

Santa Monica Daily Press

A newspaper with issues

LOTTO

FANTASY 5

6, 32, 11, 29, 30

DAILY 3

Afternoon picks: 4, 2, 0

Evening picks: 5, 9, 1

DAILY DERBY

1st Place: 7, Eureka

2nd Place: 4, Big Ben

3rd Place: 10, Solid Gold

Race Time: 1:40.51



NEWS OF THE WEIRD

by Chuck Shepard

In November, Michael Patrick Mikitka, 35, was arrested and charged as the man who had held up six banks in one week in the Pittsburgh area, including one in which he had written the holdup note on a check issued to him when he opened his account. In the final robbery, at the PNC Bank in Wilkesburg, he was on his way out the door when the security guard said that the teller needed to see him again, and as he walked back in, the doors locked, and the guard grabbed him. Pending trial, Mikitka was sent to drug rehabilitation, but he left the facility on Dec. 22 and was re-arrested the same day when he allegedly robbed the same National City bank that he had robbed twice during his November spree.



QUOTE OF THE DAY

"I only like two kinds of men: domestic and foreign."

— Mae West



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People

The Dead recruits 20

Strikers march on



Del Pastrana/Daily Press

Striking workers continued to picket the Vons at Colorado and Lincoln on Tuesday, but the number of workers willing to march in Southern California has dwindled this month. In late December, grocery workers saw their union strike pay cut in half, which caused some workers to stop picketing.

Santa Monica man on trial for 2001 murder

Prosecution makes case against accused cabbie killer

BY MICHAEL TITTINGER

Daily Press Staff Writer

DOWNTOWN LA — The calculating mind of a killer, who lay in wait to ambush his unsuspecting victim, increasingly came into focus Tuesday as details of the murder a Santa Monica man is accused of committing were graphically displayed.

The murder trial of Antonio Barba began Tuesday in Los Angeles Superior Court, with the prosecution and defense beginning to lay the groundwork for their cases by offering a pair of matter-of-fact opening statements to a 13-member jury. The 24-year-old Barba is accused of fatally stabbing and robbing Los Angeles cab driver Keum Kim in July of 2001.

"Antonio Barba took a knife from his mother's house, called for a cab, and then called right back to see if he had enough money," Los Angeles Deputy District Attorney Kendra Carmen told jurors. "He was the one on Brooks Avenue that night.

He was the one who plunged a knife into the victim over 32 times. He was the one who took Keum Kim's money. He was the one who fled into the alley.

"He was the one who committed first-degree, premeditated murder."

The evidence compiled by police during the investigation includes the butcher knife murder weapon and a blue hooded sweatshirt covered with Kim's blood. Both items were retrieved in an alley behind the 800 block of Brooks Avenue in the Oakwood section of Venice, where the murder took place.

An eyewitness testified Tuesday to seeing the alleged murderer, wearing a blue hooded sweatshirt, flee from Kim's cab on foot into the alley. The recovered sweatshirt was subsequently found to have between 12 and 14 hairs matching the DNA of Barba, according to Carmen, who qualified the odds of another culprit having the same DNA as approximately 1 in 6 million.

Despite the DNA match, Barba's public

See TRIAL, page 6

Few residents weigh in on homeless plan

BY CAROLYN SACKARIASON

Daily Press Staff Writer

Judging from the turnout at Monday's meeting that focused on ending homelessness within a decade, one wouldn't guess the increasing number of vagrants on the city's streets is the top concern of Santa Monica residents.

About 50 people showed up for the "Bring LA Home" community meeting, organized by the Los Angeles Homeless Services Authority, which plans to end homelessness in LA County within 10 years. A panel of about 70 people — from politicians, including Santa Monica Mayor Richard Bloom, to business leaders to homeless advocates to faith-based organizations — is devising the plan. The plan should be complete by this summer.

The goal of Monday's meeting was to get residents' input on the process and give suggestions on how to end homelessness. But hardly any residents showed up. Instead, the meeting was dominated by social service providers giving their suggestions and a series of unrelated ramblings by the homeless themselves.

However, it was apparent that Santa Monica's efforts — which cost the city millions each year — to help people get off the streets have made an impact. More than a few individuals told their stories about the circumstances that led to their becoming homeless and how Santa Monica's outreach programs assisted them in living independently.

Only a few citizens spoke about what can be done to help solve the growing problem.

See PLAN, page 5

City Council plan restoring hope for SM Pier's future

(Editor's note: This is part of an ongoing series that tracks the city's expenditures, which appear on the Santa Monica City Council consent agenda. Consent agenda items are routinely passed by the City Council with little or no discussion from elected officials or the public. However, many of the items have been part of public discussion in the past).

By Daily Press staff

COUNCIL CHAMBERS — City Council members were expected to approve more than \$730,000 Tuesday, with the majority being earmarked for a pair of major structural improvement projects, including the famous Santa Monica Pier.

Officials were expected to take a big step forward on part of the recently approved, structural upgrade program of the municipal pier. The engineering design firm

See PIER, page 5

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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 gain an unexpected insight, be it about yourself or someone you care about. Understand what is going on with a family member who could be a bit off. You understand a lot, but perhaps you cannot walk in this person's shoes. Tonight: Buy a token gift or card on your way home.

TAURUS (April 20-May 20)

★★★★ Where your friends are is where you are. You might feel jolted by a new friend or another's unpredictability. You might be unusually stern or solemn when dealing with others. Listen to yourself and your tone of voice. Tonight: Whatever you want.

GEMINI (May 21-June 20)

★★★★ Take your time, as a boss could be most unpredictable. Your way of handling this person could be to retreat, which might not be a bad idea. How you see a work-related situation could change considerably. Tonight: Take some time off.

CANCER (June 21-July 22)

★★★★ Your endurance helps you get what you want, but it might drop in your lap in a most unpredictable way. You could be overly serious; work on breaking past those patterns and looking at life through new eyes. Tonight: Happy as can be.

LEO (July 23-Aug. 22)

★★★★ Take charge of your life, especially in view of others and what they need or want. Sometimes you could be startled by those around you, or vice versa. Work with the unexpected. Your instincts are off with a boss or someone you put on a pedestal. Tonight: A must show.

VIRGO (Aug. 23-Sept. 22)

★★★★ Seek out information rather than accepting a group's or friend's statement as definitive. You will want to find an expert. Avoid all gossip right now, especially if a partner is acting a bit strange. He or she needs space. Tonight: Rent a movie on the way home.

LIBRA (Sept. 23-Oct. 22)

★★★★ Deal with others directly, and you'll come to the conclusion that everything is fine, even if you feel burdened by someone's attitude. Assume that he or she cannot help him- or herself. Be creative with your work. Tonight: Be a duo.

SCORPIO (Oct. 23-Nov. 21)

★★★★ You have the wherewithal to make a difference, and you know it. Still, let others make the first move, as you will understand and see much more that way. Your lively side emerges. Use some of this ingenuity for yourself. Tonight: Say "yes."

SAGITTARIUS (Nov. 22-Dec. 21)

★★★★ You might want to think through your work situation more carefully. Investigate what needs to happen within a key relationship or situation that might be impacting you at home. Consider doing more work from home. Tonight: Easy does it.

CAPRICORN (Dec. 22-Jan. 19)

★★★★ Your creativity impacts your life, and even your word choice. Some find you close to unpredictable lately. You might find others unpredictable, too. A partner or older pal comes through for you. Schedule more time together. Tonight: Take a midweek break.

AQUARIUS (Jan. 20-Feb. 18)

★★★★ Hold on tightly to your wallet right now. You might not be sure what to do with a loved one or a dear friend who is needy. Relax and put your feet up. You have done more than your share. If you're tired, there is a reason. Tonight: Early to bed.

PISCES (Feb. 19-March 20)

★★★★ Your spontaneity could jolt some of the people around you. On the other hand, you might feel as if someone needs that extra push because he or she could be down or put out. Evaluate a situation, but also talk. Communication must happen here. Tonight: Dinner for two.

