

Santa Monica Daily Press

A newspaper with issues

LOTTO

FANTASY 5

39, 21, 29, 1, 17

DAILY 3

Afternoon picks: 3, 3, 9

Evening picks: 6, 0, 2

DAILY DERBY

1st Place: 4, Big Ben

2nd Place: 2, Lucky Star

3rd Place: 1, Gold Rush

Race Time: 1:43.63



NEWS OF THE WEIRD

by Chuck Shepard

■ Sheriff John Maspero (Williamson County, Texas) said he would run for re-election in March 2004 despite being stopped in November by Georgetown, Texas, police for being drunk in public; in a previous drinking binge, according to the county attorney, Maspero was spotted crawling on all fours like a dog, barking and biting.

■ A recent research in an American Sociological Association publication, citing high crime rates, laws against felons voting, and felons' political preferences, concluded that if all felons could vote, Al Gore would have won Florida by 30,000 votes in 2000.



QUOTE OF THE DAY

"Oh this age!
How tasteless and
ill-bred it is."

— Catullus



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Meeting of the minds



Associated Press

Gov. Arnold Schwarzenegger and New Mexico Gov. Bill Richardson met Monday at an office in Santa Monica on Main Street.

School district gift policy still a taxing discussion

BY JAMIE WETHERBE

Special to the Daily Press

DISTRICT HDQTRS. — Officials are no closer to deciding on a controversial proposal to redistribute donations to the school district even though it has been months since the proposal's introduction.

The debate of whether wealthy schools should be forced to share their funds with others was discussed for more than two hours by the local school board last Thursday night. However, no official position has been taken.

Approximately 30 people spoke on the proposed gift policy that would require every Santa Monica-Malibu school to put 15 percent of its cash donations into a central pot to be distributed throughout the district. This pot would then be

divvied out at the start of the school year based on a school's size and need.

The proposal — drafted by Santa Monica-Malibu Unified School District Superintendent John Deasy — is aimed at creating more equality among schools that have long suffered from inequities in donations.

McKinley Elementary in Santa Monica raised about \$30,000 from donors last year, while Pt. Dume Elementary in Malibu accrued \$300,000 or more.

Parents contribute the bulk of the donations, but corporations also can add to school funds.

Supporters say the policy is a way to close the student achievement gap between affluent and lower income areas. Critics say they don't want to lose control

See POLICY, page 4

Fare deal: Accused cab driver killer stands trial

BY MICHAEL TITTINGER

Daily Press Staff Writer

DOWNTOWN LA — Jury selection began Monday in the murder trial of a Santa Monica man accused of robbing and stabbing to death a 59-year-old cab driver in the Oakwood section of Venice more than two and half years ago.

Antonio Barba, 24, is charged with one count of murder and one count of armed robbery in connection with the July 8, 2001, slaying of Keum Kim.

According to police, Barba hailed Kim's cab at approximately 1:40 a.m. on the 1800 block of Santa Monica Boulevard. At some point during the drive to the 800 block of Brooks Avenue, just off Lincoln Boulevard, Barba allegedly stabbed the Korean man repeatedly with a knife and robbed him.

The crime was described as "heinous" by LAPD Pacific Division Captain Bill Williams at an Aug. 9, 2001, press conference, one week after Barba was apprehended.

Barba's arrest came on the heels of a search in which the LA County Sheriff's K-9 unit played a major role in tracking the then-21-year-old fugitive. The Santa Monica Police Department also played a part in assisting the LAPD Pacific Homicide Detectives Bob Vargas and Paul Inabu, who arrested Barba.

Barba, who lives on the 1800 block of 16th Street in the Pico neighborhood of Santa Monica, has pleaded not guilty to the charges.

Dressed in a white dress shirt, blue pants and tie, Barba sat quietly throughout the day's proceedings. He took time out periodically to offer a smile to the handful of family members in attendance in Superior Court Judge Robert J. Perry's courtroom. Among those showing their support for Barba, who is Hispanic, was his non-English-speaking mother.

See CAB DRIVER, page 4

New charges filed against Santa Monica woman

She allegedly posed as a lawyer and stole \$60K

By Daily Press staff

SM COURTHOUSE — Four new charges have been levied against a Santa Monica woman who allegedly posed as a lawyer and took more than \$60,000 from

her clients.

Anita Lauren Clark is free on \$150,000 bond. Her arraignment has been scheduled for Feb. 10 so that probation officers can meet with and evaluate her.

Clark, who worked out of several area offices, including one at 204 Bicknell St., is accused of allegedly bilking 31 clients out of a

total of \$60,152. If convicted, Clark faces up to 37 years in prison and tens of thousands of dollars in fines. Before her arrest, the Santa Monica District Attorney's Office tracked her for months.

Richard DeBro, Clark's Santa Monica-based attorney, did not return calls seeking comment.

Previously, Clark faced 15

counts of grand theft by fraud, 21 counts of practicing law without a license and five counts of illegally acting as an immigration consultant. The four new charges, filed Jan. 6, are all for illegally acting as an immigration consultant.

— John Wood

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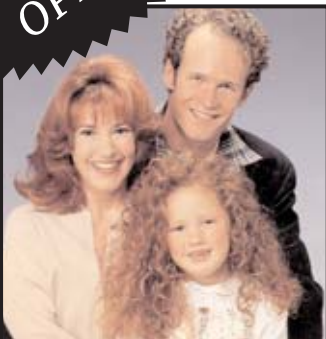
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JACQUELINE BIGAR'S STARS

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

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



ARIES (March 21-April 19)
★★★★ You might wake up confused; you won't get the big picture until you clear the cobwebs out of your brain. Be direct with others once you grasp news and new information. You are a pioneer, so what might intimidate others won't intimidate you. Tonight: Get physical.

TAURUS (April 20-May 20)
★★★ Lie back and think more. You could be less sure of yourself than you realize. A discussion with a close associate — personal or professional — could make all the difference. Don't swallow your anger, but use it for setting boundaries. Tonight: Stay silent. Chill out.

GEMINI (May 21-June 20)
★★★★★ Zero in on what you want while you are still on top of your game. You might have to sort through a glut of information, but you will. Associates present a different side of what is going on. You might need to stretch your imagination. Tonight: Join your pals.

CANCER (June 21-July 22)
★★★★ Confusion surrounds the immediate. You can sort through where and what. Be open to new technology, and willingly incorporate it into your daily life. Be direct with a boss, or be direct if you are the boss. Being subtle won't work. Tonight: A must show.

LEO (July 23-Aug. 22)
★★★★★ Detach from what is happening and think in terms of what you need to do. Your creativity and ingenuity carry you across the line. Your spontaneous self emerges and allows everything to move more easily. Tonight: Break your mental patterns. Think outside of the box.

VIRGO (Aug. 23-Sept. 22)
★★★★★ You might be entrenched in a business deal. Understand what is necessary to complete a certain task. You have the energy and drive to make a difference. Consider a home office; you might like staying home a little more often. Tonight: Opt to be with someone you really care about.

LIBRA (Sept. 23-Oct. 22)
★★★★ Others come toward you. You might be confused at first. Reach out to others in your immediate circle, both business and personal. Someone might not be as pleasant as you would like. In fact, he or she might be argumentative. Tonight: Out and about with your pals.

SCORPIO (Oct. 23-Nov. 21)
★★★★ Dig into work. You have enough energy to do the work of two people. You might want to revamp your financial situation and develop even greater security. Go out and get some exercise on your lunch break or after work. Tonight: Take care of yourself first.

SAGITTARIUS (Nov. 22-Dec. 21)
★★★★★ Your ingenuity helps a partner who might be in a pickle. You have the ability to adapt to many different situations that others cannot. Be open to possibilities surrounding a child or loved one. Tonight: Love the one you're with.

CAPRICORN (Dec. 22-Jan. 19)
★★★★ Your family demands extra attention, whether you want to give it or not. You might need to revamp your thinking about a key person in your life. Also consider a home office, if you feel the need to stay closer to home. Tonight: Buy flowers or a favorite munchie on the way home.

AQUARIUS (Jan. 20-Feb. 18)
★★★★★ Tell it like you see it, though you might hear some facts that cause you to revise your information. Understand what you want and expect from others. Ask for what you want. Avoid an argument. Be careful around machinery. Tonight: At a favorite spot, chatting away.

