoid Mary.

I’ll bet those who depended on Tom Delay to help get something passed in Congress didn’t send him Christmas (or Happy Holiday) cards this year. And those who spent time watching the Washington Wizards play from Abramoff’s skybox are now saying, “I really didn’t know Jack.”

The most entertaining aspect of the Abramoff scandal is watching the dozens of politicians struggle with what to do with the money they took. Some have decided to only keep a portion of the money — I guess they’re really good in math and are able to calculate what percentage of the money they received was tainted. And some are keeping the money, saying that to return it would be admitting that they did something wrong. The problem with this logic is that they probably did do something wrong.

Most of them just want to get rid of the money. But what should they do? They can’t just leave their house unlocked and hope that some burglars steal the right amount of cash. They can’t just bet it all on a horse in the hope that the nag will lose. They can’t just throw it away in the garbage or in a river. How would that look on the news? And they certainly can’t hand it back to Jack. So, what’s a politician who wants to look good supposed to do with “dirty money?” He or she gives it to charity.

Although Abramoff helped raise more than \$100,000 for President Bush’s 2004 re-election campaign, Abramoff only personally donated \$6,000 to the campaign. So, the president is donating \$6,000 to the American Heart Association. I don’t know what he’s doing about the other \$94,000.

The beacon of virtue, Tom Delay, has said he’ll donate \$15,000 to local charities. Elizabeth Dole will give \$1,000 and New York’s Charles Rangel and Hillary Clinton will each give \$2,000 to local charities. Dennis Hastert plans on ridding himself of \$69,000 worth of “dirty money” and Senator Conrad Burns who refunded \$150,000 to Native American charities.

It’s nice that politicians are giving money to charity. It’s just a shame that their motives aren’t all that pure. Do they really think that once they get this money out of their bank accounts or shoeboxes, that means that nobody will wonder why they took the money from this guy? Were they all so stupid or naïve as to think that Abramoff and company were legitimate? Abramoff is being called, “The man who bought Washington.” But in order for him to have bought, somebody had to be selling.

Some people feel that the press and crazy conspiracy theorists are often responsible for stirring up scandals. The media are accused of making a big deal out of nothing just to have controversial headlines to talk about. While this might be true more than it should be, I think the opposite is true when it comes to scandals in government. We are so used to scandals in Washington, that we tend to ignore most of them. It takes a really big one to get our attention.

To prove my point, I can give you an example of something that headline-crazed conspiracy theorists seemed to have ignored. It was Jan. 4, right before the big football game between the University of Texas and the University of Southern California. Retiring Supreme Court Justice Sandra Day O’Connor tossed the coin that decided which team would get the ball first. And where was Justice O’Connor born? El Paso, Tex. And who won that coin toss? Texas. And who went on to win the game and the National Championship? Texas. Was all this a coincidence or something that should be looked into?

The prudent thing would have been for Justice O’Connor, who was probably rooting for Texas, to have recused herself from the coin toss. I’m not saying that she slipped in a coin that had the Texas longhorn logo on both sides, but that was the only side they showed the TV audience.

It was bad enough when the Supreme Court was asked to settle a presidential election. But aren’t you just a little surprised that nobody has investigated why a Supreme Court justice was involved in something as important as deciding which football team would kick off to start the National Championship game? Now, that would be a fun investigation to watch on C-Span.

(Lloyd Garver has written for many television shows, ranging from “Sesame Street” to “Family Ties” to “Frasier.” He also has read many books, some of them in hardcover. He writes the “Modern Times” column for CBSnews.com’s opinion page and a weekly column for SportsLine.com. He can be reached at smdp@lloydgarvermoderntimes.com.)



FED UP WITH PICO VIOLENCE? YOUR OPINION MATTERS

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STATE



Mayor of LA labels city homeless 'capital'

BY PAUL CHAVEZ
Associated Press Writer

LOS ANGELES — A nearly 200-page report released Thursday that provided new details on the region's homeless population prompted Mayor Antonio Villaraigosa to call the nation's second-largest city the nation's "capital of homelessness."

The report by the Los Angeles Homeless Services Authority estimated that 82,291 people were homeless in Los Angeles County on any given night in 2005, with about 48,103 of the county's homeless living within Los Angeles' city limits.

The estimates are important because they mark the first attempt to gather detailed data on the homeless. The figures will provide a benchmark to evaluate the effectiveness of programs to curb homelessness, officials said.

The study also reported that California's estimated homeless population of 195,367 is the highest in the nation. Forty-six percent of the state's homeless population is located in Los Angeles County, according to researchers, who determined that one of every 110 people in the county are homeless on any given night.

"This is the capital of homelessness in the United States of America. It dwarfs the homeless problem anywhere in the state, and the city of Los Angeles is ground zero for it," Villaraigosa said.

The report found that only 12 percent of the county's homeless were in shelters when the study was conducted. It also found 19,882 homeless people living as families on the streets or in shelters, about 24 percent of the overall homeless population. There are more than 10,000 children estimated to be homeless in the county.

"These are staggering numbers when you think about it," Villaraigosa said.

The survey estimated that about 49 percent of the county's homeless population could be considered chronically homeless. A chronic homeless person was defined as someone with a "disabling condition," such as mental illness or drug use, who has been homeless for a year or more or who has been homeless four or more times within the past three years.

The report also found that many of the homeless had once been functioning members of society. The study reported that 24 percent unemployment was the main cause of their homelessness. Forty-seven percent said they were renting a home or apartment before becoming homeless. About 38 percent of the homeless said they had a high school degree or

equivalency diploma and 16 percent had some college education.

About 44 percent of the surveyed homeless said they did not receive any money from government sources. More than 16 percent said they had served in the military.

The Los Angeles Homeless Services Authority conducted a three-day homeless count in January 2005 and preliminary results were released last June. The new report included data from field surveys, telephone surveys and statistical analysis to project homeless population estimates and characteristics.

The survey found that more than 34 percent of the homeless reported experiencing mental illness and 55 percent of all homeless reported experiencing depression. About 35 percent reported using drugs, while 40 percent said they were using alcohol.

Villaraigosa said the city's attempts to address the homelessness issue will include the aggressive pursuit of funds from Proposition 63, the measure to expand mental health programs by taxing millionaires 1 percent. Voters approved the measure in November 2004.

The mayor also has made a \$50 million commitment for services and housing for the homeless and has been advocating a \$1 billion bond measure to create more affordable housing citywide.

The report provided new statistics on downtown's destitute Skid Row area, estimating that 1,994 people live in homeless shelters there, while 1,674 live on the streets. The 52-block area makes up about 4.5 percent of the county's homeless population.

Skid Row is increasingly becoming a political issue as developers convert once decrepit or abandoned buildings into million-dollar lofts and construct upscale apartment buildings in the rapidly gentrifying area. Urban planners envision a vibrant commercial area resembling New York's Times Square eventually being established there.

The mayor said the poor and homeless can coexist with a new downtown.

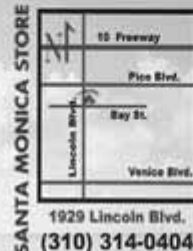
"We don't think it's inconsistent to on the one hand create more housing downtown and create more responsible development and at the same time protect the safety net and provide the services for the homeless," Villaraigosa said.

The Los Angeles Homeless Services Authority and the group Bring LA Home plan to release a comprehensive proposal next March to end homelessness within 10 years.