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LOCAL

COMMUNITY BRIEFS

Lightning Bolts division winners

By Daily Press staff

To culminate a winning season, the Lightning Bolts are celebrating as the champions in the Girls U10 division area soccer play-off games held in Culver City last week. The girls are local residents of Santa Monica, Venice and West L.A. Coaches Angel Vasquez and Peter Meyer headed the winning team. The team was feeling the pressure with one goalie out of the game suffering from a recent broken arm, but they fought their hardest. They now advance to the section tournament games in March.



The Lightning Bolts

City historical images take flight

By Daily Press staff

Researchers, students and history buffs will enjoy sets of images recently added to the Santa Monica Public Library Image Archives.

Now available on the library's Web site, they display World War II activities at the Douglas Aircraft plant at Clover Field. One dramatic set shows the camouflage over the Douglas Aircraft plant, and a second set shows workers, housing and the transit strike at the time. The third set illustrates the DC1 aircraft, and the manufacture and flight of the DC3, DC4 and DC7.

Image archives librarian Cynni Murphy said more images, including blimps, Pearl Harbor Day, Douglas portraits, and historical pictures of the original Douglas plant at 26th Street and Wilshire Boulevard, will soon also be available online.

The images were copied from the collection of the Museum of Flying with the assistance of an \$8,000 grant from the Friends of the Library, which funded duplicating, digitizing and cropping the photographs. They illustrate Santa Monica life during the war, including both aviation and details of cars, housing, clothing and employment. To view them, log on the library Web site, www.smpl.org, click on Image Archives, and select the subject Douglas Aircraft.

Cinderella held over until March

By Daily Press staff

That most romantic of all fairy tales, Cinderella, is being held over at Santa Monica Playhouse, Saturdays and Sundays at 12:30 p.m. and 3 p.m., through March 28.

"You just can't keep a good heroine down," said Actors, Repertory Theatre mainstay John Waroff, who has been playing the charmingly befuddled King Osgood Isgood since the show's world premiere in 1984. "It's simply amazing. Cinderella is still the single most requested family theatre musical in Santa Monica Playhouse history."

Brought to life by Actors, Repertory Theatre, the professional resident acting company at Santa Monica Playhouse, and written and directed by the acclaimed team of Evelyn Rudie and Chris DeCarlo, this original version of Cinderella comes complete with the handsome prince, zany fairy godmother, silly stepsisters, jolly king and a zealously well-meaning stepmother, and features Celeste Akiki, Kate Burleigh, Rebecca Coombs, James Cooper, Cydne Moore, Graham Silbert, Catherine Tooke, Cammy Truong and John Waroff.

Tickets are \$10 for children (12 and under) and \$12 for adults. Reservations are necessary, and may be made by calling the playhouse box office at (310) 394-9779, ext. 2. For more information, visit the playhouse Web site at SantaMonicaPlayhouse.com. Santa Monica Playhouse is located at 1211 Fourth St., one block east of the Third Street Promenade.

Love, laugh and listen

By Daily Press staff

Love and laughter will be in the air at the Ocean Park Library next month.

A special day is planned with love, laughs, stories and a puppet show for kids ages 3 to 7 on Feb. 10 at 3:30 p.m. and 4:30 p.m. The event will be held in the library, 2601 Main Street. Tickets are free but must be picked up at noon on the day of the event. No phone reservations will be accepted. For more information, call (310) 392-3804.

surf report

Most spots will continue to hold in the 2-3' range while the standouts see some 4' (shoulder high) waves on the best sets. These waves will be fading slowly through the day.

The WNW'er will hold today and mix with some minor local windsweil. New WNW swell will arrive late Thursday and strengthen into Friday, eventually peaking on Saturday.

Expect fair conditions.

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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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OPINION

Election coverage: All the screech that's fit to print

The mainstream media is hot on the trail of the most important story of the election season. That would be ... the Iraq war? No. A grassroots liberal resurgence? Guess again. The main story, still on page one in the New York Times six days after it happened, is Howard Dean's Iowa concession speech, a.k.a. "The Screech."

It's great that the media has made this the main event of the election — I mean, brought it to our attention. Because it brings up a lot of other things about Howard Dean that the media don't like — I mean, need to be reported.

Diane Sawyer got an exclusive on-the-couch session with Howard and Judy Dean the night after the screech. A top crack reporter who once served in the Nixon White House, Sawyer honed right in on the fact that Howie gave Judy a rhododendron for her 50th birthday. Not exactly roses and chocolates, Sawyer pointed out.

"What I always do for my birthday, which is right around Mother's Day, we have a combined celebration and we do a family bike ride," Judy Dean said softly. "I'm not a very 'thing' person. I mean, I have everything I want, pretty much."

Now, how weird is that? The woman is not focused on filling out her wardrobe or filling up her jewelry box. Sawyer raised her eyebrows with an apt combi-

nation of ridicule and disdain. "Are you, like, communists?" she might have asked. It's great when journalists remind us of the values we should all share. Judy, what are you thinking?

"I don't really care too much what I wear," she went on to say. Obviously this campaign is DOA.

ABC's Peter Jennings and Ted Koppel reminded viewers several times that Dean's screech had derailed his candidacy during a televised debate they hosted the following night in New Hampshire. Isn't it good when reporters tell us the facts? In the same broadcast, Fox's Brit Hume quickly zeroed in on Dean's statement that "I lead with my heart, not with my head." Hume pointed out the danger, if not pure wackiness, of such a statement. He does have a point. What if the country had leaders that aggressively pursued peace, generosity and compassion? It would be a catastrophe for the greed, violence and hate that currently reign. Thanks, Brit!

Alessandra Stanley, a staff writer at the New York Times, reported that the screech was "ferocious, almost maniacal." She called Dean "scary." That was-

n't opinion, it was straight news, according to the Times. That's what they mean by, "All the News That's Fit to Print."

But the week's daily coverage turned out to be just a warm-up for the weekend reporters, who get a chance to sit back, get some perspective, and give us more facts — the ones that really matter. For instance, Chris Matthews, host of a few cable and network shows, called the screech a "screaming fit" that had "metastasized."

NBC's Campbell Brown agreed with him and restated that Dean's candidacy was over. "It confirmed the worst fears people have about him."

Fears instilled by whom exactly?

Joe Klein of Time Magazine told the other panelists that Dean's behavior was that of a "recovering addict." The other guests looked perplexed. This is what can happen when there are so many facts to consider.

The Los Angeles Times said Dean's "raucous Iowa concession speech continued to echo in New Hampshire." Honestly, the reporters heard an echo. "Can you hear me Chris Matthews, Chris Matthews, Chris Matthews?"

But the same reporters also allowed that some people thought the media were

making too much of the screech. "I think they exploited this, to be honest with you," a retired school administrator at the Londonderry, N.H. Lion's Club told the Times.

But what do voters know? A precious few of them could have heard that Dean's speech thanked his 1,500 young supporters in Iowa for getting involved in politics. And that voter turnout among people under 30 quadrupled in Iowa from the last presidential election. Dean said he's seen nothing like it since the 1960s. And he pointed out that the kids are right to get involved, because they know the environment is getting destroyed, jobs are evaporating, and their futures are being hocked for massive tax cuts for the country's wealthy.

"We're going to fight until this country becomes a place where we'll put more money into small children and their families than we put into prisons," Dean said. He promised to stand up for "what Harry Truman put in the 1948 Democratic party platform: Health care for everybody."

But let's not get lost in some abstract discussion of what we stand for or where to lead the country. Let's get back to the screech, I mean, the news.

(Beth Solomon is a Left Coast writer reachable at bethsolomon@earthlink.net).

Guest Commentary

By Beth Solomon

Dick, Donald, George: Leave no conservative behind



INCITES

By Ed Silverstein

He's at it again. Dick Cheney, our ultra-secretive vice president, has once again reasserted his belief that Iraq has weapons of mass destruction and that there were direct ties between Iraq and al-Qaeda. This is a courageous move when you consider nearly every Bushie has since retreated from this position.

My father believes that our industrialist veep might have gone on a permanent mental vacation and is a few notes short of a sonata. But I believe differently. I think Cheney is reaching into his bag of mass destruction tricks and will pull out a "nuclear" surprise.

My guess is that Cheney's bat boy, George Bush, will make a last-minute discovery of a weapon of mass destruction. Vegas odds makers are giving 8-to-1 that Haliburton has already been awarded the no-bid contract to produce the device.