PISCES (Feb. 19-March 20)
★★★★ Your expenses could stun you. A boss could have some ideas, or might need you to do extra work. Do whatever you need to do to get bills and expenditures under control. Don't spend on an investment right now. Tonight: Mosey on home.

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Phone: 310.458.PRESS(7737) • Fax: 310.576.9913
1427 Third Street Promenade, Ste. #202 • Santa Monica, CA 90401 • www.smdp.com

PUBLISHER Ross Furukawa ross@smdp.com	PRODUCTION ASSISTANT Alejandro Cesar Cantarero II alex@smdp.com
EDITOR Carolyn Sackariason sack@smdp.com	ADMINISTRATIVE TRAFFIC MANAGER Heather Rich heather@smdp.com
STAFF WRITER John Wood wood@smdp.com	CLASSIFIED REPRESENTATIVE Mitch Troy mitch@smdp.com
CHILD DEVELOPMENT COLUMNIST Margie Altman margiealtman@yahoo.com	CIRCULATION MANAGER Robert DeAmicis robert@smdp.com
ADVERTISING SALES MANAGER Rob Piubeni rob@smdp.com	CIRCULATION Keith Wyatt keith@smdp.com
ADVERTISING ACCOUNT EXECUTIVE Steve Averill steve@smdp.com	CIRCULATION Glenn Bolan glenn@smdp.com
ADVERTISING ACCOUNT EXECUTIVE Rob Schwenker schwenker@smdp.com	SPECIAL PROJECTS Dave Danforth dave@smdp.com
PRODUCTION MANAGER Del Pastrana del@smdp.com	MASCOT Maya Furukawa maya@smdp.com

LOCAL



COMMUNITY BRIEFS

Real estate broker recognized

By Daily Press staff

A local real estate broker was honored last week for his community service.

The Santa Monica Lions Club on Jan. 22 presented its 23rd Annual Community Recognition Award to real estate heavy-weight Bob Sullivan.

Sullivan in 1962 began his real estate career and became a partner in the Anthony L. Dituri Company about 10 years later. He changed the company name in 1980 to the Sullivan-Dituri Company.

Sullivan has been active in Santa Monica, where he volunteers in city, industry and civic organizations. Sullivan served as the first chairman of Santa Monica's Architectural Review Board — a position he held for four years. He later served for four years on the city's Planning Commission and spent 14 years on Santa Monica's Personnel Board. Sullivan was chairman when his term expired.

Sullivan is the past president of the Apartment Association of Greater Los Angeles. He also served as a director since 1968 and currently is the state legislative chair. Sullivan is the past president of the Santa Monica Board of Realtors and a 28-year member of the Rotary Club of Santa Monica.

He is a director and the past president of the Santa Monica Boys and Girls Club — an organization he has served and supported for 23 years.

Sullivan was born in Chicago but moved in 1953 with his family to Pacific Palisades. Sullivan graduated from University High School and spent four years in the United States Navy.

He then married Kathleen Fitzsimons on Jan. 7, 1961, and has resided in Santa Monica ever since. The couple has two daughters, Patricia Dawson and Terri Sullivan. Dawson and her husband, William, live in Santa Monica and have four children: Ryan, Megan, Kyle and Brandon.

Other recipients of the Lion's Club award, which has been handed out since 1923, include Santa Monica Police Chief James T. Butts Jr., community members Dick Lawrence, Louise Gabriel, Wayne Harding and Frank Schwengel, to name a few.

Grocery store workers make pilgrimage

By Daily Press staff

Dozens of faith leaders and workers' rights groups throughout the state today will make a pilgrimage to the San Francisco home of the CEO of Safeway to urge him to end the supermarket dispute.

Locally, the group will hold a prayer service in front of Vons at 14845 Ventura Blvd. today at 9 a.m.

Participants will call upon Steve Burd as a man of faith to return to the negotiating table and reach a fair settlement that includes affordable health care coverage for all supermarket workers. Workers and clergy will join prayer services along the pilgrimage route in Santa Barbara and San Jose. The pilgrimage will culminate with a prayer service and two-mile procession to Burd's home.

CORRECTION — The keynote speaker for the Martin Luther King birthday celebration was inaccurately reported in the Jan. 19 edition. The keynote speaker was Dorothy Nelson, senior judge of the Ninth Circuit Court of Appeals.

Mystery photo winner

Lois Bailey correctly identified last week's mystery photo as the cross on top of St. Augustine By The Sea Church on Fourth Street between Arizona Avenue and Wilshire Boulevard. Check out Saturday's paper for this week's mystery photo. The first person to correctly identify the photo will receive a prize.




surf report

Today you'll see a mix of old WNW wind and ground swell and building NW ground swell (290-300). Look for surf in the 2-3' range at many spots in the morning with shoulder high sets at best breaks. As the new swell builds in the afternoon that will help to boost the surf into the waist-chest high range at the better exposed breaks with some head-high sets at standout breaks in the late afternoon.

Outlook: The new NW swell will hold similar-sized waves into early Wednesday and then gradually fade through the day.

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

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	LOW ONE	LOW TWO	HIGH ONE	HIGH TWO
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SUNDAY	5:09 AM	5:51 PM	11:04 AM	N/A
MONDAY	6:09 AM	6:26 PM	12:36 AM	11:49 AM
TUESDAY	7:24 AM	7:00 PM	1:16 AM	12:48 PM
WEDNESDAY	9:04 AM	7:39 PM	2:04 AM	2:20 PM
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The Q Line

A Santa Monica jury last week decided that a landlord wasn't liable for tenants' injuries and pain and suffering when they were attacked in their apartment by four gunmen.

The tenants claimed that the landlord should have provided better security at their apartment, which can't be accessed without a key or a code.

It raised a legal question of how much landlords should be held responsible for their tenants' safety.

"How far should landlords go in protecting their properties and their tenants? Do you agree with the jury's decision? Why?"

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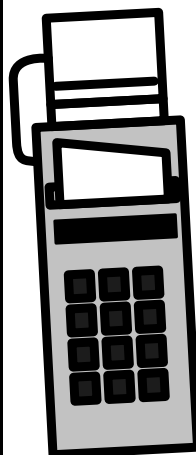
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LOCAL

Murder trial of local man to last throughout week

CAB DRIVER, from page 1

Shortly after 10 a.m. Monday, Judge Perry began explaining the circumstances of the case to the pool of 55 potential jurors that filed into the Clara Shortridge Foltz Criminal Justice Center courtroom.

One by one, the potential jurors were led into the brightly lit, wood-grained courtroom, where they filled up virtually every seat and bench. Judge Perry seemed intent on discerning whether any of those in attendance had either been the victim of a violent robbery or the victim of a crime committed by a young Hispanic male, two key components that could affect their partiality in the case given Barba's ethnicity and age.

Perry then gave way to the attorneys for jury questioning.

Earlier in the morning, Judge Perry began hearing motions in regards to the admissibility of certain evidence, specifically whether the jury will be permitted to listen to a series of taped jail house conversations between Barba and multiple visitors following when he was taken into custody.

The motions were tabled until after a jury for the trial had been selected, however, the question of government monitoring was obviously weighing heavy on their minds as they cross-examined the potential jurors in the case.

"I had hoped to ask the jurors a general question about government listening in, or the taping of jail house conversations,

and how they felt about that," Los Angeles Deputy District Attorney Kendra Carmen, who is prosecuting the case, told Judge Perry before the jurors were brought in.

Barba's public defender, Steven Fisher, argues that the conversations are too vague to be considered seriously as alluding to any actual event, especially the murder of Kim. Fisher expressed concern that any utterances of regret or self doubt on Barba's part could be misconstrued and taken out of context to paint his client in a negative light.

Fisher also mentioned in passing that Barba had been a drug addict when he was taken into custody, and comments that appear in the jail house transcripts could be misconstrued as a confession instead of his talking about his addiction. LAPD also suspected Barba was an addict in August of 2001 but found no evidence of any gang involvement.

Opening arguments in the case are expected to get underway today, with the trial expected to last throughout the week. Judge Perry expressed hope that the jury could begin deliberating by Friday, and possibly Thursday.

The prosecution is not seeking the death penalty.