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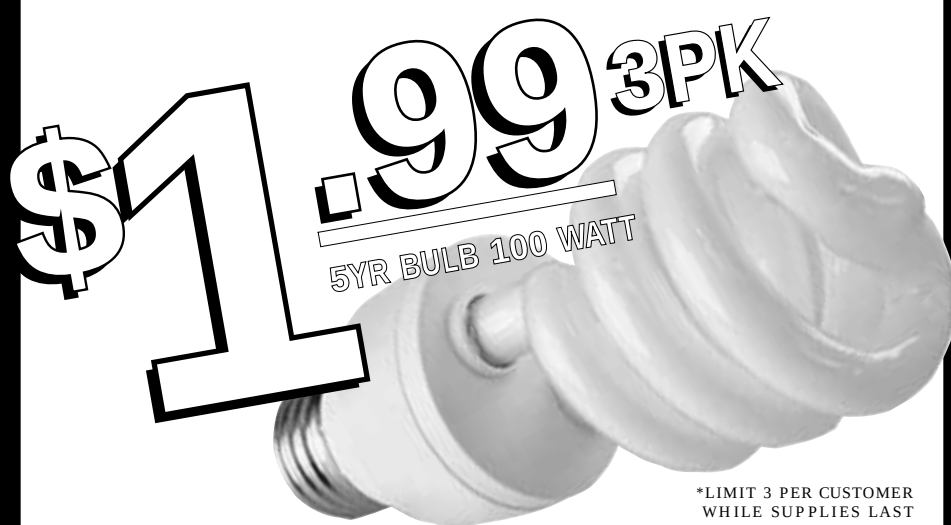
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Death row inmate claims he's too old, sickly to die

BY DAVID KRAVETS

Associated Press Writer

SAN FRANCISCO — California's oldest death row inmate — a 75-year-old who is legally blind and nearly deaf — is asking the U.S. Supreme Court to do something it has never done before: block an execution because of the condemned man's advanced age and infirmity.

Clarence Ray Allen's attorneys contend that executing a feeble old man amounts to cruel and unusual punishment banned by the U.S. Constitution.

Gov. Arnold Schwarzenegger on Friday denied Allen clemency. Barring a last-minute reprieve by the courts, the governor's decision means Allen will become the second-oldest person put to death since the U.S. Supreme Court allowed capital punishment to resume in 1976.

He is set to die by injection Tuesday for ordering three slayings while behind bars for another murder.

Allen, who turns 76 on the eve of his execution, has been on death row for more than 23 years. He often uses a wheelchair and had to be resuscitated after suffering a heart attack last year at San Quentin Prison.

"The spectacle of Mr. Allen being wheeled into the death chamber, unable to walk and unable to see those who have come to witness his execution, violates all standards of decency and would amount to nothing more than the purposeless and needless imposition of pain and suffering prohibited by the Eighth Amendment," said Annette Carnegie, one of Allen's attorneys.

Schwarzenegger said Allen's age and health did not matter and noted that he committed his crimes at the age of 50. "His conduct did not result from youth or inexperience, but instead resulted from the hardened and calculating decisions of a mature man."

Allen's death sentence has been delayed by 23 years of appeals. He "should not escape the jury's punishment because our system works deliberately and carefully," Schwarzenegger said.

In his two years in office, Schwarzenegger has denied three petitions for clemency based on claims of innocence, mental incompetence, and good behavior or good deeds in prison.

The Supreme Court has said it is cruel and unusual to execute the mentally retarded, those who are so mentally incompetent they do not understand they are about to be executed or why, and inmates who killed when they were juveniles.

But the high court has never stopped an execution because of an inmate's

advanced age or physical infirmities.

Sparing Allen could open the way for similar legal challenges from other sickly death row inmates. At the same time, some defense attorneys fear that if Allen prevails, states may restrict death row appeals — for example, by setting firmer filing deadlines — to prevent inmates from trying to run out the clock.

Prosecutors are fighting Allen's last-ditch appeal.

"The U.S. Supreme Court has never spoken to an exception to an upper age limit or a physical illness," said prosecutor Ward Campbell. "As a result, there is no case law from the United States Supreme Court compelling the courts to grant a reprieve."

The California Supreme Court denied similar claims by Allen on Tuesday.

The U.S. Supreme Court in 2004 refused to block the execution of James Hubbard, 74, of Alabama despite his claims of advanced age and mental incompetence.

In Mississippi last month, John B. Nixon Sr., 77, became the oldest inmate executed since capital punishment was reinstated in this country. He did not base his appeals on his age.

"We carefully considered it," said his lawyer, Brian Toohey. "There was no case law backing us up." However, Nixon did ask Gov. Haley Barbour for clemency because of his age.

The brother of one of Allen's victims said the arguments in favor of sparing the killer's life are nonsensical. Robert Rocha — whose sister, Josephine, was murdered at a Fresno market in 1980 by a hitman Allen hired — said Allen's repeated appeals are the only reason he is old and frail.

"Mr. Allen feels he is too old to die," Rocha said. "We feel Josephine was too young to die. She was only 17 when she was taken from us and murdered."

Allen was among California's first convicts condemned after the death penalty was reinstated here in 1977. He has been on death row since 1982.

Regardless of whether Allen is successful, legal experts predict such claims will be repeated by other condemned inmates, especially in California, where the nation's largest and most backlogged death row has an aging population.

California's death row houses five men older than 70; 34 are ages 60 to 69. Viva Leroy Nash, 90, of Arizona is the nation's oldest death row inmate. No execution date has been set.

The average age of the nation's condemned prisoners is 41, and the average stay on death row is a decade, according to the Bureau of Justice Statistics.



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STATE



STATE BRIEFS

Close to 300 cited for telling tales out of school

By The Associated Press

LOS ANGELES — Nearly 300 youngsters were ticketed during a Southern California truancy sweep involving 26 law enforcement agencies.

Thursday's sweeps by more than 100 officers in Long Beach, Los Angeles, Carson, Compton and other areas targeted children at transportation stations, parks, burger stands and other hangouts, said Officer Tony Miller of the Compton school police department.

Students skipping school were ticketed for loitering and many of them were processed at a Willowbrook boys and girls club. The four-hour operation was the fifth multi-agency truant sweep.

"The value of it is it sends a message to the kids that they will be in school," Miller said.

Besides truancy violations, officers made two marijuana arrests, found two probation violators, returned two runaways to parents and referred 18 minors to the Los Angeles County Department of Children and Family Services.

At least 20 truants were cited in Long Beach, where city code specifies a \$250 fine and/or community service for juvenile daytime loitering.

Day-care provider pleads guilty to abuse

By The Associated Press

LONG BEACH — A day-care provider charged with fracturing the skull of a baby by shaking and throwing the 5-month-old infant left in her care pleaded guilty to two counts of felony child abuse.

The felony charges against Christina Hipp-Taylor, 35, were reduced to misdemeanors for sentencing purposes and Superior Court Judge Richard Romero imposed a maximum one year in jail for each count.

But the judge stayed those two years and placed Hipp-Taylor on four years probation.

"There is no question it was criminal conduct, there is no question that she shook the baby, there is no question that she dropped the baby," Deputy District Attorney Bob Hight said.

"But there are competing medical experts that have differing opinions on this case ... and it's very difficult in these cases to decipher with certainty what exactly occurred and the extent of the injuries and their impact,"

The victim, who is now 2, is in good health, Hight said.

The baby's parents contacted police in March 2004 after noticing a change in their daughter's demeanor after picking her up from Hipp-Taylor's Day Care Center, which she ran out of her home. The license to operated the center had expired.

The infant's condition worsened and days later the parents took her to a hospital, where a brain scan revealed a skull fracture and blood clots. During interviews with child abuse investigators, Hipp-Taylor admitted shaking the baby and dropping her.

Dispatchers honing in on 9-1-1 calls

By The Associated Press

LOS ANGELES — Some emergency 911 cellular telephone calls are now being handled by Police Department dispatchers instead of the California Highway Patrol.

Thursday's switch was the first phase of a citywide switch-over that is expected to result in quicker emergency response times. The LAPD plans to take over all such 911 calls in the city by the end of the year, except for those placed from freeways.