Of course, conspiracy buffs believe Cheney and company have even a bigger October surprise in store. They think Osama bin Laden, the king of terror, has been captured and is being held in an ultra-secret location (possibly one of Cheney's energy policy meetings) until just before the election. Some conspiracy experts have even speculated that "b.L." will be discovered in the exact same hole as Saddam Hussein, thereby proving once

and for all a direct connection between Iraq and al-Qaeda.

But it's unfair to give all that blame to Cheney for Bush's questionable military policy. Some of that blame should go to Cheney for Bush's questionable economic policy.

As former Secretary of the Treasury Paul O'Neill reveals in the bestseller "The Price of Loyalty," the prez was even getting a little queasy about the latest round of "reverse Robin Hood" — take from the poor, give to the rich tax cuts. But, to paraphrase O'Neill, Cheney put a quick stop to that when he admonished "Dubya" that former presidents' kids should be seen, not heard.

In other words, sit down, shut up and sign the Haliburton contract.

Apparently, Bush didn't read the master plan memo, possibly because he thought it was a newspaper. The memo stated that the neo-conservative philosophy requires that the federal government keep reducing taxes to the rich and businesses, and maybe even throw a few bucks to the middle class to keep them quiet, while spending like crazy on the military and religious programs. This will most likely bankrupt the federal government within a few short years. But just to be sure, we'll throw in a \$1 billion space program to land on Mars in 25 years, which I'm all for if we can send Cheney on an exploratory mission in, say, the next two weeks.

Now why would the vice president and his underling, George Bush, want to bankrupt the government? I'm glad you asked.

It has always been the dream of con-

servatives to cut taxes, reduce spending and shift more control to the states. But conservatives have continuously failed at stemming federal spending, probably because every one of them wanted to cut all programs except the ones that benefited their home states.

So neo-conservatives like Mo, Larry and Curly — I mean Dick, Don (Rumsfeld) and George — stepped in. Their ruse is to bankrupt the federal government and force Congress to make massive cuts to all federal programs, thereby shifting the burden (and control) to the states. States will then have the choice of raising taxes or eliminating those nasty, wasteful social programs like providing food and medical care to sick and starving children. While this will have a nominal effect on wealthy progressive states, such as California, places like Arkansas and Mississippi will be returned to the Dark Ages. Although, in the case of Mississippi, this might be a step up.

On the plus side (for neo-cons anyway), faced with mounting deficits and loath to raise taxes, states will probably resort to privatizing everything ("Privatizing" is the neo-cons' third-favorite word after "globalization" and "union-busting"). Sure, they'll probably get great introductory rates, sort of like the first shot heroin pushers provide new customers. But soon those rates will start to climb and, well, just ask former Gov. Gray Davis what he thinks about privately owned utilities.

Another plus (again, for businesses) is that because the neo-cons have bankrupted the country, there is no money for

enforcement of the fraud regulations.

But the neo-cons weren't through. They had another scheme that would toss bones to two of their favorite support groups. "Leave No Child Behind" succeeded perfectly at not leaving big business nor the Religious Right behind. As for the kids, well, that's another story. Sure, it looked real sweet on the surface. Hell, it even fooled Sen. Ted Kennedy. But, as we living in the plastic surgery capital of the free world know, looks can be deceiving.

The way the con works is that students have to pass standardized tests. Students that fail must be provided private (as in "privatization") tutoring. Schools whose students continue to fail must provide those students with the option of receiving vouchers to be used for private school (big business) or at a religious school (Religious Right). The kicker is that Bush failed to fund the program, so, in short, he had stacked the deck so that schools would fail, vouchers would be handed out, and viola — mission accomplished.

Of course, this is all speculation. I could be wrong: There really might be WMDs in Iraq; the tax cuts and giant deficits just might stimulate the economy; "Leave No Child Behind" could be something more than a way to promote education; George Bush might be in charge; and Michael, Kobe and Martha ... well, they just might all be innocent.

Or not.

(Ed Silverstein is a free-lance writer living in Santa Monica. You can secretly e-mail your comments to edsincites@aol.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:

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LOCAL



Social service providers: More emergency shelters needed

PLAN, from page 1

Donna Gentry, who has in the past been involved with the Santa Monica Chamber of Commerce and is a supporter of Santa Monica's social service programs, said what's missing from the 10-year plan and its panel is neighboring cities' involvement.

She suggested that officials from Beverly Hills, Culver City, Inglewood and cities in the South Bay, need to participate in the plan and accept responsibility in the growing epidemic. It's widely known that no other surrounding cities, with the exception of Venice and West LA, help alleviate the burden of homeless people living in their communities. In fact, most of them ignore it.

"I don't see our neighbors involved," Gentry said, adding there isn't enough land in Santa Monica on which to build shelters and affordable housing. "We need our neighboring counties to help with that."

That was Susan Fraser's experience. She lived in Palos Verdes for nearly three decades before becoming homeless as a result of her alcohol and drug addictions, as well as being diagnosed as having bipolar disorder. She looked to other South Bay communities like Torrance and Manhattan Beach for help, but they offered nothing.

She came to Santa Monica and got involved with service programs such as Step Up On Second, Turning Point and Daybreak. She now lives on her own.

"I lived in Palos Verdes for 27 years, and I'm ticked off no one helped me. How can these people, my dentist, lawyers ... not help?" she said. "I came here and was on my way. Santa Monica saved my life."

Gentry and others said although Santa Monica is criticized for perhaps "doing too much," resulting in an increase of homelessness here, more cities ought to be doing more so Santa Monica doesn't have to.

"Thank you Santa Monica because most affluent cities don't do this," said one former homeless person. "Other cities need to emulate what you are doing here."

Some speakers said Santa Monica residents need to stop criminalizing the homeless — particularly for basic human behavior like having to eat and go to the bathroom. Two laws recently passed by the City Council — with reluctance — are designed to curb free food programs, as well as urinating and defecating in public.

"Santa Monica has vilified the homeless, accusing them of just about every crime you can think about," said resident Ken McCrae. "By and large, the homeless population are not criminals."

Social service providers said short-term solutions must be found before the long-

term ones are addressed. They said there aren't enough year-round emergency and short-term shelters on the westside — especially for women and families.

John Maceri, executive director of Ocean Park Community Center — the largest social service agency in Santa Monica — made a few suggestions for the plan, including making properties already owned and controlled by the city and county of Los Angeles available for shelters and affordable housing. He also added that elected officials must have the political will to resist giving into opposition from residents and businesses near proposed projects. Maceri was recently successful in getting approval from the Santa Monica City Council to build a \$7 million, 55-bed shelter at Michigan Avenue and Cloverfield Boulevard.

Maceri also suggested that government should encourage private developers to pay "seed money" into affordable housing infill projects, as well as the government providing support such as mental health and rehabilitative services in apartment buildings for those who need assistance in

becoming independent.

Deborah Mathis, associate director of OPCC, said a broad-based community effort must be made to mobilize politicians on a federal level to give money toward ending homelessness.

Some local officials and residents said they are skeptical that the plan can actually be effective in 10 years and the federal government will step up and fund it. LA County's plan is similar to those of dozens of other cities that are taking on the daunting task, which was spurred by the Bush Administration's goal to rid the nation of its homeless population.

Mayor Bloom said a recent trip to Portland reminded him that Santa Monica is not alone in dealing with a growing number of homeless people on its streets.

"We are not alone in responding to the call from the president on this," he told the group Monday. "We tend to feel insular, and obviously it's a great challenge for us."

"It's a terrible problem we face day in and day out," he added. "No one in this country should have to sleep on the streets. No one should live that way."

Bus deals also to be approved

PIER, from page 1

Moffatt and Nichol, which was expected to be awarded a contract of up to \$400,000, has worked on similar pier rejuvenation projects in Santa Barbara (Stearns Wharf) and Long Beach (Queensway Bay/Pine Avenue Pier).

Forthcoming work on the Santa Monica Pier, expected to tally more than \$6 million in design and construction costs by the time work is finished, is to include wooden pile and deck replacement, utility upgrades, traffic analysis and the development of a maintenance strategy.