Originally scheduled to be held at the West District Airport Courthouse, the case was moved to the Clara Shortridge Foltz Criminal Justice Center due to a scheduling conflict at LAX.

Parents and school officials debate school gift tax proposal

POLICY, from page 1

over where they put their money.

After hearing from Santa Monica's until 1 a.m., school board members briefly discussed with Deasy possible changes and clarifications to the policy. The next board meeting on Feb. 5 will take the issue to Malibu for residents to weigh in. The board will then vote on whether to put the plan in place.

Although a date has yet to be set for the board to take action, board members Oscar de la Torre and Mike Jordan seem to mirror the opinions of those in the community. "I don't think people understand what inequality means ... (Santa Monica) is a tale of two cities. I would propose this program doesn't go far enough," he said, adding that he would like to see the district work to establish an even larger collective pot.

But critics say because the policy imposes few restrictions on how schools can use the money, donors will have difficulty designating their dollars.

"Corporations want money earmarked for specific needs," said Jordan, who criticized the policy and said the gift share could eliminate that privilege. At first, "make the donations voluntary," he said.

Under the policy, the money would be redistributed to the schools based on student enrollment, the number of students on free or reduced-price lunches programs, those who are English-language learners, the number of handicapped students and the percentage of students who aren't proficient in English and math.

Gleam Davis — both a parent and

president of a parent-teacher association — would like to see the policy expanded.

"We like it so much, we want to be a part of it," she said, suggesting that the gift policy also go beyond grades K-12 to include pre-kindergarten programs.

Craig Hamilton, 50, whose children attend Edison and Grant elementary schools, also said he favors the policy.

"Time, energy and effort are great at all of the schools," Hamilton said, but "resources of families are so different."

Other parents see the policy just an imposed tax on their donations.

"I find nothing forward thinking about a tax, especially to parents' private donations," said parent Lisa Doledo. She told the board she has seen a drop in corporate donors and worries that parents who donate this year will stop once the policy is in place.

"I have reservations," said Jean Sedillos, who has been a district volunteer for 25 years. "The goal is fine. There has to be some voluntary component so parents don't feel they've been taxed."

Scholarships or small in-kind donations, like a computer, would be exempt from the collective pot, but large donations, like money for a playground, would not, Deasy said.

Deasy said that he'd like to see a public, independent company oversee the collective pot.

The Santa Monica-Malibu Teachers Association is in the process of reviewing the policy and has no official position yet, said Harry Keiley, the association's president.

STATE

CALIFORNIA BRIEFS

Prison guards create gang

By The Associated Press

SACRAMENTO — Guards at a California state prison formed their own gang-like organization, inventing hand signals and codes to telegraph their membership to inmates and other officers, state investigators concluded in a confidential report this month.

The Office of Inspector General found that a group of correctional officers at Salinas Valley State Prison near Soledad formed an alliance in 1999 that they called the "Green Wall," after the color of their uniforms.

"Numerous incidents" involving the group took place over the next two years, including the vandalizing of prison property with markings of "GW" and "7/23," which stood for the seventh (G) and 23rd (W) letters of the alphabet.

The Green Wall logo was taped to a control room window: a pair of dice, an upside-down horseshoe with the numbers 7 and 23, and the satanic symbol "666."

Members developed a hand signal — fingers folded into the shape of a W — to "represent" their alliance to inmates and other employees, a whistleblower testified to a joint state Senate committee hearing last week.

Union cuts pay, picket lines thin

By The Associated Press

LOS ANGELES — The picket lines began thinning the day after Christmas, when grocery workers had their union strike pay cut in half.

Every day since, fewer co-workers have held signs with Vicky Cooper outside her Vons supermarket.

"The team is falling apart," the 25-year-old checker said. "Everybody said, 'Forget it, we're not coming back.'"

The strike and lockout affecting 70,000 Southern California grocery workers at three supermarket chains is in its third month with no sign of a resolution. Several workers interviewed in recent days said union members are struggling and that many are desperate to end a strike they never imagined would continue for so long.

Cooper said many of her fellow co-workers have taken other jobs or crossed the picket line to return to their old ones, unable to make ends meet on the \$20 to \$25 a day they get for walking the picket lines.

Others lost their health care benefits at the start of the year and are forced to pay \$365 to extend them through March.

DMV lines even longer than 'Schwarzenegger'

By The Associated Press

LOS ANGELES — Department of Motor Vehicle managers, in overdrive since Gov. Arnold Schwarzenegger cut vehicle licensing fees and ordered refunds, say they expect the logjam to be cleared within a couple of weeks.

Motorists, in the meantime, are being assured they won't be ticketed by police for driving with expired stickers.

Chon Gutierrez, the DMV's new interim director, said drivers have waited up to six weeks for new tags because their offices were overwhelmed when Schwarzenegger made good on a campaign promise two months ago by abolishing \$4 billion worth of increases in vehicle license fees.

Gutierrez initially said the department was unable to say when the 4.5 million drivers who had paid the higher rate would receive their share of \$600 million in refunds. In an interview with the Los Angeles Times in Sunday's edition, Gutierrez was hesitant to set a date for refunds but said they were "very, very close" to being delivered.

For an 8,000-member department that is often criticized, the DMV's business of delivering on Schwarzenegger's repeal of fees tested the patience of drivers and the agency's ability to deal with it.

San Fran restaurants to make the grade

By The Associated Press

SAN FRANCISCO — The city that considers itself the culinary capital of the West Coast may soon be getting a grading system that shows how clean — or unclean — its restaurants are.

San Francisco Supervisor Chris Daly wants the city to adopt a letter grading system such as the one already used in Los Angeles County. Daly expects to make a formal proposal during a board of supervisors meeting Tuesday.

Under Daly's plan, restaurants that receive grades lower than a C would be subject to a hearing and face possible closure.

Daly proposed the idea after visiting Los Angeles, which started a similar program in 1998 after a television news show exposed unhygienic kitchen conditions in the city's restaurants.

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LETTERS

State needs to quit harboring illegals

Editor:

In your California briefs column of Jan. 24, the article "Boycott was tough lesson to swallow" caught my attention. According to the article, LAUSD estimates it has lost \$1 million in state funding because the irresponsible parents or guardians of some 40,000 students encouraged their children to participate in the Dec. 12 "Latino boycott" to show support for the idiotic idea put forth by Gray Davis, and later rightfully repealed by Arnold Schwarzenegger, to give drivers' licenses to illegal aliens. Those parents and guardians ought to be made accountable by the Attorney General's office for the huge revenue losses and interest on that scarce money to the school district for illegally keeping their children out of classes. After all, there has to be good documentation as to who was part of this organized truancy conspiracy right? Make them pony up and pay for the actual damages done to all students and the communities in LAUSD and any other school district, and serve as a strong deterrent to repeat such behaviors in the future. The very idea of causing such harms to our schools here in America, to show conspiratorial support for a group of people who aren't even supposed to be in this country, who jumped the border illegally and stole hundreds of thousands of local jobs and affordable housing here, to possess one of our most privileged honors — to be legally licensed to drive a vehicle; (not just a car) to and from school, work, or church, but paradoxically never mentioned. It is at best anti-American to harbor illegals in our communities, and promote the endowment of rights and privileges for them. To do so conspiratorially, and with malice, callously using their own children as pawns, and disrupting the normal daily procedures of a major American school system is criminal, and they should be dealt with as such.

Patrick Holland
Santa Monica

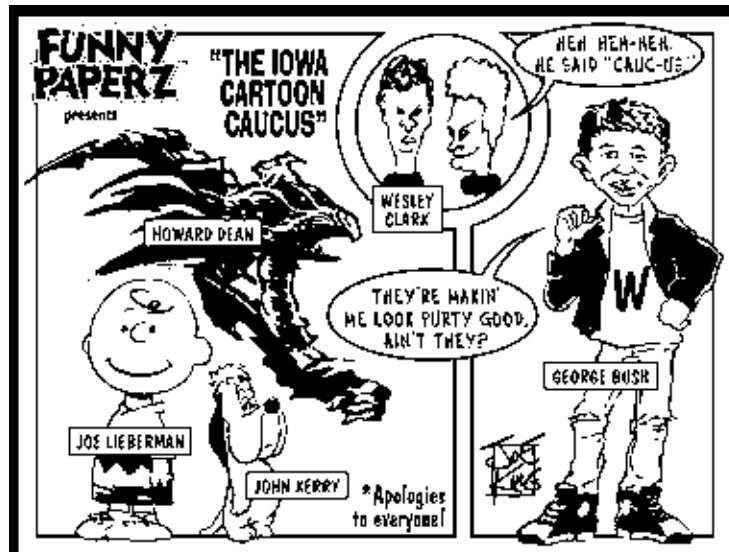
Homeless have not brought more crime

Editor:

Your article concerning Santa Monica's low crime rate proves a point (SMDP, Jan. 22, page 1), the increase in the city's homeless population has not brought more crime to the city.