"There won't be the delay of transferring the call," Assistant Chief Sharon Papa said. "We definitely think that's an enhancement of the service we provide."

State officials, at the urging of the Federal Communications Commission, are enhancing wireless 911 technology while transferring responsibility for answering the calls to local agencies. Los Angeles is the largest city so far to make the switch.

Officials predict it will add 25,000 to 40,000 wireless calls to the 10,000 the LAPD currently receives each month via the CHP.

The LAPD has undergone a \$2.5 million upgrade to its dispatch system to handle the increased call volume.

Californians make about 8 million wireless 911 calls a year and the CHP is relieved to surrender some of the load, CHP dispatch supervisor Thomas Prigatano said.

Man turns himself in following shooting

By The Associated Press

SAN BERNARDINO — A family friend on the lam since the shooting death of a 14-year-old boy surrendered Thursday night after impassioned pleas from the mother of the slain youngster.

David Jeffrey Harvard, 22, walked into the Police Department with his attorney just after 7 p.m., Lt. Scott Paterson said.

"They came in and waited for the detectives who came down and arrested him," Paterson said.

Harvard, who fled after the Jan. 6 shooting death of Dustin Michael-Roy Namanny, telephoned the teenager's mother Rebecca Young earlier in the week and sobbed that the shooting in the Harvard family home was an accident.

"Now I hope we can get all the answers," Young said Thursday. "I'm just sorry it took so long for him to do that. My son had looked up to him. I would have thought he would have (turned himself in) a long time ago. But I'm glad that he has now."

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In Utah, life is easier when you're 'green'

BY BROCK VERGAKIS

Associated Press Writer

SALT LAKE CITY — Utah's largest city on Friday joined a small, but growing, list of municipalities nationwide that offer free parking as an incentive for people to buy fuel-efficient vehicles.

Salt Lake City is now offering free metered parking to Utahns whose vehicles get 50 miles per gallon, have low emissions or are powered by an alternative fuel that could reduce the nation's dependency on foreign oil.

Utah already offers an income tax credit of up to \$3,000 for residents who buy clean fuel vehicles and some electric hybrids. It also allows those vehicles to use high occupancy vehicle lanes at any time.

Salt Lake City Mayor Rocky Anderson said providing free parking would further encourage use of those vehicles.

“It's yet another piece of the puzzle,” Anderson said.

The Salt Lake City Council approved the free parking program last year, and Friday was the first day permits could be issued.

Salt Lake City joins Santa Monica,

New Haven, Conn., Fresno, and Albuquerque, N.M., in the free parking meter program. In the past year, Austin, Texas, also approved a green vehicle incentive that provides \$100 in free parking.

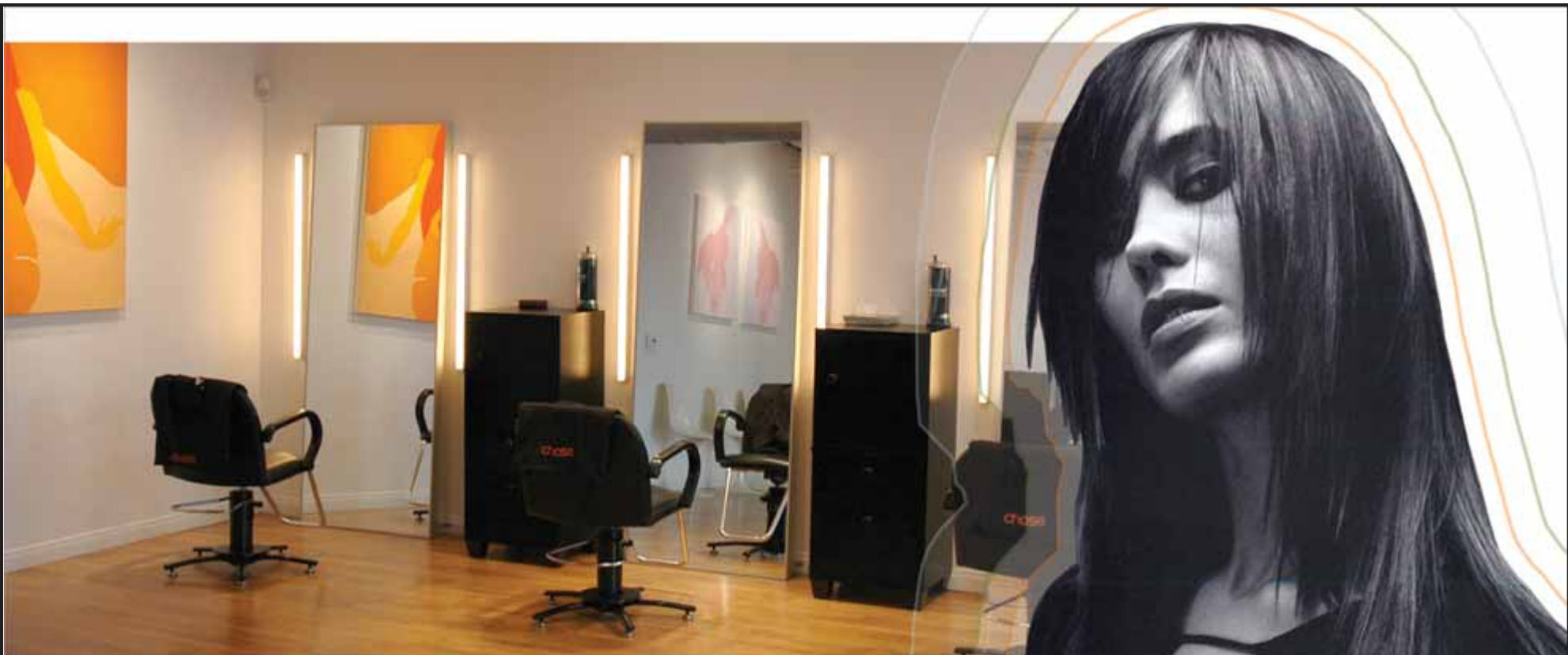
Commuters in Baltimore who use low emissions vehicles can also buy parking passes at city-owned garages at a discounted rate.

In Utah, about 3,500 vehicles will qualify for the free meter program, said Dan Bergenthal, city transportation engineer.

The city expects to lose, at most, \$8,500 in revenue from the parking meters, which are primarily found downtown and cost \$1 an hour. Drivers will still have to move their cars when time on the meters expires. The city prohibits people from continuously feeding meters.

Anderson said he hopes that cleaner fuel burning vehicles will reduce Salt Lake Valley smog, which can prompt health advisories for children and people with respiratory problems.

Cars, buses and trucks are responsible for about 65 percent of air pollution in Salt Lake County, according to the Salt Lake Valley Health Department.



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NATIONAL

Wholesale inflation rises at fastest pace in 14 years

BY MARTIN CRUTSINGER

AP Economics Writer

WASHINGTON — Soaring energy prices pushed wholesale inflation up in 2005 by the highest amount since 1990. Meanwhile, retail sales rose by a moderate 0.7 percent in December with almost all of the strength coming from higher car sales.

The Labor Department reported that wholesale prices rose by a bigger-than-expected 0.9 percent in December, closing out a year when wholesale prices rose by 5.4 percent, the biggest advance since a 5.7 percent jump in 1990.

However, core inflation, which excludes energy and food, was much better behaved, rising by a tiny 0.1 percent in December and just 1.7 percent for the entire year, even better than the 2.3 percent increase in core prices in 2004.

Energy prices shot up 3.1 percent as gasoline prices skyrocketed by 12.3 percent last month. That was close to the 12.7 percent surge in September, when widespread production shutdowns at Gulf Coast refineries saw gasoline rise briefly above \$3 per gallon.