The other major improvement project pertains to the city's desire to ensure the viability of the Mountain View Mobile Home Park at 1930 Stewart St., and it was mulled over whether or not to pay up to a combined \$168,000 for the purposes of hiring two separate firms — one to provide development and relocation services, the other to plan infrastructure improvements and continued operations at the 105-space tract.

The city purchased the five-acre park in December of 2000, along with 36 mobile home units, with the idea of preserving them as a means of affordable housing within the city. Since that time the city has constructed an emergency-vehicle access road, freed up roadways by implementing off-street parking on the site and installed a fire hydrant, among other improvements. The city is in the preliminary stages of a major park

improvement plan that should bring it up to current standards.

Council was also expected to strike up a deal with Nancy Lewis Associates, Inc., for up to \$79,500, to provide guidance and direction with respect to financing and the development of affordable housing at Mountain View. Mecky Myers and Associates was expected to receive a contract for up to \$88,500 to develop the resident component of mobile home park rehabilitation plans.

In other spending planning, the City Council was expected to sign off on a deal with North American Bus Industries for \$110,000 per year to provide and deliver replacement parts for the Big Blue Bus transit coaches. The parts will be used to perform routine maintenance.

In a deal that is projected to generate approximately \$1,400 in annual revenue for the Big Blue Bus, Council members were expected to enter into an agreement with Access Services Inc. that would allow ASI passengers, as well as their personal care attendants, to catch complementary rides with them instead.

Big Blue Bus will, in turn, bill ASI on a monthly basis for the services, which are expected to net an additional 15 passengers per day for the transportation company.

ASI is the agency responsible for the complementary paratransit service in Los Angeles County, as mandated by the Americans with Disabilities Act. Eligibility is based on a person's inability to use accessible buses and trains within the county.

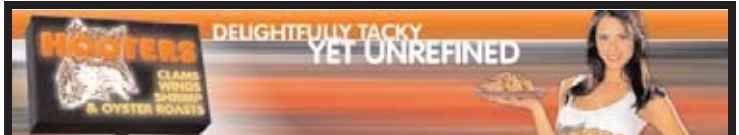
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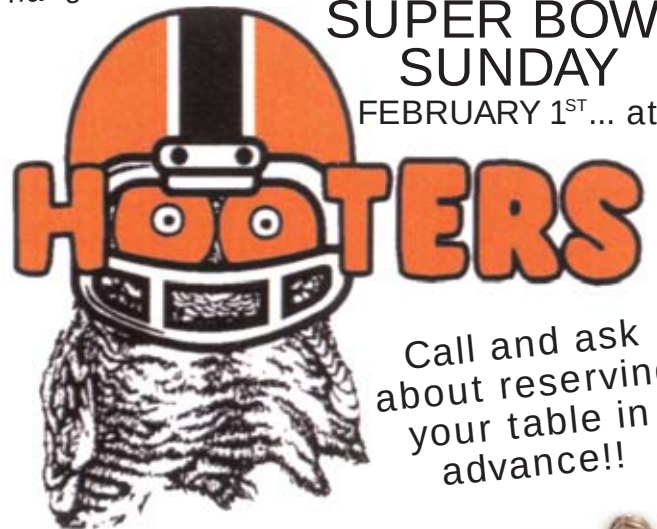
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Applications are invited for the creation of an eleven member Sustainable City Task Force (SCTF). All persons who reside or work in Santa Monica are invited to apply regardless of race, sex, age, disability, religion, marital status, national origin, sexual preference, or ancestry. Appointment will be made at a City Council meeting in March or April 2004.

Application forms and information are available at the Environmental Programs Division, 200 Santa Monica Pier, Suite J, Santa Monica, CA 90401. You may request an application by mail or fax by calling (310) 458-2213.

To be eligible, applications must be received at the Environmental Programs Division office by 5:00pm Wednesday, February 4, 2004.



LOCAL

Defense says prosecution's evidence 'circumstantial'

TRIAL, from page 1

defender, Steven Fisher, argues that all the prosecution's evidence is circumstantial.

"Mr. Barba didn't do it," he began, looking intently into the faces of the jury. "There is no evidence other than innuendo and rumor and an unreliable anonymous caller."

According to the prosecution, an anonymous call placed to LAPD Det. Paul Inabu, who arrested Barba close to a month after the murder, helped lead to his capture.

"There were a lot of resources spent in this case," Fisher said. "The cab was sent to the fingerprint shed and dusted thoroughly, but nothing came back matching Mr. Barba. There were cigarettes in the passenger ashtray, hair on the passenger headers ... You would expect something to match the DNA of the person who did this."

Barba's DNA was conspicuously absent from Kim's cab. Fisher also pointed out that investigators came up empty after serving a search warrant at the Barba home on the 1800 block of 16th Street in Santa Monica. Police seized clothing, eight or nine pairs of shorts and a couple pairs of shoes, but they found no traces of Kim's blood.

However, according to Carmen, when the search was conducted on Aug. 2, 2001, "two things became very clear — Mr. Barba was living two blocks from where the suspect was first picked up by (Kim's cab). Also, the defendant's mother, when asked if she had a similar knife to the murder weapon, indicated that she did and that the knife was missing."

The prosecution visually laid out the viciousness of the crime committed in the early morning hours of July, 8, 2001, during the proceedings at the Clara Shortridge Foltz Criminal Justice Center. Perhaps even more emotionally potent than a series of autopsy photos, was a simple gray mannequin, which lay dormant in the back of the courtroom. Each of the more than 30 red pins stuck into the mannequin's head, neck and chest represented the spot on Kim's body where he was stabbed in rapid succession.

The prosecution's case is centered on the belief that Barba, then 21 years old, called a cab for the specific purpose of killing and robbing the driver. Carmen's first witness to take the stand Tuesday was Linda Deskin, a cab driver who was working as dispatcher for the AAA Cab Company on the night Kim was attacked.

Deskin sent the Koreatown resident to the pick-up location.

Deskin remarked that the caller, who called himself "Sergio," did not leave a call-back number as per the company's policy.

"Then, he called back almost immediately," she recounted. "He asked if the driver had change for a \$50. I told him to go to the grocery store if he needed change. I would never tell a caller how much money a driver had."

Upon cross-examination, Fisher got Deskin to admit that she told investigators the voice sounded like someone of African-American ethnicity. Barba is Hispanic.

The prosecution later called eyewitness Eric Ramirez, the man who testified he saw the suspect flee the scene. Ramirez was returning to his former home on the 700 block of Brooks Avenue the night of the murder when he happened upon a stopped cab.

"I stopped my car behind a taxi and thought someone would be getting out," Ramirez said. "I saw a commotion in the car and thought the driver was getting robbed. Then I went back and saw someone get out. He was hiding in the bushes."

Ramirez recalled seeing the suspect run into the alley behind the apartments, before noticing Kim had emerged from his halted cab with "blood all over him."

"He was stammering, and he just kind of opened his mouth," Ramirez said. "But I didn't hear anything."

The witness said that the 59-year-old Kim staggered past his car toward Lincoln Boulevard, a block away, before Ramirez went home and called 9-1-1.

Fisher took issue with Ramirez's description of the killer on cross-examination, remarking that the witness told police the suspect was 5'10". Barba stands 5'4".

Fisher, during his opening statement, implored the jurors to keep an open mind until all the evidence was heard. The public defender seemed confident of his case, repeatedly remarking that the prosecution "had a weak case" and that the lion's share of their evidence was purely circumstantial.

Barba has pleaded not guilty to one count of murder and one count of armed robbery.

The trial is expected to last throughout the week. Superior Court Judge Robert J. Perry, who is overseeing his 169th murder trial, had expressed hope that the jury could begin deliberating by Thursday.

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STATE



CALIFORNIA BRIEFS

Drug dogs sniff students

By The Associated Press

TUSTIN — Drug-sniffing dogs will be prowling four schools this fall as part of an effort to deter student drug use.

The Tustin Unified School District board voted Monday to allow canine searches at Foothill and Tustin high schools, and at Currie and Hewes middle schools. The one-day pilot program will focus on lockers, desks, unattended backpacks and vehicles.

Dogs will not search students or areas where students are present, officials said.