Perhaps having so many homeless around is actually a deterrent to crime. After all, a criminal doesn't want a lot of witnesses.

This also proves that all the vilification of homeless in the past few years has been incorrect — most homeless are not violent criminals to be shunned by law-abiding citizens. In fact, nearly all of the local crimes reported in your paper have been com-



Member: ALEC, NCS, SCS, SCS

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mitted by housed Santa Monicans.

I do agree with your very funny and very clever editorial artist, Joe King (joking?) — Santa Monica Police Department Chief James T. Butts needs to get his facts straight — or grow more fingers to count with. It's sort of like the report to the City Council where the number of people placed into permanent shelter last year was put at 620 — over half the number of homeless the city claims are clogging its parks and streets. At that rate, we should see the end of homelessness in the city by the end of this year. Yeah, right.

Hopefully the meeting to be held by Bring L.A. Home at the Civic Center will bring a breath of reality to the entire regional homeless situation.

Kenneth McCrae
Santa Monica

Build the community stronger by supporting a living wage



THE FLORA FILES

By Todd Flora

Times are tough, and both public and private budgets are tight. As a result, people are not in a very generous mood. Recent polls show that the more tolerant attitudes towards immigrants in the late 1990s have returned to the resentful Prop. 187 levels of 1994. Others ask why a grocery worker should allegedly get what they themselves don't seemingly have.

Yet most have been misled to believe that grocery workers are haggling over contributing a mere \$5 a week to their health plan, when in fact much more is at stake financially, and symbolically. What the grocery workers are fighting for is nothing less than an encroachment on benefits and respect for all of us — from professionals to unskilled laborers.

It has become quite fashionable in

recent times to bash working class people and organized labor and blame them for nothing short of California's private sector meltdown. A recent L.A. Times article proclaimed that an emerging ballot measure aimed at repealing the new law requiring larger employers to pay health benefits beginning in 2006 — known as Senate Bill 2 — was "a blow to organized labor." Huh? I see it more as a blow to people without health insurance. In fact, organized or not, a surprising number of the uninsured have incomes above \$50,000. What's more, the California Medical Association was also a sponsor of the bill. Is the possibility of repeal a blow to them as well? Why did the Times single out organized labor? This is the era of scapegoating and fervor against the working class that we live in today.

But this evening and in the weeks ahead, we have an opportunity to come together as a community and support working people in a way that should make everyone comfortable. We have an opportunity to do what 25 California cities and 120 around the country have done — pass a living wage for

city and city contracted workers.

Santa Monicans Allied for Responsible Tourism (SMART) is proposing a living wage of \$11.51 — the dollar figure that would keep a family of four off taxpayer-funded public assistance — for the modest number of city employees and workers under contracts with the city of \$25,000 or more.

In its budget hearings tonight, the City Council should agree to study the financial impacts of implementing the proposal, pass it, and to incorporate the funds for its implementation in the 2004-05 city budget. We will then join Los Angeles, Pasadena, San Jose, Hayward, Alexandria, Va., and New Haven, Conn., among others, which have decided it's about time to ensure that their own city workforce is no longer eligible for taxpayer-funded food stamps.

The best news of all? A city worker/contractor living wage is unlikely to adversely strain city coffers. New York's Brennan Center has recently released a study that overwhelmingly demonstrates that city/contractor living wages around the country have produced

sound economic development at a lower-than-expected cost. Living wage cities large and small saw city budgets grow less than a mere one tenth of 1 percent. Clearly, this plan will not present us with a tough choice between living wages and schools, or living wages and other vital services.

This city has seen and heard a lot about living wages in the last four years. This latest proposal is clearly smaller in scope than those we've voted on recently, but an important first step that will catch Santa Monica up with other leading cities around the state and country. Most importantly, everyone should be able to embrace this proposal. In fact, the Santa Monica Chamber of Commerce and the big hotels supported a similar proposal in 2000. Friends, let's build a bridge and unite the community around a city worker/contractor living wage. It's time.

(Todd Flora is a government relations manager and six-year resident of Santa Monica. He is active in Heal the Bay and the Democratic Party. To respond or reach Todd, e-mail him at reformadvocate@yahoo.com).

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 sack@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.

YOUR OPINION MATTERS!

Send your letters to Santa Monica Daily Press Attn. Editor:

1427 Third Street Promenade Suite 202 Santa Monica • 90401 • sack@smdp.com

OPINION



When does a beggar become a bonafide street performer?



LEGAL VIEWS AND NEWS

By David Pizarra

I received an e-mail from a man who performs on the Promenade. He has had several run-ins with the local constabulary over his licensed performances. Evidently he is a wind instrument player who occasionally has people sing along with his playing. He allegedly was playing one day, fully complying with the permit requirements of the city and all the various rules and regulations that go with being permitted, when a friend of his joined him and began to sing. He is a street performer for money. As a consequence of his being a business, all of the players with him must be permitted.

Evidently his friend, who just stopped by to see him, was ticketed for performing without a license. This led me to a perusal of the municipal codes and how they impact businesses and why. In this case, street performers.

The most relevant Santa Monica municipal code regarding performing artists that I could find is section 4.12.120 — restrictions in public parks or recreational facilities. The section reads in:

(a) No person shall play any drum or other percussion type instrument, or device in or upon any public park or recreational facility maintained by the city of Santa Monica.

(b) No person shall play any audio or electronic device including, but not limited to, any radio, tape player, compact disc, musical instrument or electronic keyboard after 10 p.m. or before 8 a.m. in or upon any public park, beach or recreational facility owned or maintained by the city of Santa Monica.

(c) This section shall not prohibit the playing of any drum, other percussion type instrument, or any audio or electronic device in any band or orchestra or other musical group which has been granted permission to play or perform in or upon a public park or other public facility by the city.

I find this to be an interesting code because it seems to me that it flies directly in the face of the First Amendment in subsection (a). I think that a person playing a drum in a park is really no different than one who is speaking on a soapbox. One can certainly make a statement with one's playing. Also, does an empty soda can that I am rapping on with my fingers count as a "percussion type instrument or device?" I've been known to do just that at many a boring meeting.

It is this type of wholesale denial of rights and inelegant writing that drives the public crazy, makes it impossible for Santa Monica Police Department Chief James T. Butts to give clear direction to his police for enforcement purposes and keeps criminal defense lawyers in business.

Section (b) is clearly an attempt to keep the amplified musicians off the beach and out of the parks after they are closed. Which makes me wonder why exactly do we "close" them and what does that really mean? Why is a public asset, such as the beach, "closed" after 10 p.m.? There are no lifeguards in the winter, so it clearly can't be a safety issue. There are always homeless milling about in the parks sucking on their mystery beverages in paper bags, and sleeping on the sand in the morning, so the law is not being enforced, except for when I walk a dog on the beach, then I'll get a ticket, but that is only because I can pay for it.

Which brings us to subsection (c), the real reason for this code. It's there, as plain as day, "which has been granted permission to play or perform in or upon a public park or other public facility by the city." That means you've paid the city for the right to perform, and they have given you a piece of paper in exchange for your money. I understand that, for those performers who have a hat out. Someone who is actively using the city to pay their rent should have to contribute to the general upkeep of the city. That is done by the application for and the issuance of a permit.

We have a permit for our business and family law practice. My partner and I both hate having to pay the city for the right to conduct business. It doesn't seem fair

that I have to pay the city, the county, the state and the federal government to work. But that's the way it is. Someone must foot the bill for the new Public Safety Facility with its open air shower out front for the homeless. Property owners and businesses are forced by taxes and permits to contribute for the funding of the new main library homeless winter warming center.