While the tame core inflation number showed surging energy has not translated into higher overall prices, analysts said it will keep the Federal Reserve on guard and will likely translate into two more quarter-point rate hikes at the Fed's Jan. 31 and March 28 meetings.

"This alerts us to the fact that we still have to deal with the issue of a possible spillover of high energy prices into core inflation," said Lyle Gramley, a former Fed governor. "It hasn't happened yet, but there is a potential problem."

On Wall Street, the Dow Jones industrial average lost 2.49 points to close at 10,959.87. The Dow had lost an even larger 81-points on Thursday, one day after hitting a 4 1/2-year high of 11,043.44 on Wednesday.

Analysts said the weaker-than-expected increase in retail sales last month provided evidence that the economy is slowing, which should help dampen future inflation.

Many economists believe overall growth in the final three months of 2005

slowed to a rate of 3 percent or less, compared with the 4.1 percent growth in the third quarter of last year, as debt-burdened consumers cut back on spending.

December's 0.7 percent rise in retail sales followed a 0.8 percent November increase, but both months were heavily influenced by auto sales.

Outside of autos, December sales rose by just 0.2 percent. November sales fell by 0.4 percent when autos were excluded.

Sales were down by 0.3 percent at department and other general merchandise stores in December and were flat at specialty clothing stores.

Even electronics stores, which supposedly enjoyed a boom in sales of high-tech games and music players for Christmas, saw a drop of 0.1 percent last month.

"Perhaps Santa's sleigh was a bit lighter than we thought," said Bill Cheney, chief economist at John Hancock Financial Services in Boston.

Sales were up 2.6 percent at car dealerships after a 5.7 percent jump in November car sales. But automakers had to return to sales incentives to boost demand after big sales declines in the early fall.

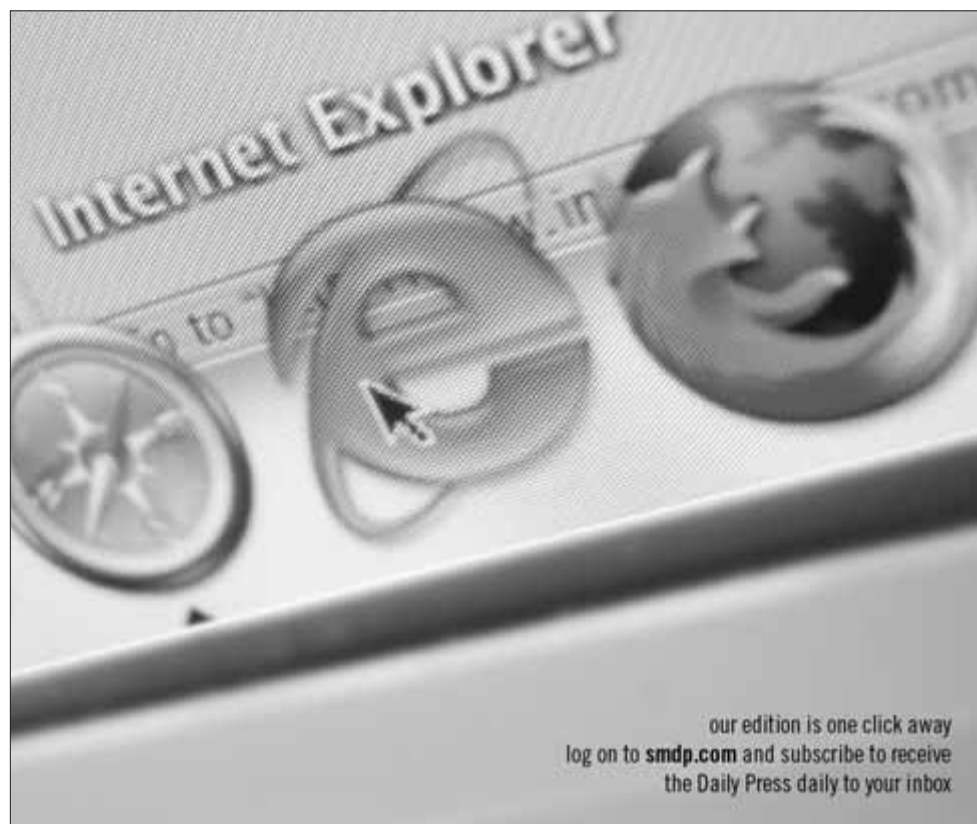
Excluding both cars and gas station sales, which largely reflected higher prices, retail sales would have risen only 0.1 percent in December.

"If you take out gas and cars, sales were basically flat," said David Wyss, chief economist at Standard & Poor's in New York. "Consumers are getting more cautious."

Wyss said he was predicting that the economy in 2006 will grow by around 3.5 percent, basically unchanged from the expected growth rate in 2005.

But he said rather than consumers and housing providing much of the momentum, the strength was likely to come from increased business capital spending, reflecting in part hurricane reconstruction efforts, and an improving trade performance.

In addition to energy, food prices were also up sharply in December, rising by 0.9 percent, while a drop in car prices helped to hold down core inflation.



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Derek Goes/Special to the Daily Press

A golfer tees off at Penmar Golf Course in Mar Vista.

City Hall is willing to negotiate settlement over suit of vacant lot

BEACH HOUSE, from page 1

the project to remodel a home from an existing single-story building to a three-story addition, a subsequent finding that it didn't conform to code, and therefore needed to be shut down, was unfair.

In 1999, the developer was given approval for the remodel by City Hall. The city's architectural review board approved the plans and City Hall issued a building permit in 2000.

Based on requirements presented by a special building inspector, the contractor in 2001 began work on the project by demolishing the existing building. In March of 2002, that same building inspector verified that the project met city code.

But then in October of 2002, a supervisor in City Hall's planning department inspected the site and disagreed with the earlier determination. He ordered a stop work order on the project because the developer had removed more than 50 percent of the structure from its foundation, which means it was a substantial remodel and therefore had to meet new building codes.

City Hall officials said the original plan approval and permits were granted on the basis that the proposed work would not be a substantial remodel, which falls under a different set of codes than if it was just an addition to a home.

"The purpose of the 50 percent rule is to strike a balance to implement code," said Deputy City Attorney Cara Silver. "If you are just adding an addition onto a home, you don't have to implement new codes."

The developer appealed the stop work order and a hearing was conducted. However, the developer was not allowed to attend the hearing, the lawsuit claims. The planning department upheld the decision and the developer appealed again, arguing that the original building inspector had authorized the removal of the exterior

rior of the walls and other demolition work. The planning department then determined it didn't have the authority to make a decision and referred the matter to the City Council.

The two sides have been attempting to settle the matter ever since.

In the meantime, in October of 2004, the planning department declared the property a nuisance and required the developer to demolish the entire building. If it wasn't demolished, the developer faced fines of \$25,000 a day up to a maximum of \$500,000. The developer complied and tore the building down.

Attorneys for Malibu Broadbeach L.P. couldn't be reached for comment. However, the lawsuit claims the developer has been damaged \$1 million because of the delay.

"The decisions of the city planning division and the City Council on behalf of the city were invalid and an abuse of discretion because the city had previously authorized the removal of the exterior walls and other demolition work that they later claimed was a mistake by the city's building inspector and improper, and thus had prior knowledge that this work had been down," the suit alleges.

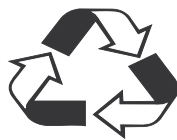
City Hall maintains that it doesn't rely on previous inspectors' determinations when the project clearly doesn't meet the parameters for which the permit was issued. However, city officials are willing to settle the case in order for the project to comply with local laws.

"The council decided to settle this case because the settlement that was proposed would require the developer to comply with crucial building codes, would eliminate the blight of a vacant lot and would avoid the uncertainties of litigation," Silver said. "Whenever we can achieve the result that is originally desired through settlement, rather than litigation, we always elect settlement."