"We are trying to take a proactive approach in dealing with (student drug use)," said Ron Heape, district coordinator of child welfare and attendance. He noted the student drug problem in Tustin isn't any more serious than other schools.

The district might expand the searches beyond the one-day trial, and to other schools, if the parents and students embrace the program, Heape said.

Newport-Mesa Unified adopted a policy in the early 1990s that allows for random searches by drug-sniffing dogs, but no searches have taken place for at least three years. Los Alamitos Unified and Huntington Beach Union have both used dogs in the past, but they are not currently being used.

Deputies cleared of killing

By The Associated Press

VENTURA — Deputies were justified in killing a gunman who opened fire in the parking lot of the sheriff's station in Thousand Oaks, the district attorney said.

Gregg Wynn Hackett, 48, of Newbury Park "initiated an unprovoked, potentially deadly attack on the East County Sheriff's Station and innocent civilians in the area," District Attorney Greg Totten said Monday in a 24-page report on the Aug. 5, 2003, shooting.

"Each of the officers who responded to Hackett's shots described a situation where Hackett's actions were putting lives in jeopardy. Only through extreme good fortune were no innocent persons killed or seriously injured," Totten said.

The district attorney's investigation didn't explain Hackett's motive.

An autopsy determined Hackett had antihistamine, muscle relaxant and marijuana in his system at the time of his death, but Senior Deputy District Attorney Jim Ellison said it wasn't known if drugs were the reason for the shooting.

The attack began about 9:40 a.m. when Hackett stopped his red Acura in the driveway of the Olsen Road sheriff's station and began shooting at the building and people in the area. Officers from several law enforcement agencies were at the station and many returned fire.

Investigators recovered more than 900 rounds of ammunition and spent shell casings from Hackett, his car and the surrounding area. At least 33 bullets struck the sheriff's station and there were additional strikes to six vehicles, nearby buildings and a trash can.

Quan protests firing

By The Associated Press

POMONA — Former Cal Poly police Chief Randal Quan alleged in a lawsuit against the college and California State University system that he was fired for refusing to hire an unqualified black woman as his second in command.

Quan, who was abruptly fired April 8, 2003, from his \$107,000 a year job, claimed in the Superior Court suit that California State Polytechnic University officials pressured him to hire the woman as his lieutenant in the name of diversity.

He protested, saying campus safety would be jeopardized.

Quan attorney Steven Serratore and a Cal Poly spokesman wouldn't comment Monday on the Jan. 15 lawsuit, which alleged wrongful termination, violation of the California Fair Employment and Housing Act and infliction of emotional distress.

University spokesman Ron Fremont said the school recently hired new department chief Michael Guerin, who previously worked as the chief of the Law Enforcement Branch of the Governor's Office of Emergency Services.

Quan was hired at Cal Poly with much fanfare in May 2002 after 26 years in law enforcement, much of it with the Los Angeles Police Department where he became the first Chinese-American captain in LAPD history.

The lawsuit said Cal Poly Provost Tomas Morales began pressuring him to hire a black woman for the lieutenant job soon after hiring him. Morales was eager to hire a high-ranking female officer, the suit said.

Morales and other university officials manipulated a search process so Shirley Smith, a black woman who heads the private security force at Cypress College, was named a finalist, Quan's suit said. Quan said he interviewed Smith and determined she lacked the qualifications for the lieutenant job.

Jailhouse integrates Asian inmates

By The Associated Press

LOS ANGELES — Sheriff Lee Baca's decision to end jailhouse segregation by placing Asian and Asian-American inmates in the general population has angered families who complain the move puts their loved ones in danger.

Baca met Monday with about two dozen family members who asked him to reconsider the end to the decade-long policy of segregation in an "Asian-only module" at the downtown Men's Central Jail. The unit housed about 300 inmates out of a total population of 7,000.

Sheriff's deputies began moving the Asian inmates out of their segregated dorms last week, leading some to set fire to mattresses and flood their cells. There were no injuries and the uprising was quickly quelled.

Officials match inmate demographics daily with the capacity of each jail facility to determine the proper ethnic mix, Assistant Sheriff Doyle Campbell said. Asian gang members will continue to be segregated, he said.

Recent increases in the Asian jailhouse population, coupled with budget constraints, jail closures and deputy layoffs, forced moving them into the general population, Campbell said.

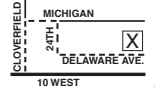
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STATE

Federal judge rules part of Patriot Act unconstitutional

BY LINDA DEUTSCH

AP Special Correspondent

LOS ANGELES — A federal judge has ruled that a portion of the USA Patriot Act which bars giving expert advice or assistance to groups designated as foreign terrorist organizations is unconstitutional and the government may not enforce it.

David Cole, an attorney and Georgetown University law professor who argued the case on behalf of the Humanitarian Law Project, said the ruling marks the first court decision to declare a part of the Patriot Act unconstitutional.

In a 36-page ruling handed down late Friday and made available Monday, U.S. District Judge Audrey Collins said the ban on providing "expert advice or assistance" is impermissibly vague in violation of the First and Fifth Amendments to the Constitution.

The U.S. Justice Department was reviewing the judge's ruling, spokesman Mark Corallo said in a statement from Washington, D.C.

Corallo called the Patriot Act "an essential tool in the war on terror" and asserted that the portion at issue in the ruling was only a modest amendment to a pre-existing anti-terrorism law.

"By targeting those who provide material support by providing 'expert advice or assistance,' the law made clear that Americans are threatened as much by the person who teaches a terrorist to build a bomb as by the one who pushes the button," he said.

A civil rights attorney applauded the decision.

"We're thrilled that the first judge to look at the free-speech implications of the Patriot Act has ruled properly," said ACLU attorney Ann Beeson. "She recognized that the Patriot Act was written so vaguely that it is suppressing legitimate political speech."

The case before the court involved five groups and two U.S. citizens seeking to provide support for lawful, nonviolent activities on behalf of Kurdish refugees in Turkey.

The Humanitarian Law Project, which brought the suit, said the plaintiffs were threatened with 15 years in prison if they advised groups on seeking a peaceful resolution of the Kurds' campaign for self-determination in Turkey.

The judge's ruling said the law, as written, does not differentiate between impermissible advice on violence and encouraging the use of peaceful, nonviolent means to achieve goals.

"The USA Patriot Act places no limitation on the type of expert advice and assistance which is prohibited and instead bans the provision of all expert advice and assistance regardless of its nature," the judge's ruling said.

"This is a victory for everyone who believes the war on terrorism ought to be fought consistent with constitutional principles," said Cole, the attorney who argued the case.

"It is the first federal decision declaring any part of the Patriot Act unconstitutional," he said.

The ruling specified that the plaintiffs seek to provide support to "the lawful, nonviolent activities" of the Kurdistan Workers' Party, known as the PKK, and the Liberation Tigers of Tamil Eelam, known as the LTTE, which advocates for

the rights of the Tamil people in Sri Lanka. Both groups are on a list issued by former Secretary of State Madeline Albright in 1997 designating them as "foreign terrorist organizations."

In Sri Lanka, the Tamil Tiger rebels have been engaged in a two-decade civil war that has killed more than 65,000 people.

Turkey's military has been battling Kurdish rebels seeking autonomy since 1984, a fight that has left some 37,000 people dead.

Since the "foreign terrorist organizations" designation, the judge said, the Humanitarian Law Project and other plaintiffs including Ralph Fertig, the HLP president "have not provided such support, fearing criminal investigation, prosecution and conviction."

The ruling noted that with enactment of the Patriot Act, the prohibition on providing "material support" or "resources" to such groups was expanded to include "expert advice or assistance."

The judge did reject one portion of the lawsuit which claimed that one section of the Patriot Act was "substantially overbroad."

Lawyers for U.S. Attorney General John Ashcroft opposed the lawsuit on grounds that there is not "a genuine threat of imminent prosecution" of those who would assist the groups in question. They also argued that the advice they sought to offer on international human rights, peacemaking and advocacy is "not even arguably expert."

The judge disagreed, citing the plaintiffs' long history of work in the field of human rights.

The HLP is a nonprofit organization headquartered in Los Angeles which has consultative status to the United Nations, the ruling said. It is dedicated to furthering international compliance with humanitarian law and human rights law and peaceful resolution of armed conflicts.