The supreme court has declared that solicitation of funds is free speech. It is free speech if I just go play, however badly, the drums on the Promenade. It is commercial speech if I have a hat out, with or without a sign, and people give me money. Drumming requires a permit, begging doesn't. I fail to see what the difference is between a man with a sign that says, "Why lie? I need a beer." versus a man who is playing a flute that I willing-

ly give a buck to.

They are both a part of local character, one is wanted, and one isn't. Yet we tax the one who is wanted, and let the unwanted one do whatever they wish. Seems to me that because we can't force the beggars to get permits, perhaps we should encourage more of the performers by not charging them, and make the business and social environment more artist friendly. After all, it is they who attract the visitors, and that is what keeps our businesses in business, and they will have to pay for the next phase of the City Council's homeless development plan.

(David Pizarra is a partner in the Santa Monica law firm of Pizarra & Grist. He welcomes questions, and can be reached at (310) 664-9969 or e-mailed at DPISARRA@PISARRA.COM).



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Santa Monica

A weekly look at events and programs for Santa Monica

Sleepless babies can cause nightmares for parents

BY MARGARET ALTMAN

Santa Monica Daily Press child development columnist

There are more than 80 classified sleep disorders and sleep problems that range from insomnia to daytime sleepiness and frustrating nighttime waking. Parents are always concerned about their infant's sleep patterns, and one of the first things that parents look forward to is the time when their baby sleeps through the night.

There have been new discoveries that help the parents soothe their small infant into longer periods of sleep. But when the child is in the second year things seem to fall apart. The old solutions might not work with youngsters who are bigger, louder and more persistent. Many parents find that in the second year, their patience wears thin.

Question from the father of a 15-month-old toddler: I am very concerned about my little daughter. She is now waking up at night and wants to sleep in our bed. She is still breast-fed and we wonder if giving her a bottle will get her to sleep through the night.

The answer to this common question can be found in new information that researchers have uncovered about the purpose of sleep and the developmental changes that are going on in the mind and body of the child in the sec-

ond year of life.

Why is sleep important in human development? Scientists have been investigating the purposes of two primary forms of sleep: REM (rapid eye movement) and non-REM sleep. The current findings are that REM sleep is vital for the rest and the re-charging of key cells in the brain that are responsible for mood regulation.

During non-REM sleep, other brain cells undergo critical repairs from metabolic damage that has occurred during the wake cycle, and this is an energy-conserving type of sleep phase for parts of the brain.

Small mammals with high metabolisms require more sleep in general to repair and fine-tune their brains for the waking cycle. The amount of time that babies spend in sleep cycles varies with their internal physiology and environmental stimuli. But babies usually spend 50 percent of their time sleeping. This amount of time decreases gradually over time and varies from child to child according to their physiology and the nature of their environments.

The purpose of sleep is to repair and to re-charge brain cells in preparation for the awake cycle. The effects of sleep deprivation can be seen in moodiness, loss of attention skills, memory problems and frustration for the people around the

sleep-deprived individual.

In the second year of life, experts can point to three primary milestone events that can and often do change the child's sleep patterns. All three of these events are normal and positive. They also are very activating and stimulating natural processes that might impact the child's sleep cycle. We can refer to these processes as the "three Ms." First we note that the child in the second year of life has increased mobility. Most toddlers are moving around a great deal in their awake cycles. They use their muscles, test their strength and become aware that they have a physical impact on the environment. This is incredibly stimulating for the child and the parents. Second, we see that the child at this stage is increasing memory capacity, is busy storing things into memory and building these connections in the brain. Once again, this is incredibly exciting and stimulating for parent and child. The third critical process is mood regulation. The child is more labile or irritable at times as he or she is testing out ways of expressing feelings and learning about the "nos" in life.

Now that we understand more about the internal and external realities in the second year of life, we can help parents guide their young children towards healthy sleep patterns.

Tips for parents:

■ Always rule out breathing problems as cause of on-going sleep disturbances. Ask your doctor about any underlying respiratory problems that might interfere with sleep.

■ Make going to bed a positive experience and never a punishment. All things related to sleep — the bed, soft lighting, favorite blanket or cuddle toy should be positive things for the child.

■ Decrease all stimulation one hour before bed time. Look carefully at the child's environment. Stimulation can come from many sources: TV, visitors coming in, a parent coming home from work late, arguments in the home, loud phone calls, etc.

■ Be consistent in building a positive sleep routine. Do the same things every night and make the ritual calming and soothing. You might bathe the child, sit and read a non-stimulating story in a chair by the child's bed and put the child to bed while he or she is drowsy. Give the youngster a chance to fall asleep naturally when you leave the room.

■ Reassure the child when he or she awakens during the night. Watch your own anxiety level when you go into the child's room because your stress level might increase the baby's anxiety. You can rub their back, give a kiss and leave the room. In general, putting a bottle into the bed with the child is not a good idea. Many children don't require night feedings by the age of 15 months, although they might like being soothed and comforted. Check with your doctor about the nutritional needs of your child during the night and try the back rub, kiss and leaving the room technique consistently.

Have a conversation with your partner about your own views about sleep and your sleep patterns. If you believe that sleep is a waste of time and your own routines are unhealthy, your children could learn from your behavior.

(Margaret Altman L.C.S.W. is the author of "Developing Your Child's Emotional Intelligence" and is in private practice with Dr. A. Korchmarev in Sherman Oaks. E-mail her at margiealtman@yahoo.com)

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Reel Moms

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CALENDAR:

SPECIAL EVENTS

4th ANNUAL IFSP FAMILY NIGHT – Thurs., Jan. 29th, 6:30 p.m. The Infant & Family Support Program of the Santa Monica-Malibu Unified School District, in partnership with St. John's Health Center invites you to attend a presentation by Dr. Norma Rosales titled "Cultural Sensitivity in Medical Care." Topics to be covered include useful information on how to teach your health professional to better care for you and your family; understanding of cultural medical customs; and the necessary respect for alternative caregivers in your family. Dinner will be provided and childcare will be available. Presented in Spanish with simultaneous English translation. Free. John Muir Elementary School Cafeteria, 2526 6th St., call 452-6132 for more info.

DINOSAUR PRESENTATION at STAR ECO STATION – Sat., Jan. 31 Featuring Dinoman the Explorer presenting his life-size inflatable dinosaurs in an entertaining, hour-long show. A paleontologist from the Natural History Museum will be on hand to educate visitors about dinosaurs, and the event will also include kids activities and vendors selling dinosaur eggs, bones, fossils, toys and food. A guided tour of the ECO Station is included with admission. Ages 3 and older. Advance registration recommended. 10:00 a.m. – 4 p.m., \$7 adults, \$5 ages 16 and under. 10101 W. Jefferson Blvd., Culver City, 310-842-8060, www.ecostation.org.

PARENTING EDUCATION AND FAMILY ENRICHMENT – Feb. 18 – March 24. Register now for this free class brought to you by the SMMUSD's Infant & Family Support Program in partnership with St. John's Health Center. Marilyn McGrath, M.S., currently the Director of the Early Childhood Institute at SMC will lead this 6-week class based on principles of child development with a focus on active listening, problem solving, developmentally appropriate expectations and discipline techniques. The class is free, but a \$20 refundable registration fee is required (refunded at class completion). Wednesdays, 6:30 – 8:30 p.m., Child Development Services, 2802 4th St. Call 452-6132 for more info and registration.

WHALE WATCHING – Don't miss the Pacific gray whale's annual migration between Baja and Alaska. Take a whale-watching excursion with the Cabrillo Marine Aquarium and the American Cetacean Society. Boats

depart from three locations: Redondo Beach, Long Beach and San Pedro. \$10 – \$18, Dec. 26 – March 30, 3720 Stephen White Drive, San Pedro, 310-548-8397, www.cabrilloaq.org or www.acs-la.org. Tours are also available with Catalina Cruises in San Pedro – 310-410-1062.