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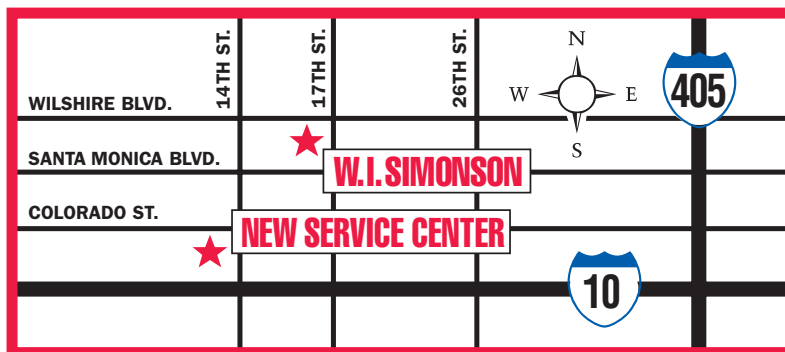
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Fabian Lewkowicz/Daily Press

Dancer Natalie Maleski performs 'Fiesta in Mexicom,' a dance and storytelling theme show staged during the opening day celebration of the new Santa Monica Library last weekend.

Nomadic museum made debut in NYC

ASHES AND SNOW, from page 1

Under the watchful eye of the Santa Monica branch of the international architecture firm Gensler, the traveling museum is the brainchild of renowned architect Shigeru Ban, who created a blueprint to compliment Colbert's vision. All of the materials used in the museum's construction are reusable or recycled, the hallmark of Ban's designs.

"(Shigeru Ban) is an architect with the eye of a poet," Colbert said. "This project is a seamless melding of our work. I wanted to inspire a reverence for all the poets in nature."

The third installment of Colbert's 14-year photographic journey, the Santa Monica exhibit consists of more than 100 large scale photographs and three 35mm films. None of the 5 x 8-foot photographs are digitally enhanced and each captures moments of contact between man and animal. The photos loosely reference the literary component of the exhibit, which is the fictional tale of a man who, over the course of a year-long journey, composes 365 letters to his wife.

The Nomadic Museum debuted in New York last year alongside the second installment of Colbert's photographs. Constructed out of 152 steel cargo containers and paper tubes, the entire structure fits into eight containers as it travels from location to location. The remaining 144 containers are borrowed from each "port of call." Colbert approached Ban about constructing a structure that would

compliment his art, engage the viewer and act in harmony with the environment.

"It's a post-industrial temple to nature," Colbert said. "We are not in the market of buying and selling art. It is all about sharing the experience."

Massive paper columns herald the entrance, inviting the viewer into an environment where man's interaction with nature takes center stage. Irwin Miller, the project director and senior associate at Gensler, said Ban worked closely with a team of roughly 12 associates on the design and construction of the museum. RMS Construction has close to 75 people building the museum at peak hours, said exhibit spokesman Charles Windisch-Graetz.

"(The museum) compliments what Greg's work is about," said project manager John Picard. "What a waste to have a building that cannot adapt and be reused."

Standing 560 feet high, the 56,000-square-foot structure contains two immense hallways that surround an interior screening room. The checkerboard pattern of railroad cargo containers stands 34 feet high and is topped with triangular trusses and tensile roof fabric. Colbert's photographs are suspended from cables and hang on either side of a massive central wooden walkway in two of the three wings of the museum. The central wing boasts an 800-person screening room where Colbert's hour-long film, narrated by Laurence Fishburne and edited by two-time Academy Award winning editor

See ASHES AND SNOW, page 15

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LOCAL □ NATIONAL

Gay rights supporters have reason for hope

BY RACHEL LA CORTE
Associated Press Writer

OLYMPIA, Wash. — Rep. Ed Murray knows better than to celebrate a lone Republican's change of heart, even though it could break the decades-old logjam over a measure to extend anti-discrimination protection to gays and lesbians.

The Seattle Democrat has watched the bill banning discrimination in jobs and housing die in the Legislature for many years — first as a gay-rights activist, then as a lawmaker in the state House.

"Every year something causes a vote or two to slip away," he said.

But if the math holds, the vote from Sen. Bill Finkbeiner, a moderate Republican from Kirkland, is all supporters need.

Finkbeiner wasn't the only one who had a change of heart. Microsoft Corp. has come out in favor of the measure, a year after being denounced for quietly dropping support for it. This week, the company joined Boeing, Hewlett Packard Co., Nike and other companies in a letter to state leaders urging passage of the bill.

Under the bill, "sexual orientation" would be added to a state law that already bans discrimination in housing, employment and insurance based on race, gender, age, disability, religion, marital status and other factors. Sixteen states have passed similar laws. Businesses with fewer than eight employees would be exempt.

The measure was first introduced in 1977 by the state's first openly gay lawmaker, Democrat Cal Anderson of Seattle. Anderson died of AIDS in 1995.

"The debate around this bill has a lot more to do with a discussion about

whether or not it's OK to be gay or lesbian," Finkbeiner said. "The state is wrong if we end up saying, 'no, it's not OK.'"

Supporters say the time for the change in law is long overdue.

"Can you imagine that you can still get fired or denied housing because you're gay or lesbian in this state?" asked Fran Dunaway, executive director of Equal Rights Washington, a group formed to support the gay civil rights bill. "This bill has been in the making for 30 years. It's time."

But opponents say that the bill gives special preference to a group they say has not proven it suffers from discrimination.

"What the homosexual side has failed to show is whether there is any pattern of discrimination that they are victims of now," said the Rev. Joseph Fuiten, a Bothell pastor who is chairman of the Faith & Freedom Network, which opposes the bill.

Dunaway cited a 1998 state Court of Appeals ruling in Webb v. Puget Sound Broadcasting Co. that rejected a gay man's challenge to his firing.

"We find it disturbing that his employer would discharge him based on his sexual orientation alone," the court wrote. "Nonetheless, our Legislature, for whatever reason, has not enacted legislation giving at-will employees a statutory cause of action for employment discrimination based on sexual orientation."

Murray, a protege of Anderson who has sponsored the gay rights bill for the last 11 years, cites a report released by King County's Public Health Department and other public and private organizations last year that showed reports of discrimination based on sexual orientation increased 20 percent from 2001 to 2004.

Response seen as overkill

OCEAN PARK, from page 14

and very respectful of the neighborhood," she said. "I felt safe and well protected."

Another resident, who lives nearby and knows the man in question, said she was extremely concerned about him, especially because the incident was at a standstill for so long. She described him as "really cool, outspoken, talks to his neighbors all of the time and has killer barbecues."

She watched until nearly 2 a.m. before police left the area. She never saw her neighbor come out of his house.

"The police in Santa Monica just go overboard, they had all of this stuff," she

said. "In Santa Monica, you do get scared, because you are like 'what the f--k is going on?' It was nerve racking."

Kal Eissa, another area resident, was entertained by the spectacle enough to videotape it with an 8-millimeter camera.

"It was hilarious. I hope they do it again tonight," he joked.

Other residents questioned the time and resources the SMPD put into the incident, believing it had to have cost thousands of dollars.

Fabrega said he couldn't estimate how much the incident cost, but the response was necessary.

"Human life is priceless," he said.

Artist plays on sense of wonder

ASHES AND SNOW, from page 13

Pietro Scalia, plays on a continual loop. The post-industrial feel of the exterior compliments the environment inside, creating a rough shell that nourishes the aesthetics of the interior exhibit.

The Santa Monica incarnation of the Nomadic Museum took the best aspects of its New York predecessor and expanded upon the lessons learned there, Picard said. Each shipping container is now the exact same size and shape, and rather than welding the containers together, Picard said construction includes the use of specialized shipping discs to hold the containers in place. Additionally, Picard said

it takes just as long to plan the removal of the museum as it does to plan its construction.