Fertig, who has a record of over 50 years in human rights work, has conducted fact-finding missions to Turkey and published reports on his findings which support the struggle for Kurdish liberation. The reports assert human rights violations against the Kurds including execution of more than 18,000 Kurds, arbitrary detentions and torture of those who speak out for them and destruction of 2,400 Kurdish villages.

The ruling noted that Fertig and others associated with the HLP have provided training to PKK and Kurds "in using humanitarian law and international human rights law and in seeking a peaceful resolution of the conflict in Turkey."

Collins' ruling follows a December decision by the 9th U.S. Circuit Court of Appeals to overturn portions of a sweeping 1996 anti-terror law which preceded the Patriot Act. A three-judge panel found the law's reference to financial assistance or "material support" to terrorist organizations was overbroad.

That case also was brought by the Humanitarian Law Project and involved work being done on behalf of the Kurdistan Workers Party.

In that decision, appeals court Judge Harry Pregerson wrote that the "material support" section of that law "blurs the line on protected speech."

The government has asked for a rehearing of the three-judge decision by the entire circuit court.

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STATE



Report: Trains would cost less, be better for environment

BY STEVE LAWRENCE

Associated Press Writer

SACRAMENTO — A high-speed rail system linking California's major cities would be less than half as expensive and more environmentally friendly than building highways and airports to meet the state's travel demands, a draft environmental impact report says.

The 2,000-page document, scheduled to be released Tuesday at news conferences in San Francisco and Los Angeles, looks at three options to deal with the state's transportation needs as intercity travel increases as much as 63 percent over the next 20 years.

Under the first scenario, the state would

build only those highway and airport projects currently in the planning stages. Under the second, the state would build those projects and add an additional 2,970 miles of new highway lanes, nearly 60 new airport gates and five runways at a cost of nearly \$82 billion in today's dollars.

The third option calls for a 700-mile high-speed rail system to supplement the currently planned highway and airport projects with trains running at top speeds of more than 200 mph. The trains would cost \$33 billion to \$37 billion in today's dollars and carry as many as 68 million passengers a year by 2020, according to the report.

"Our conclusion is, and data shows, that basically the high-speed train is the

best of the three options," Mehdi Morshed, executive director of the California High-Speed Rail Authority, said Monday.

The first option would result in "almost a chaotic situation ... where we have extreme cases of gridlock," he said.

The second alternative "would cost more than twice as much as high-speed trains, if we could do it, and would have substantially more impact on wetlands, farmlands, air quality and other environmental impacts that we are concerned about."

The authority, headed by a nine-member board, is proposing construction of a high-speed rail system that would link the San Francisco, Sacramento, Fresno, Los Angeles and San Diego areas.

A \$9.95 billion bond measure on the November ballot would provide part of the funding for the first leg of the system, between Los Angeles and San Francisco. But Gov. Arnold Schwarzenegger is urging lawmakers to postpone that vote, and a key legislative supporter of high-speed rail, state Sen. Dean Florez, D-Shafter, supports a delay until 2006, saying voters might be more willing to take on additional debt when the economy improves.

The project is likely to run into opposition, the draft report acknowledges, although its ridership projections are based on "investment grade" estimates that could draw private financing, Morshed said.

Federal judges protest law limiting sentencing discretion

BY PAUL CHAVEZ

Associated Press Writer

LAGUNA BEACH — Chief judges of the federal district courts in the West objected Tuesday to a new law limiting their discretion in sentencing people convicted of crimes, saying Congress should have consulted them before acting.

The opposition was voiced during a two-day meeting of the 15 chief district judges of the U.S. 9th Circuit that concluded here Tuesday.

Judge John Coughenour of Seattle said the group had "virtual unanimity" in its disdain for the Feeney amendment, which compels judges to strictly follow federal sentencing guidelines and orders that reports be sent to Congress on anyone who deviates from them.

The amendment, sponsored by Rep. Tom Feeney, R-Fla., was placed in a federal anti-crime bill signed by President Bush last year. It was supported by Attorney

General John Ashcroft.

Ashcroft's Department of Justice made no attempt to consult with judges before supporting the amendment, Coughenour said, and ignored a sentencing commission created by Congress to make recommendations on such matters.

Supreme Court Chief Justice William H. Rehnquist has also criticized the law.

Supporters say it was needed to ensure fair and equal sentencing throughout the court system. But Judge Ancy Haggerty of Portland, Ore., said Congress enacted the measure, in part, using misleading statistics about how often federal judges departed from sentencing guidelines.

"If you look at the overall number of times a judge supposedly departed, it was done at the request of the government in most cases," Haggerty said.

Mary Schroeder, chief judge of the 9th U.S. Circuit Court of Appeals, said the district judges also considered proposals on how to make the courts of the circuit more efficient.

She said judges will consider increasing the use of

special masters to oversee complex patent and intellectual property cases that require technical expertise.

Schroeder also introduced a jury reform proposal that would enhance jurors' experience. Jurors, for example, may be allowed to ask questions during a trial and be given permission to discuss jury proceedings.

The 9th Circuit also is looking at ways to deal with the high number of litigants who represent themselves. About 40 percent of the appeals in the circuit involve people acting as their own attorney, Schroeder said.

She said the court plans to consider expanding programs that provide free representation by qualified attorneys.

The chief district judges also discussed how to cope with rising costs Coughenour said are outstripping their "modest increase in budget."

Layoffs have occurred in some district courts, and courthouse and filing window hours may be reduced to cut costs, said Judge Consuelo Marshall, who presides in Los Angeles.

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DAYS ON THE MARKET

By Jodi Summers

Record low rates over the last few years have made homes ownership a possibility for more middle- and lower-income homebuyers. New demographics of homebuyers have been shaping trends in new home design.

"We're going to continue to see growth of Gen-X buyers in the new-home business, and that will begin to impact what types of homes are being built," noted Steve Bottfeld, EVP of Las Vegas-based consumer research firm Marketing Solutions.

Typically, the physical attributes that have the greatest effect on a property's value are location, total square footage, the number of bedrooms and baths and its overall condition. Get inside the shell of the home, and things start to change with the generations. Gen-X buyers require home entertainment centers, increased connectivity, and there is a desire to replace backyards with enclosed courtyards in the front of the house. Another

trend Gen-Xers are dictating are large open rooms, dubbed "great rooms," which enable homeowners to set up the space however they choose. A very loft-like concept. The traditional living room is aging with the baby boomers — it's becoming smaller in size and is nearly extinct in some new-home markets.

As living rooms shrink, kitchens are becoming larger, and more women are designing them. Expect the concept of island kitchens to increase in popularity, as will indoor grills. "Kitchens and master bedrooms are what sell the house," Bottfeld declared.

Kitchens, bedrooms and more. According to a recent study by two Florida State University professors, the feature held most dear by homebuyers is the bathroom. A full bath adds about 24 percent to the selling price of a house. A fireplace adds 12 percent to the selling price, and each additional fireplace is worth about as much as the previous one.

Also, according to trends predicted at the recent 2004 International Builders Show in Las Vegas, another movement is toward higher density developments. The urban village concept will be become more popular as builders face stricter land-use controls and urban cores simply run out of space. In other words, Santa

Monica has been the prototype community all along.

Compare Santa Monica to Summerlin, a master-planned community just outside Las Vegas. This example of the mixed-use urban village concept is very similar in design to century-plus-old Santa Monica. Summerlin encompasses 22,500 acres of land and houses about 30,000 residents. Santa Monica is closer to 360,000 acres and houses 84,084 (according to the 2000 census). Summerlin boasts mixed-income housing, large areas preserved for open space, environmental protection measures such as new habitats created for bird life, and public transit access points. Santa Monica prides itself on all of those elements.

"In many ways, Santa Monica is a perfectly designed community," notes Ocean Park resident Nancy Jones. "You can get everything you want or need without having to go very far for it."

Locally, the Gen-X home-building concept hasn't kicked it, but the Gen-X remodel has. Remodeling has become a national trend. An impressive \$109 billion was spent on remodeling nationwide in 2001.