TUESDAY

Movies for Moms sponsored by:



"Mona Lisa Smiles" showing January 27th. 11:00 a.m., Loews Broadway, 1441 3rd St. Promenade – for Moms and babies newborn – 1 year old. Doors open early for socializing and getting comfortable. Set in 1953, Katherine Watson (Julia Roberts) is a free-spirited graduate of UCLA who accepts a teaching post at Wellesley College, a woman-only school where the students are torn between the repressive mores of the time and their longing for intellectual freedom. Also starring Kirsten Dunst and Julia Stiles; directed by Mike Newell. Rated PG-13 for sexual content and thematic issues.

Storytelling

Main Library – Toddler Storytime at Reed Park; 10:00 & 10:30 a.m. Stories for two year olds with adult.

Fairview Branch Library – 2101 Ocean Park Blvd – 310-450-0443.

Cuentos Para Pequenos – 10:00 a.m., Jan. 6 – Feb 10; six-week series in Spanish for 24 – 36 month olds with adult.

Lap Time – 11:00 a.m., Jan. 6 – Feb. 10; six-week series for babies 0-24 months, co-sponsored by the SMMUSD Infant and Family Support Program. Twilight Story Time – 7pm – an ongoing program for 3-5 year olds.

Montana Avenue Branch Library – 1704 Montana Ave – 310-829-7081. Family Story Time – 7:00 p.m., all ages.

Terrific Tuesdays, Jan. 13 & 27, 3:30 p.m. Stories and crafts for K – 3rd graders.

Ocean Park Branch Library – 2601 Main St. – 310-392-3804.

Toddler Storytime – 10:00 & 10:30 a.m., Jan. 6 – Feb 10. Music, rhymes

and stories for 24 – 36 month olds with adult. Registration is required.

Tiny Tuesday Storytime at Storyopolis Themes change weekly; for ages infant to 3. 11:00 a.m. 116 North Robertson, Plaza A, in Los Angeles 310-358-2500, www.storyopolis.com

Barnes and Noble at the Grove – Storytime for ages 2 – 6. 10:00 a.m. 189 Grove Drive, LA, 323-525-0270

Yoga & Exercise

Yoga Baby (Venice) – 310-306-9381 – Mommy & Me (ages 0-5 years) – 10 – 11 a.m.; Pre-natal yoga – 7- 8:15 p.m.

Yoga Works – 2215 Montana Ave, 310-393-5150; Pre/postnatal – 12:15 – 1:40 p.m., \$15. Mommy and Me – 1:45 – 3:00 p.m.

Mommy Care – 11870 Santa Monica Blvd, at the Dance Factory, West LA, 310-394-6711. Pregnancy Exercise – 9:15 – 10:15 a.m.; Post Partum Exercise – 10:15 – 11:15 a.m. (babies welcome, includes baby massage and workout at the end)

Breastfeeding Group

The Pump Station – 310-826-5774, no pre-reg required, first class free, \$10 fee thereafter. Moms/babies 0-4 months, 1:00 – 2:30 p.m.

WEDNESDAY

Storytelling

Fairview Branch Library – 2101 Ocean Park Blvd – 310-450-0443.

Preschool Story Time – 10:30 a.m., Jan. 7 – Feb. 11; six-week series for 3-5 year olds with adult.

Montana Avenue Branch Library – 1704 Montana Ave – 310-829-7081.

Lap Time – 10:00 & 10:30 a.m., Jan. 7 – Feb. 11. Six-week series for children up to 24 months of age with adult.

Toddler Story Time – 11:15 a.m., Jan. 7 – Feb. 11. Six-week series for 2 year olds with adult.

Ocean Park Branch Library – 2601 Main St. – 310-392-3804.

Preschool Twilight Story Time – 7:00 – 7:30 p.m. An ongoing story time for parents and their children ages 3 – 5.

Barnes and Noble, Westside Pavilion – 2 pm – ages 2-5 – 310-475-4144

Border's, Westwood – 11am – 310-475-3444.

Yoga & Exercise

Yoga Baby (Venice) – 310-306-9381 – Mommy & Me (ages 0-5 years) – 10

– 11 a.m.; (infants only) – 1 – 2 p.m. Pre-natal yoga – 11:15 a.m. – 12:30 p.m.

Yoga Works – 2215 Montana Ave, 310-393-5150 Pre/Postnatal – 12:15 – 1:45pm, \$15

Ocean Oasis Day Spa – 1333 Ocean Avenue, 458-8190. Pre/Post Natal Yoga/Gentle Flow – 5:30 – 6:45 p.m. Private sessions available; call Kate Thomas, RN – 408-1717

Breastfeeding Group

The Pump Station – 310-826-5774, no pre-reg required, first class free, \$10 fee thereafter. Moms/babies 0-4 months, 1:00 – 2:30 p.m.

THURSDAY

Storytelling

Main Library – Toddler Storytime at Reed Park; 10:00 a.m. Stories for two year olds with adult.

Preschool Story Time at Reed Park; 10:30 a.m. Stories for 3-5 year olds with adult.

Fairview Branch Library – 2101 Ocean Park Blvd – 310-450-0443.

Toddler Story Time – 10:30 a.m., Jan. 8 – Feb. 19 (no program Feb. 12); six-week series for 24-36 month olds with adult.

Montana Avenue Branch Library – 1704 Montana Ave – 310-829-7081.

Toddler Story Time – 10:15 a.m., Jan. 8 – Feb. 12. Six-week series for 2 year olds.

Preschool Story Time – 11:15 a.m. Stories for 3-5 year olds with adult.

Ocean Park Branch Library – 2601 Main St. – 310-392-3804.

Lap Time – 9:20 & 10:20 a.m., Jan. 8 – Feb. 19, six-week series for babies 0-24 months, co-sponsored by the SMMUSD Infant and Family Support Program.

Yoga & Exercise

Yoga Baby (Venice) – 310-306-9381 – Mommy & Me (ages 0-5 years) – 10 – 11 a.m.; Pre-natal yoga – 7- 8:15 p.m.

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Mommy Care – 11870 Santa Monica Blvd, at the Dance Factory, West LA, 310-394-6711. Pregnancy Exercise – 9:15 – 10:15 a.m.; Post Partum Exercise – 10:15 – 11:15 a.m. (babies welcome, includes baby massage and workout at the end)

Other

DINOSAUR PRESENTATION at STAR ECO STATION – Sat., Jan. 31. See Special Events section for details.

Puppetolio – 2 and 8 p.m., 1418 4th St., Admission is \$20 for evening, \$15 for matinee. Call 310-451-2241 for

Breastfeeding Group

The Pump Station – 310-826-5774, no pre-reg required, first class free, \$10 fee thereafter. Moms/babies 4-8 months, 1:00 – 2:30 p.m.

Other

4th ANNUAL IFSP FAMILY NIGHT – Thursday, January 29th, 6:30 p.m. See Special Events section for details.

FRIDAY

Yoga & Exercise

Yoga Works – 2215 Montana Ave, 310-393-5150; Pre/postnatal – 12:15 – 1:45 p.m., \$15.

Yoga Baby (Venice) – 310-306-9381 – Mommy & Me (ages 0-5 years) – 10 – 11 a.m.; (infants only) – 1 – 2 p.m. Pre-natal yoga – 11:15 a.m. – 12:30 p.m.

Ocean Oasis Day Spa – 1333 Ocean Avenue, 458-8190. Pre/Post Natal Yoga/Gentle Flow – 10:30 – 11:45 a.m.; Yoga for Fitness – noon – 1 p.m. Private sessions available; call Kate Thomas, RN – 408-1717

SATURDAY

Storytelling

Barnes and Noble, 3rd St. Promenade – Kid's Story Time – 10am – 310-260-9110

Barnes and Noble, Westside Pavilion – 10:30am – ages 2-5 – 310-475-4144.

Yoga & Exercise

Yoga Baby (Venice) – 310-306-9381; Prenatal yoga – 9:15 – 10:45 a.m., \$13

Mommy Care – 11870 Santa Monica Blvd, at the Dance Factory, West LA, 394-6711; Pregnancy Exercise – 8:30 – 9:30 a.m.; Post Partum Exercise – 8:30 – 9:30 a.m. (babies welcome, includes baby massage and workout at the end)

Ocean Oasis Day Spa – 1333 Ocean Avenue, 458-8190. Pre/Post Natal Yoga/Gentle Flow – 10:30 – 11:45 a.m.; Yoga for Fitness – noon – 1 p.m. Private sessions available; call Kate Thomas, RN – 408-1717

Other

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Puppetolio – 2 and 8 p.m., 1418 4th St., Admission is \$20 for evening, \$15 for matinee. Call 310-451-2241 for

Breastfeeding Group

info.