Colbert said he hopes the traveling exhibit will restore people's capacity for wonder and inspire emotion that is not just passive. While he admitted that anything is possible, Colbert said there are no plans to erect a permanent museum to house "Ashes and Snow."

"We'd have to change the name," he said.

"Ashes and Snow" at the Nomadic museum runs through May 14. Tickets are available at www.ticketweb.com, by phone at 1-866-468-7619, or at the "Ashes and Snow" box office at the Nomadic Museum during regular exhibition hours.

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Right on: Justice Alito may tip balance

BY LAURIE KELLMAN
Associated Press Writer

WASHINGTON — Samuel Alito’s nomination to the Supreme Court is gliding toward confirmation despite a week of hearings in which Democrats tried to hobble his

prospects with withering questions on abortion, presidential power and ethics.

Democrats argue that the former Reagan administration lawyer is likely to tip the court’s balance to the right in replacing centrist Sandra Day O’Connor. With little success so far peeling away Alito’s support to be the nation’s 110th Supreme Court justice, the Democrats were noncommittal about trying to mount a filibuster on the Senate floor.

Instead, they are seeking to slow Alito’s ascension by demanding that the Judiciary Committee’s chairman, Sen. Arlen Specter, R-Pa., delay the panel’s vote a week.

Senate Democratic leader Harry Reid “is urging all Democrats to refrain from committing to a vote either for or against confirmation prior to the caucus next Wednesday,” Reid spokesman Jim Manley said.

Specter, who had wanted a committee vote next Tuesday, told reporters that the date of a vote was up in the air. “It’s been very hard to get a focus on that,” he said.

The hearings wound toward a close Friday with testimony from law professors, former colleagues and a representative of an abortion rights group.

Kate Michelman, former president of the National Abortion and Reproductive Rights Action League, told the panel that Alito’s promise to approach cases that affect abortion rights with an “open mind” does not mean he would follow O’Connor’s model of independence.

“Justice O’Connor assesses each case with careful attention to what the law means and who it effects, for she knows that is where the essence of justice lies,” Michelman said in prepared remarks. “In Judge Alito’s approach to the law, there are no individuals, there is no privacy. And without them, there can be neither justice nor human dignity.”

Democrats want to give their caucus time to study the hearing transcripts, Manley said. Also to be considered is whether any reason exists to filibuster the nomination, but the chances of a filibuster happening appeared slim.

“I don’t think he’s going to get many votes from Democrats on the committee,” Sen. Charles Schumer, a New York Democrat on the committee, told CBS’ “The Early Show.” “As for a filibuster, it’s something we’ll have to discuss. So it’s not on the table or off the table right now.”

Any delay would do little to whittle support for Alito’s confirmation.

GOP senators, both on and off the committee, praised Alito, who has been a federal appeals court judge for the past 15 years, as his testimony ended Thursday.

“I enthusiastically endorse and support Judge Alito’s nomination,” Chuck Hagel of Nebraska said. Sen. Jeff Sessions, R-Ala., noted to the judge that his high school

friends “predicted you would serve on the Supreme Court one day, and I think that’s going to turn out to be a good prediction.”

A Democratic senator issued positive comment as well. “So far I have seen nothing during my interview with the nominee, the background materials that have been produced or through the committee process that I would consider a disqualifying issue against Judge Alito,” Sen. Ben Nelson, D-Neb., said.

Other senior Democrats have not said how they would vote, including three Judiciary Committee members who voted for Chief Justice John Roberts last fall: ranking Democrat Patrick Leahy of Vermont and Wisconsin Sens. Herb Kohl and Russ Feingold.

Democrats face an uphill battle in finding enough votes to filibuster Alito’s nomination. It takes 41 votes to sustain a filibuster, and there are 44 Democrats and one Democratic-leaning independent in the Senate.

Several committee Democrats made it clear they were not inclined to vote for Alito, including Schumer and Edward Kennedy of Massachusetts.

After four days of hearings, there are “even more questions about Judge Alito’s commitment to the fairness and equality for all,” Kennedy said.

The Democrats repeatedly attacked Alito’s decisions as a judge on the 3rd U.S. Circuit Court of Appeals and his writings while a lawyer for the Reagan administration and they highlighted his membership in an alumni organization that discouraged the admission of women and minorities at Princeton University.

“The evidence before us makes it hard for us to vote yes,” said Schumer, head of the Democratic Senatorial Campaign Committee.

After his testimony, Alito received a supportive telephone call from President Bush, who was visiting hurricane-damaged areas along the Gulf Coast. “I’m proud of the way you handled it,” Bush told Alito, according to White House press secretary Scott McClellan.

Democrats on Thursday made no progress eliciting information more damaging or even personal than Alito’s previous comments, despite peppering him on right-to-die cases, affirmative action, presidential power and ethics.

They also objected to a panel of Alito’s colleagues on the Court of Appeals, saying that the judicial code of ethics advises against judges presenting character testimony. They said Alito would be faced with a conflict of interest after receiving the judges’ endorsements if decisions by those judges ever end up before the Supreme Court. Leahy declined to question the panel in protest.

The seven judges told senators that Alito would make an independent and ethical Supreme Court justice who makes decisions based on how facts apply to the law.

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INTERNATIONAL



Iran talking tough on nuclear program

BY ALI AKBAR DAREINI

Associated Press Writer

TEHRAN, Iran — Iran threatened on Friday to block inspections of its nuclear sites if confronted by the U.N. Security Council over its atomic activities. The hard-line president reaffirmed his country's intention to produce nuclear energy.

The move came a day after France, Britain and Germany said that nuclear talks with Iran had reached a dead end after more than two years of acrimonious negotiations and the issue should be referred to the Security Council.

With the support of Russia and China uncertain, however, they refrained from calling on the 15-nation council to impose sanctions and said they remained open to more talks.

British Foreign Secretary Jack Straw, in an interview with the British Broadcasting Corp., said Friday: "Obviously if Iran failed to comply, the Security Council would then consider sanctions."

Secretary of State Condoleezza Rice said a "strong message" had to be sent to Tehran but said she was not ready to talk about what action should be taken to curtail Iran's nuclear ambitions.

The White House declined to predict the stance of Russia and China on referring Iran to the Security Council. Spokesman Scott McClellan said he wouldn't speak for other countries, but said it's clear that the international community is speaking with one voice not to allow Iran to develop nuclear weapons.

"This is a regime that continues to defy the demands of the international community, instead of engaging in cooperation and working to resolve this matter," McClellan said.

He said a new phase of diplomacy has begun, and that Undersecretary of State Nicholas Burns would be going to Britain, France and Germany next week to coordinate strategy.

Iran said Friday that if it were confronted by the Security Council, it would have to stop cooperating with the U.N. nuclear watchdog, the International Atomic Energy Agency.

That would be the end of random inspections, said Foreign Minister Manouchehr Mottaki.

"In case Iran is referred to the U.N. Security Council ..., the government will be obliged to end all of its voluntary cooperation," the television quoted Mottaki as saying.

Iran has been voluntarily allowing short-notice IAEA inspections since 2003.

President Mahmoud Ahmadinejad dismissed talk of possible sanctions and said Iran will "continue the path of production of the nuclear energy."

"Iranian people do not allow foreigners to block their progress," state-run radio quoted him as saying.

Last year Iran adopted a law requiring the government to block intrusive inspections of Iran's facilities if the IAEA refers the Iranian program to the council.

The law also requires the Iranian government to resume all nuclear activities that it had stopped voluntarily, foremost among them enriching uranium.

France said Friday that it favors a step-by-step approach with Iran over its nuclear program and that any sanctions request at this stage would be premature.

"We, like our partners, like the British and the Germans, consider that this co-request for sanctions is premature for the moment," Foreign Ministry spokesman Jean-Baptiste Mattei said.