"House prices have risen faster than the dollar-per-square-foot cost of renovating, which suggests that investing in your home is a very wise thing to do," says Mark Zandi, chief economist at

Economy.com. Although the local real estate market has more than doubled in the last five years, the cost of remodeling has gone up just 2.8 percent annually.

Giving thought to remodeling your home to 21st century needs? Experts say there are only two reasons to put yourself through the dust and debris of a renovation. First, you love where you live. Second, as economist Gopal Ahluwalia of the National Association of Home Builders explains, unless you maintain your property, it will deteriorate. You have to redo kitchens and baths every 15 to 20 years to preserve the value of your investment. The price of not keeping your home up to date is that it might eventually sell for significantly less than others of the same size.

Today, the average family stays in their home up to 12 years. David Lereah, chief economist of the National Association of Realtors advises that it's not worth renovating at all if you're not planning to stay at least three years. For the short term, a paint job should suffice. Let the Gen-Xer that buys your property make their own great room.

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

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Date Sold	SqFt:	List Price:	Bed:	Date Sold	SqFt:	List Price:	Bed:	Date Sold	SqFt:	List Price:	Bed:
01/22/2004	N/A	\$1,790,000	4	01/22/2004	1,498	\$759,000	3	01/22/2004	784	\$299,000	2
	Lot Size: 5,998	Sold Price: \$1,755,000	Poo Bath: 3.5		HOD: \$350	Sold Price: \$760,000	Bath: 2.5		HOD: \$189	Sold Price: \$302,000	Bath: 1
SOLD 175 W CHANNEL RD SANTA MONICA 90402				SOLD 201 OCEAN AVE #407B SANTA MONICA 90402							
Date Sold	SqFt:	List Price:	Bed:	Date Sold	SqFt:	List Price:	Bed:				
01/21/2004	3,465	\$2,495,000	5	01/23/2004	510	\$309,000	0				
	Lot Size: 10,720	Sold Price: \$2,285,000	Bath: 3.5		HOD: \$300	Sold Price: \$300,000	Pool Bath: 1				
SOLD 415 MESA RD SANTA MONICA 90402				SOLD 937 LINCOLN BL #7 SANTA MONICA 90403							
Date Sold	SqFt:	List Price:	Bed:	Date Sold	SqFt:	List Price:	Bed:				
01/21/2004	3,834	\$1,775,000	4	01/23/2004	478	\$339,000	0				
	Lot Size: 10,946	Sold Price: \$0	Pool Bath: 3		HOD: \$111	Sold Price: \$324,250	Bath: 1				

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REAL ESTATE



Industrial market in LA area soft, but rebounding



IN YOUR SPACE

By Christina S. Porter

The Los Angeles Basin and Kern County industrial market is huge — the largest industrial market in the United States, with approximately 1.3 billion square feet of space. It has a good mix of building types, with approximately half (46 percent) of the space in "big boxes" (buildings with 100,000 square feet or more of space) and half (54 percent) in small or moderate-sized buildings. The market is starting to mature, particularly in Los Angeles County. Sixty-one percent of the total space was built before 1980, and only 39 percent since 1980.

Kern County demand for industrial space picked up in the first half of 2003, particularly among owners who were

stimulated by very low interest rates. Net absorption totaled 13.5 million square feet, for an amount almost equal to the total for all of 2002 (plus 15.8 million square feet). The market is on-target for meeting or surpassing the 20 million square-foot-per-year average witnessed since 1980.

Construction completions were restrained and "only 8.7 million square feet" of space came on line in the first half of 2003. The combination of strong demand and restrained construction caused vacancy rates to drop to 5.7 percent, down from 6.0 percent at year-end 2002 and 6.1 percent a year ago (data includes space available for sublet). This is a healthy vacancy rate and is one of the lowest in the nation.

Industrial construction has picked up. As of mid-year 2003, 15.2 million square footage was under construction, which, when complete, will expand the base by 1.2 percent. This is a moderate level of construction, which can be readily

absorbed if demand remains strong. If demand should drop (for example, due to a failure of the economy to improve), the vacancy rate would climb by approximately one percentage point. However, this still would be within the healthy range.

The industrial markets in most of Los Angeles and Orange Counties are substantially built out, and most of the expansion is taking place in the Inland Empire and, increasingly, Kern County. The Inland Empire captured 55 percent of the net absorption that took place in the Basin in the first half of the year, and Kern County captured 20 percent. Vacancy rates are below 10 percent in the most rapidly growing submarkets (Inland Empire and Kern County) and are 6 percent or lower in Los Angeles, Orange and Ventura Counties.

Investors and users remain highly interested in industrial product. Extremely favorable interest rates have spawned a wave of owner-user buyers, which drives up prices. The primary problem for investors is a lack of investment-grade product. Industrial building owners interested in selling their properties prefer to make their buildings available to the marketplace as vacant, as opposed to fully leased. Prices to owner-users of vacant properties generally exceed prices to investors of leased properties.

According to the company's broker survey that was taken in the fall of 2003, interest in future industrial leasing requirements appears to be picking up (in addition to an exceptionally strong demand for for-sale buildings). Thirty-seven percent of the brokers surveyed say that demand is

up. Twelve months ago, none reported any increase in interest. Relative to the pace witnessed over the past 12 months, 75 percent of those surveyed anticipate that leasing activity will increase. Interest is reported to be particularly strong from distributors, but weak from manufacturers.

The combination of an increase in demand and an increase in construction results in projected market conditions that are relatively static but healthy, with growing demand offset by growing supply.

Effective rents are projected to climb moderately (up 14 percent), while last year they were projected to fall moderately (down 12 percent).

Demand to buy industrial buildings remains intense. Interest rates are still low, and supply is very limited. However, prices have climbed very sharply in the past four years, and views regarding whether it can maintain this pace are mixed, with nearly a third of the respondents anticipating a modest correction, but two-thirds anticipating continued growth in prices. The average projected increase in prices is 2.5 percent.

Risks cited by the brokers include high process and low cap rates. The greatest opportunities were seen in small buildings for owner-users.

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

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Report sees no end to worsening housing squeeze

BY JIM WASSERMAN

Associated Press Writer

SACRAMENTO — Commutes are longer, prices are higher and ever more Californians spend half their salaries for a mortgage and rent. That's the findings of a new study on California's dismal housing situation.

California's affordable housing crisis has reached "emergency status" and homeownership is becoming for millions "the impossible dream," reports the California Budget Project, a nonprofit group that analyzes econom-

ic trends affecting moderate- and low-income people.

The nonprofit group's "Locked Out 2004" report is the fourth in a series since May 2000, a period during which median single-family home prices have risen \$140,000, condominium prices have soared \$112,000 and those who can afford either has plunged to 25 percent statewide.

"Businesses are being affected, and more middle-income people are affected and politicians care about that," said the report's author, Erin Riches.

Riches said home values are still rising dramatically faster than Californians' incomes, trapping many poten-

tial buyers in a permanent rental class.

"If you're paying half or more of your income on rent, you have less to spend on other necessities and less for a down payment. The hope of achieving homeownership is far out of reach for more and more people," she said.

Senior citizens who spent decades building equity have California's highest homeownership rate at 77.5 percent, the report shows. But young families are increasingly strapped to match their elders' accomplishment and far less likely than 20 years ago to own homes.

Only 26 percent of people in their 20s own homes, compared to 48 percent of those in their 30s, the report states.

Riches said low-wage renters suffer most from California's supply shortage as rising prices push them downward into substandard apartments.

As with previous reports, the California Budget Project calls for a greater commitment to affordable housing from local, state and federal governments before the crisis damages the state's already struggling economy.

Budget for 2005 includes \$105M for Klamath water

BY JEFF BARNARD

Associated Press Writer

GRANTS PASS, Ore. — The president's budget for 2005 includes \$105 million for balancing fish against farms in the Klamath Basin, an increase of 21 percent, the Bush administration announced Tuesday.

Interior Secretary Gale Norton, speaking from Washington, said the Klamath Basin was a model for administration efforts to solve water crises around the West by working collaboratively to meet the needs of agriculture, Indian tribes, the Endangered Species Act and others.

New projects include \$4.6 million toward buying the Barnes Ranch to increase water storage and restore wetlands on Upper Klamath Lake, which doubles as an irrigation reservoir and habitat for endangered suckers. Rich MacIntyre of American Lands Conservancy, which is brokering the deal, said talks continue on the price.