SUNDAY

Main Street Farmer's Market – 9:30 a.m. – 1:00 p.m., corner of Main St. and Ocean Park Blvd. Pony rides, live music, lots of vendors and great family socializing.

Puppetolio – 1:00 and 3:00pm, 310-656-0483, 1255 2nd St., ages 3 & up, reservations suggested

Magicalopolis – 2 p.m., 1418 4th St., Admission is \$15. Call 310-451-2241 for info.

MONDAY

Storytelling

Main Library – Lap Time at Joslyn Park, 9:30 a.m., Jan. 5 – June 4 (No meeting Feb. 16th.) Ages 0-24 months with adult in conjunction with the Infant and Family Support program of SMMUSD. Followed immediately by "Family Connections" – a series of discussions related to early childhood development and growth. Children welcome, free.

Ocean Park Branch Library – 2601 Main Street, 310-392-3804.

"Spanish for Little Ones", 11:15 a.m., Jan. 5 – Feb. 23. Rhymes, songs and very simple stories in Spanish for ages 2-5 with adult.

Barnes and Noble, 3rd St. Promenade – Toddler Story Time – 10am – 310-260-9110

Breastfeeding Group

The Pump Station – 310-826-5774, no pre-reg required, first class free, \$10 fee thereafter. Moms/babies 0-4 months, 1:00 – 2:30 p.m.

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Yoga Works – 2215 Montana Ave, 310-393-5150 Pre/Postnatal – 12:15 – 1:45pm, \$15

Yoga Garden, - Restorative yoga for pre/postnatal – 6:30 p.m., 310-450-0133. www.yogagardenstudios.com

Yoga Baby (Venice) – 310-306-9381 – Mommy & Me (ages 0-5 years) – 10 – 11 a.m.; (infants only) – 1 – 2 p.m. Pre-natal yoga – 11:15 a.m. – 12:30 p.m.

Ocean Oasis Day Spa – 1333 Ocean Avenue, 458-8190. Pre/Post Natal Yoga/Gentle Flow – 10:30 – 11:45 a.m.; Yoga for Fitness – noon – 1 p.m. Private sessions available; call Kate Thomas, RN – 408-1717

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NATIONAL

Dean, Kerry swap criticisms of each other's foreign policy credentials

BY NEDRA PICKLER

Associated Press Writer

PLYMOUTH, N.H. — Howard Dean, swapping criticism of foreign policy with Democratic presidential rival John Kerry, on Monday questioned Kerry's judgment in voting against the Persian Gulf War in 1991 while supporting the 2002 resolution to invade Iraq.

"I think it should be the other way around," Dean said as he and other candidates entered the final day of campaigning before New Hampshire's leadoff primary. "Where was John Kerry when George Bush was giving out all this misinformation?"

Kerry has contended his positions were consistent, saying the vote in 2002 authorized President Bush to threaten force rather than act unilaterally. He argued that his vote in 1991 was not against using force to oust Iraq from Kuwait.

With most polls showing him leading Dean, Kerry told supporters Monday morning in Portsmouth, "We're down to the last hour." He did not criticize his opponents by name, focusing instead on Bush's policies. "We shouldn't downsize dreams in the United States of America," he said, "we should realize them."

Several polls released Monday showed Kerry leading Dean by 11 to 21 points. Three other candidates — Wesley Clark, John Edwards and Joe Lieberman — were in a statistical tie for third place in three surveys.

Clark was taking his campaign bus into all 10 counties in New Hampshire on Monday. At a truck stop in Lebanon, he told a woman that the Republican Party is a "heartless organization" and assured people that he had earned the respect of other nations while NATO supreme allied commander.

"When you elect a president, you need someone who's not just experienced at getting elected, but someone who's experienced at leadership," he said.

Dean said his opposition to the Iraq war was a significant difference between himself and Kerry.

"A lot of folks in the campaign, including Senator Kerry, complain about my lack of foreign policy experience," Dean, a former Vermont governor, said at a rally Sunday night. "But he voted not to go to war when the oil wells were on fire and the troops were in Kuwait."

Edwards, who finished second to Kerry in last week's Iowa caucuses and promised to wage a positive campaign, said Kerry has not been clear on the war.

"I think he's said some different things at different points in time," the North Carolina senator said as the candidates made the rounds of Sunday's television news shows. "So I think there's been some inconsistency."

Kerry asked Dean to "stop running a negative campaign," even as he suggested that Dean can't get elected. During door-to-door campaigning Sunday, Kerry said his rival is weak on foreign policy issues, and favors higher taxes for middle-class voters.

"The Republicans will just kill us on this," Kerry said. "Between foreign policy and taxes, I think it is a serious problem."

Kerry didn't sway David and Diana Frothingham after a 10-minute chat in their driveway.

Kerry, winner of the Iowa caucuses, has the advantage in most polls taken over the weekend, but Dean appears to have stopped the hemorrhaging of support after his Iowa loss and a frenzied concession speech last week.

Dean has been campaigning with his wife, who did not travel with him outside Vermont until last week. Judy Dean is a physician who said she couldn't leave her patients, but she canceled her Monday appointments to spend a second day by her husband's side in New Hampshire.

"Whether it's our careers, raising our children or being there for the ones we love, we all struggle and juggle to do it all," she said in a brief introduction of her husband at a woman's forum in Manchester.

Dean said his wife was helping him recover after the Iowa loss. His campaign gave undecided voters a copy of the couple's first TV interview, on ABC's "Primetime Thursday," which aired last week.

New Hampshire is known for promoting underdogs and surprises. Polls showed 4 percent to 18 percent of voters were still undecided, and many more willing to reconsider their early picks.

Lieberman acknowledged Monday that he needs to do better than expected among New Hampshire voters, but the Connecticut senator predicted his campaign would begin here rather than end.

"This is a very fluid situation. A lot of voters remain undecided," Lieberman said.

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City of Santa Monica

NATIONAL □ INTERNATIONAL

WORLD BRIEFLY

Another U.S. helicopter crashes

By The Associated Press

BAGHDAD, Iraq — The U.S. military lost its fifth helicopter this month in Iraq, which crashed in the Tigris river while searching for a soldier whose boat had capsized. The aircraft's two crew members and the soldier remained missing Monday.

"We have no news about the progress of the search" or the fate of the missing service members, a military spokeswoman at the central command in Baghdad said Monday.

The OH-58D Kiowa Warrior helicopter, attached to the 101st Airborne Division, crashed in the Tigris in the northern town of Mosul on Sunday evening during a search-and-rescue mission after a river patrol boat overturned in the river a couple of hours earlier.

Two Iraqi policemen and an Iraqi translator accompanying the American soldiers in the boat were confirmed killed in the incident, said the spokeswoman. But one soldier was still missing while three others were safe, she said.

Boy becomes seventh bird flu fatality

By The Associated Press

BANGKOK, Thailand — A 6-year-old Thai boy became Asia's seventh confirmed bird flu fatality and Pakistan on Monday joined the list of countries affected by the disease that has sparked mass chicken culls across the region.

The World Health Organization pleaded Monday with the global scientific community to accelerate the search for a cure. Attempts to tackle the virus are being frustrated by its fast rate of mutation as well as its spread across at least eight countries.

Pakistan said it had detected a form of bird flu in its chicken population. The commissioner for livestock husbandry said it was not a strain of bird flu that can spread to humans — something that has happened in other parts of Asia.

"We have confirmed this. The strand that jumps to humans is not in them," commissioner Rafiqat Hussain Raja said.

Faizullah Kakar, an official at the WHO office in Pakistan, said it had no confirmation of an outbreak of bird flu in the South Asian nation.

Barbara Walters no longer sees '20/20'

By The Associated Press

NEW YORK — After 25 years as host of "20/20," Barbara Walters is moving on.

The broadcaster, who has interviewed scores of the famous and infamous in a legendary television career, said Sunday she will step down this fall from her perch at the ABC newsmagazine.

Walters, 74, will do about six interview specials a year for ABC News, including her annual pre-Oscar show. She'll also stay as executive producer and co-host of the daytime talk show "The View."