Germany also said that talk of sanctions against Iran is "premature."

"For now, we want to consult with our partners — above all, to bring on board those who of course will be indispensable partners in Vienna at the IAEA and later in New York," Foreign Ministry spokesman Martin Jaeger said. The IAEA is based in Vienna.

Straw said he had "strong suspicion" that Iran wanted to build a nuclear bomb but stressed that there was no categorical evidence to prove that.

He added that while Iran could face Security Council sanctions for resuming its nuclear activities, military action is not being considered.

"To quote the White House 'Iran is not Iraq'," Straw told the BBC.

On Tuesday, Iran removed some U.N. seals in the presence of IAEA inspectors from its main uranium enrichment facility in Natanz, central Iran, and resumed research on nuclear fuel.

Iran said it was resuming "merely research" and that "production of nuclear fuel remains suspended." The IAEA said Tehran also planned small-scale enrichment of uranium, a process that can produce fuel for nuclear reactors to generate electricity or material for nuclear weapons.

"I recommend to European countries that they should separate the issue of research from production of nuclear fuel and not make propaganda over research which is natural and normal but had unjustly been subject to suspension in the past," Mottaki was quoted as saying.

Mottaki said Iran was prepared for talks with Europeans over uranium enrichment.

"If they have any discussion in the stage of nuclear fuel production, we are prepared to continue our talks with the three European countries," he said.

Mottaki, however, insisted that Iran won't give up its right under the Nuclear Nonproliferation Treaty to possess the whole nuclear fuel cycle.

"No one can take this right from the Iranian nation. Regaining this right doesn't require permission from any country," the television quoted him as saying.

Europe's negotiations with Iran has been aimed at getting Iran to permanently abandon uranium enrichment but Iran says it won't give up its right under the treaty to enrich uranium and produce nuclear fuel.

Russia renewed its call for Iran to resume its moratorium on nuclear activities and cooperation with the IAEA.

Foreign Ministry spokesman Mikhail Kamynin said Russia was "attentively considering" proposals to call a special session of the IAEA to determine the next steps, including whether to refer Iran to the council.

Moscow has signaled its readiness to drop its resistance to a longtime U.S. push to refer Iran to the council for possible sanctions over its alleged nuclear weapons bid.

Israel applauded the plan to bring Iran before the Security Council.

"We believe the combination of fanatical ideology together with nuclear weaponry is a combination that no thinking person can feel comfortable with," Foreign Ministry spokesman Mark Regev said.

Israel considers Tehran to be its greatest threat, and recent statements by Ahmadinejad calling for Israel's destruction have added to those fears. Israeli officials have repeatedly said international diplomatic pressure is the best way to end Iran's nuclear program, with military action considered only as a last resort.

China urged restraint and called on Iran to do more to build mutual trust and promote the resumption of talks.

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Mecca stampede left more than 360 dead

BY SALAH NASRAWI

Associated Press Writer

MECCA, Saudi Arabia — Officials on Friday raised the death toll in a stampede by Muslim pilgrims to 363, and the Saudi Interior Ministry defended its response, saying security forces were alerted to the problem immediately.

The crush of 600,000 pilgrims during the annual hajj took place Thursday at the main eastern ramp leading up

to al-Jamarat, a giant platform where three pillars representing the devil are located. Pilgrims pelt the pillars with stones in a symbolic purging of their sins.

The pilgrims were squeezed in at the entrance to a holy site when about a dozen stumbled on baggage, tripping others behind them, the Interior Ministry said.

"Security forces were alerted to the incident immediately once it was seen through observation cameras, and moved in within two minutes," Interior Ministry

spokesman Maj. Gen. Mansour al-Turki told a news conference.

He said that 363 died, and of that total, 203 have been identified. Some 289 people were injured, but al-Turki said all but 45 have been released from the hospital. Medical officials at al-Moaysem Medical Center said at least 60 people were in critical condition.

Al-Turki said the baggage carried by the pilgrims as contributing to the tragedy.

"We try to get rid of the baggage ... but not every group of pilgrims complies. So we see a lot of umbrellas and belongings. This leads to a great deal of stumbling among the pilgrims. There are people carrying plastic bags, water bottles. That can lead to people stumbling," al-Turki said.

Interior Minister Prince Nayef bin Abdel-Aziz said police prevented more deaths. "Those who know the facts know the security forces prevented many things that could have taken more lives," he said.

"The number of pilgrims is only going to increase in the coming years, so there must be solutions so that this sort of incident is not repeated," he said, adding that a commission would study the accident and make recommendations for changes.

Since Thursday's deaths, some people have complained that the 60,000 security forces at the site were not working enough to direct crowds and ensure that regulations are being obeyed.

Hundreds of worried pilgrims crowded around a photo display at a medical center on Friday, scanning anxiously for pictures of loved ones who may have been among the dead.

One of those looking for a relative was Egyptian Osama el-Gindy.

"I was slightly wounded but managed to pull myself out of the crowd. I haven't seen him since then," el-Gindy said. "I hope he is still alive. But if he is dead, he is a martyr and will go to heaven like all others."

Muslims believe that anyone who dies during a pilgrimage is assured a place in heaven.

The tragedy underlined the difficulty in managing one of the biggest religious events in the world, which this year drew more than 2.5 million. The weeklong pilgrimage, required once in a lifetime of every able-bodied Muslim, ended Friday.

The al-Jamarat site, located in a desert plain of Mina outside Mecca, has seen deadly incidents in seven of the past 17 years, including a stampede in 1990 that killed 1,426 people and another in February 2004 that killed 244.

The deaths follow another accident that marred this year's hajj — the Jan. 5 collapse of a building being used as a pilgrims' hotel that killed 76 people in Mecca.

Ensuring a smooth pilgrimage is a key concern for Saudi Arabia's royal family, which bolsters its legitimacy by touting its role as the "custodian of the holy cities" — Mecca and Medina, where Islam's 7th century prophet Muhammad was born and lived.

Crown Prince Sultan Bin Abdel Aziz said Thursday that the state had "spared no effort" to avoid such disasters but, he added, "it cannot stop what God has preordained. It is impossible."

"We feel pain and sorrow for them and for their families and we send our condolences," the prince said on Al-Ekhbariya television.

The small, round pillars were replaced with 85-foot-long walls to allow more people to stone them at once without jostling each other. The walls extend down through the bridge and protrude underneath, so pilgrims below can also carry out the stoning without going above.

Thursday's stampede occurred below the platform, near one of the entrance ramps.

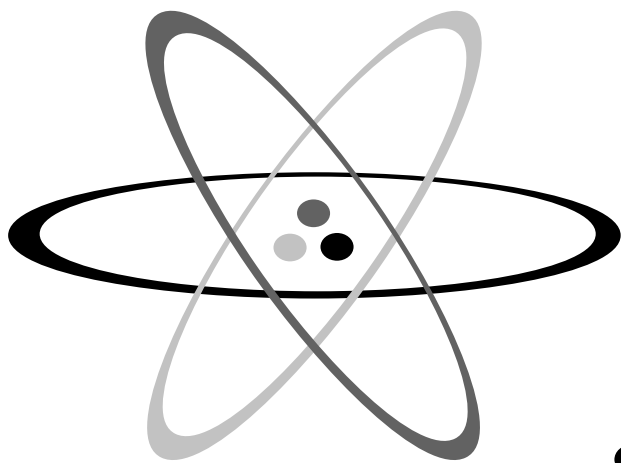
Many pilgrims expressed frustration over the repeated disasters at al-Jamarat.

"This should not happen every year. It should be stopped, it's a scandal. There must be a way to organize this better," said Anwar Sadiqi, a Pakistani pilgrim.