"Starting in September, I want to have more flexibility in my life without the responsibilities of a weekly newsmagazine," she said in a statement issued by ABC.

The Walters interview, often done with a soft-focus camera and featuring teary subjects, is as much a part of television news lore as Mike Wallace's intensity on "60 Minutes."

"20/20," which Walters currently co-hosts with John Stossel, is likely to continue but be less focused on major interview subjects.

Record deficits might affect campaigns

By The Associated Press

WASHINGTON — Federal deficits are setting records as President Bush and Congress plunge into the election year's budget work and both parties wonder if the red ink will prove to be a campaign issue.

The Congressional Budget Office planned to release its annual winter budget and economic outlook on

Monday. It was expected to be a bit better in the short term than the CBO's last update in August, when it projected shortfalls of \$480 billion for this year and \$341 billion for 2005.

"Even if in a small way, this could be the first good news budget report we've had in some time" because the growing economy should make deficit projections smaller for the next two years, said Hazen Marshall, Republican staff director of the Senate Budget Committee.

The August report also envisioned deficits totaling \$1.4 trillion over the decade ending in 2013, assuming lawmakers make no changes in tax law and spending grows only at the rate of inflation. Analysts said they expected the update by Congress' nonpartisan fiscal analysts to have a similar 10-year projection.

Bush tries to cap malpractice awards

By The Associated Press

WASHINGTON — President Bush is trying to resuscitate a measure to place nationwide caps on medical malpractice awards, a move he has made a centerpiece of his election-year focus on health care.

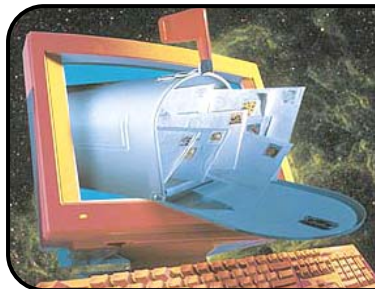
Bush argues that a nationwide ceiling would drive down soaring health care costs and save taxpayers money. Senate Democrats stalled the bill last year, arguing it would help the insurance industry, not patients.

In response, the president was issuing a new appeal for the legislation Monday in Little Rock, Ark.

With 43 million Americans uninsured, Bush included in his State of the Union address a five-pillared strategy for confronting the issue — most of them repackaged ideas he had previously advocated.

Facing record budget deficits, Bush chose measures that would require little government spending:

Setting medical malpractice limits; helping small businesses to band together to negotiate for lower insurance rates; offering refundable tax credits to help low-income Americans purchase health insurance; creating tax incentives to encourage the use of health savings accounts, which would let people save money for future medical expenses tax-free; and harnessing medical technology to prevent medical errors.



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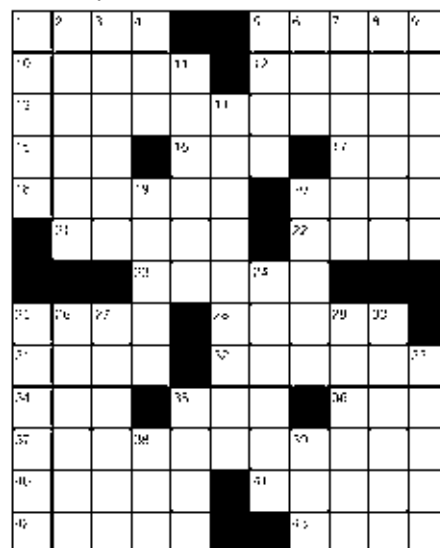


By Dave Coverly



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PEOPLE IN THE NEWS

Billionaire Melinda Gates speaks to India's sex workers

By The Associated Press

■ **CALCUTTA, India** — Melinda Gates, who along with billionaire husband Bill Gates has donated \$200 million to fight AIDS in India, visited one of Asia's largest red light districts and discussed AIDS control programs with prostitutes.

Gates Sunday spoke to several women with HIV, the virus that causes AIDS, at Sonagachi, a rundown area with some 6,000 prostitutes in north Calcutta. She met with nearly 40 sex workers who discussed their lives, families and children as security guards pushed back a surging crowd of onlookers and journalists.

The Seattle-based Bill and Melinda Gates Foundation has donated millions to help fight the disease in India, where an estimated 4.6 million people, or 0.9 percent of adults, have HIV or AIDS.

"India hangs in balance so far as AIDS is concerned," Gates told The Associated Press.

She said the biggest problem in fighting AIDS in India is a lack of awareness and social stigma.

"Social stigma is still an enormous issue, but pockets of people are speaking out, and it's fundamental to back them," she said.

Bill Gates is the chairman of U.S. software giant Microsoft Corp.

■ **SAN FRANCISCO** — These days, David Bowie isn't intimidated by his own music.

Touring as a headliner for the first time in more than seven years, Bowie told the San Francisco Chronicle that the music he made as a glam-rock pioneer was dragging him down throughout the 1990s.

"I really felt, in all honesty, fairly intimidated by my catalog at the time. I really had to work out a new way of approaching what was going to be the '90s, and I needed elbow room. I didn't want those things staring me in the face every time I went to do a show."

Bowie's hits include the songs "Let's Dance" and

"Serious Moonlight" and the album "The Rise and Fall of Ziggy Stardust and the Spiders From Mars." His last few albums include "Earthling" and "Heathen" and "Reality."

Now the 57-year-old singer-songwriter has worked up more than 50 songs for his latest tour, playing material from throughout his career.

"As the '90s went along," he said, "I felt more and more confident about the writing I was doing. Now that I'm here, 2004 now, I kind of feel there are certain amounts of the new material that balances well with the older material. And the older material doesn't seem so intimidating anymore."

■ **LOS ANGELES** — The movie "Finding Nemo" along with pop star Avril Lavigne and Elmo of "Sesame Street" were all honored by a media group for excellence in family entertainment.

Common Sense Media culled 18,000 nominations from parents, teachers, children and other users of its Web site to pick winners — and losers — for its first awards, announced Thursday.

"Sesame Street" character Elmo received a lifetime achievement award for "making television an educational resource for kids around the world."

The winners "prove you can make great media for kids and families without relying on gratuitous violence, lurid language or over-the-top commercialism to attract an audience," said Jim Steyer, founder of Common Sense Media.

The group also awarded a "Golden Garbage Can" to those whose products it claims represent "outrageous content" that was created for or marketed to young people.

Take-Two Interactive Software and Rockstar Games drew criticism for the computer games "Manhunt" and "Grand Theft Auto: Vice City," which the group said were excessively violent.

Others scolded by Common Sense Media: the Fox network for "Temptation Island" and other prime-time

shows the group called "over-sexed entertainment"; commercials from Miller Lite and Coors Lite, and an Abercrombie & Fitch Christmas catalog "for selling sex instead of clothes."

Fox and Rockstar Games declined comment. Calls seeking comment from the other companies were not immediately returned.

■ **SEATTLE** — Meredith Phillips, star of the latest "The Bachelorette," knows her way around software — their boxes, at least.

Before she became famous on the ABC reality series, the Portland native graced the covers of two Microsoft software titles, Picture It! Digital Image Pro 7 and Digital Image Pro 9.

Phillips, 30, a part-time model who also works as a makeup artist, began on "The Bachelorette" this month, asked to choose a potential mate from 25 contestants.

Microsoft became associated with her when packaging agency Abrams/Lacagnina coordinate the photo shoot, which occurred in spring 2002.

Phillips, the software giant said, made an impression.

"We would love to work with her again," said Michelle Richardson, project manager for Microsoft's Digital Image software. "Everyone said she was pleasant to work with and realized that she was an up-and-coming talent."

■ **NASHVILLE, Tenn.** — LeAnn Rimes and Wynonna are among the stars expected to perform when the Country Music Association Music Festival, formerly known as Fan Fair, returns June 10-13 to downtown Nashville.

Also scheduled are Trace Adkins, Dierks Bentley, Clint Black, Brooks & Dunn, Glen Campbell, Terri Clark, Billy Ray Cyrus, Charlie Daniels, Diamond Rio, Vince Gill, Pat Green, Buddy Jewell, Lonestar, Jo Dee Messina, Montgomery Gentry, Keith Urban, Clay Walker and Darryl Worley.

More artists will be announced in the coming months.

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