Saudi Arabia has announced plans for more changes to the site in coming years that it says would allow some 500,000 pilgrims an hour to carry out the stoning.

The platform is to be expanded to four levels, with 12 entrances and 12 exits. Also, there are plans to bus pilgrims to al-Jamarat from a nearby tent city in the desert rather than allowing them to make their own way to the site.

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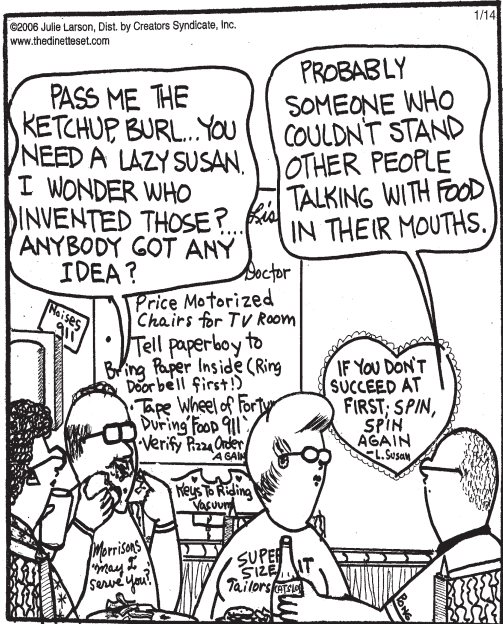
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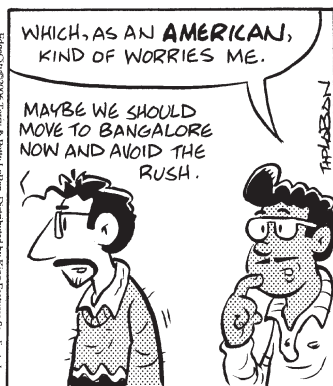
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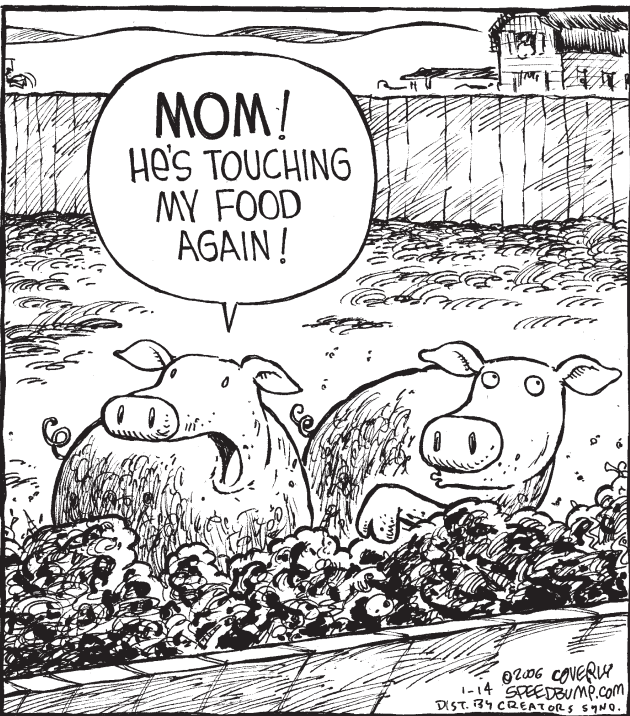
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- 34 Down Under bird
- 35 Drill part
- 36 Sailor's star
- 38 Duck
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Notices

**NOTICE OF APPLICATION FOR
CHANGE IN OWNERSHIP OF
ALCOHOLIC BEVERAGE LICENSE(S)**
Date of Filing Application: JANUARY 12,
2006
To Whom it may concern:
The Name(s) of the Applicant(s) is/are:
CHOI SOON WHA.
The applicants listed above are applying to
the Department of Alcoholic Beverage
Control to sell alcoholic beverages at: 500
BROADWAY AVE SANTA MONICA, CA
90401.
Type of License(s) Applied for: 41 - ON-
SALE BEER AND WINE-EATING PLACE.
Department of Alcoholic Beverage Control
INGLEWOOD.
LA114441 SANTA MONICA DAILY
PRESS 1/17/2006

**NOTICE OF PETITION TO
ADMINISTER ESTATE OF
HANS ROSENBERG**
Case No. BP096138
To all heirs,
beneficiaries, creditors, contingent
creditors, and persons who may
otherwise be interested in the will or
estate, or both, of HANS
ROSENBERG

A PETITION FOR
PROBATE has been filed by Mark J.
Saladino, Public Administrator in the
Superior Court of California, County
of LOS ANGELES.

THE PETITION FOR
PRO-BATE requests that Mark J.
Saladino, Public Administrator be
appointed as personal representa-
tive to administer the estate of the
decedent.

THE PETITION requests
the decedent's will and codicils, if
any, be admitted to probate. The will
and any codicils are available for
examination in the file kept by the
court.

THE PETITION requests
authority to administer the estate
under the Independent Administra-
tion of Estates Act. (This authority
will allow the personal representa-
tive to take many actions without
obtaining court approval. Before
taking certain very important ac-
tions, however, the personal repre-
sentative will be required to give
notice to interested persons unless
they have waived notice or
consented to the proposed action.)
The independent administration
authority will be granted unless an
interested person files an objection
to the petition and shows good
cause why the court should not
grant the authority.

A HEARING on the
petition will be held on February 17,
2006 at 8:30 AM in Dept. No. 5
located at 111 N. Hill St., Los
Angeles, CA 90012.

IF YOU OBJECT to the
grant-ing of the petition, you should
ap-pear at the hearing and state
your objections or file written
objections with the court before the
hearing. Your appearance may be in
person or by your attorney.

IF YOU ARE A
CREDITOR or a contingent creditor
of the deceased, you must file your
claim with the court and mail a copy
to the personal representative
appointed by the court within four
months from the date of first
issuance of letters as provided in
Probate Code section 9100. The
time for filing claims will not expire
before four months from the hearing
date noticed above.

YOU MAY EXAMINE the
file kept by the court. If you are a
per-son interested in the estate, you
may file with the court a Request for
Special Notice (form DE-154) of the
filing of an inventory and ap-praisal
of estate assets or of any petition or
account as provided in Probate
Code section 1250. A Request for
Special Notice form is available from
the court clerk.

Attorney for petitioner:
OFFICE OF THE COUNTY COUNSEL
648 HALL OF ADMINISTRATION
500 W TEMPLE ST
LOS ANGELES CA 90012
Santa Monica Daily Press
CN745260 ROSENBERG Jan 13,14,20,
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TORRANCE, Calif., Aug. 11 /PRNewswire/ -- Toyota Prius drivers can now apply for Clean Air Vehicle stickers from the Department of Motor Vehicles that allow them to drive with only one occupant in California's High Occupancy Vehicle (HOV) lanes.

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1999 HONDA ACCORD LX	[VIN: 015864]	\$8,988	PWR PKG, CD/CSST COMBO
1998 LINCOLN TOWN CAR	[VIN: 692392]	\$8,988	CARTIER PKG, 65K MILES
2001 FORD WINDSTAR LX	[VIN: B69896]	\$8,988	7PASS, REAR A/C, PWR PKG
1998 TOYOTA CAMRY	[VIN: 090487]	\$8,988	AUTO, PWR PKG, CERTIFIED
2003 TOYOTA COROLLA	[VIN: 034133]	\$9,988	AUTO, A/C, CERTIFIED
2002 TOYOTA COROLLA S	[VIN: 586027]	\$9,988	S-PCKG, SPORT, SILVER
2003 TOYOTA ECHO	[VIN: 280188]	\$10,988	AUTO, AC, 35+MPG
1999 CHRYSLER T&C LTD	[VIN: 528892]	\$10,988	LTHR, QUAD SEATING, PRM WHLS

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