There is also \$2.1 million to complete removal of an irrigation dam on the Chiloquin River to restore 70 miles of sucker spawning habitat, \$12 million to help farmers use less irrigation water and protect fish and wildlife habitat, \$5.9 million to develop partnerships for restoring fish habitat, and \$2.5 million for new studies on restoring endangered suckers.

The administration focused attention on the Klamath Basin after a drought in 2001 forced the shut-off of irrigation to most of the 1,400 farms on the Klamath Reclamation Project, which straddles the Oregon-California border. The shut-off was designed to fulfill Endangered Species Act demands for suckers in Upper Klamath Lake and coho salmon in the Klamath River.

Though farmers and environmentalists have been adversaries, they agreed the projects represented progress.

"It's very encouraging, because the actions that are taken are very consistent with the recent (National Research Council) final report," said Dan Keppen, executive director of the Klamath Water Users Association, which represents Klamath Project farmers.

Steve Pedery of WaterWatch, an environmental group, said they were "cautiously optimistic" about the spending package, but noted that there was no money to buy farmland and water rights within the Klamath Project to permanently reduce demand.

The spending recommendations were based on a National Research Council report recommending a basin-wide approach to solving the region's water crisis, said James Connaughton, chairman of the White House Council on Environmental Quality.



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NATIONAL



Yellowstone Park's wheels of justice turn in tiny courtroom

BY SCOTT MCMILLION

Associated Press Writer

YELLOWSTONE NATIONAL PARK, Wyo. — When Edward Johnson appeared in court here recently, he brought his girlfriend and his lawyer, which pretty much filled the courtroom.

He was making his first appearance on a federal felony charge of possessing a loaded gun and drug material in the park. He had to be fingerprinted, a job that Deputy U.S. Marshal Jay Mears had to do in the courtroom, right there on the judge's bench in Mammoth Hot Springs, Wyo., just inside the park's northern entrance.

Yellowstone is a big park: 2.2 million acres of geysers and grizzlies, bison herds and Winnebago jams. But as big as the park is, the process of administering justice takes place in a shoebox.

"Lots of people don't know there's crime in the park," said U.S. Magistrate Stephen Cole, who presides over the tiny federal courtroom.

Mary Kramer, an attorney in nearby Gardiner, Mont., who often defends people in court here, said when she needs to talk privately with a client, she does it in her car or, if the weather's good, on the lawn, which poses other hazards.

"You have to make sure you don't get speared by an elk," she said.

Such is life in Yellowstone, where nature dominates, but human nature remains a contrary beast. That's why the park also has a jail, an old Navy brig that sits inside a cement building tucked out of public view, a 1911 structure with crumbling corners under a layer of paint the color of pistachio ice cream.

The jail — technically just a "holding facility" — is a steel cage within a brick box, with six iron bunks and two exposed toilets. On busy summer weekends, it's often full. It passes federal requirements, but "just barely," according to Chief Ranger Rick Obernesser.

And it's too small to accommodate men and women at the same time, or adults and juveniles. Federal rules call for a "sight and sound" barrier that separates inmates by age and gender. When a woman or a juvenile is arrested here, either somebody has to drive them to West Yellowstone, Mont., or Lovell, Wyo., or officers must decide which prisoner goes free early.

Federal officials are proposing building a new justice center here, one that would include a courtroom, judge's chambers, holding cells for prisoners, offices for law enforcement rangers and a U.S. marshal, and places to store evidence and records. Currently, all those facilities are scattered in three buildings. Evidence sometimes is locked in empty cells. And a fingerprint kit resides in the gray metal locker that consumes a considerable chunk of the 262-square-foot courtroom.

The new facility would be on the grassy lawn on the north edge of the Mammoth Hot Springs Historic District, across from the medical clinic. The National Park Service promises the \$4.5 million, 9,000-square-foot facility with two stories and a basement will blend in with existing structures.

But some critics are dubious. Although planning is in its early stages, several people have questioned the location.

"I want to see the Mammoth Historic District kept in its current condition without the blight of a two-story jail," Kristine Maloney wrote in formal comments to the Park Service.

Building on that location will displace both elk and people, said a form letter sent by 29 people urging the Park Service to build it somewhere else. Cole said some people have the wrong idea about what's being proposed.

"The perception is it will be San Quentin on the hill over here," said Cole, who lives a few hundred yards away. People worry about guard towers and spotlights, but such won't be the case, he said.

"It won't even look like a jail," he said.

The location won't be finalized for some time, park spokeswoman Cheryl Matthews said.

Cole has been the park's judge for almost 23 years, a position that is technically part time, but over the years has come to take up full-time hours. He said that last year he heard 240 cases, most of them misdemeanors or initial appearances for felonies, which move on to a district court in Wyoming. In the 1980s, he handled about 100

cases a year, and normally had little to do in the winters. "There used to be a pretty good respite of three or four months," he said.

Special Assistant U.S. Attorney Don White prosecutes cases here, a job that now brings him to the park three or four days a week from his Bozeman offices. Others in the court system are busy, too.

For most of his tenure, Cole did his own paperwork, but now has enough of it to keep a full-time secretary busy. A full-time deputy U.S. marshal has been added to the park, and two more arrive in the summer, in part to provide security for the court. Lawyers in Montana and Wyoming communities represent indigent defendants.

While Yellowstone has special categories of crime — it's illegal to dig bait, climb certain cliffs or scuba dive in the Yellowstone River — much of the court's increased load results from substance abuse.

"We've got more DUIs, more people with suspended (driver's) licenses and a lot more drugs," White said.

"Five years ago, I could count on one hand the number of people I sent to jail," Cole said.

So far this year, he's sentenced that many to jail time. Serious offenses, such as arson, assault and car theft, have declined steadily since 1976, Park Service statistics show. But offenses such as drunken driving and some drug crimes doubled from 1976 to 2003.

Violations notices have grown sixfold and the number of arrests has grown tenfold in the same. About half of the crimes are committed by the park's residents — many of them seasonal workers — in the 13 communities scattered across the park, Obernesser said. The rest are committed by the park's 3 million annual visitors.

Obernesser said the breakdown compares to service industry workers in places like Bozeman: young people who sometimes party too hard, transients committing crimes of opportunity.

"People are surprised that normal stuff happens here," he said.

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NATIONAL

New testing rules pose problems in Alaskan schools

BY MIKE CHAMBERS

Associated Press Writer

JUNEAU, Alaska — Some western Alaska schools that for decades have taught and helped preserve the Native Yupik language are in a quandary over meeting new federal testing requirements under the No Child Left Behind Act.

In the Lower Kuskokwim School District, third grade children taught almost exclusively in the Yupik language may be required to pass federal tests written in English.

In Alaska, where Natives speak 20 aboriginal languages and dialects, meeting a uniform federal law could ultimately be too expensive, conflict with Native cultural traditions as well as the local control that the rural villages treasure.

"Not many states face the issues that we do," said state Education Commissioner Roger Sampson.

Under the federal law, students would be tested annually from grades 3-8 and again in high school.

States could make accommodations for language barriers, but after three years in U.S. public schools the children would be required to take English-only tests.

Aside from the Heritage Language programs in more than 30 rural public schools, Alaska's largest city of Anchorage has more than 93 languages spoken by students, Sampson said.

Already cash strapped, the state can little afford to translate tests into more than 100 languages, education officials said.

And even if it could, the Yupik language, though spoken by thousands of Alaska Natives from Norton Sound to Bristol Bay, does not translate as completely as Spanish or other European languages.

For instance, mathematics to American children is based on units of 10, where increments of 20 are used in Yupik math and numerous English words have no Yupik counterparts.

The Lower Kuskokwim School District, which oversees schools in Bethel and surrounding villages has had an intensive Yupik language program for about 30

years, said Superintendent Bill Ferguson.

A similar program instituted by the Bureau of Indian Affairs in earlier years was seen as a progressive way to assimilate Native children into English fluency.

Since then, it's become a way for Yupik-speaking Natives to sustain their language and culture just as other Alaska Native languages dwindle.

"I feel strongly that our kids should speak Yupik fluently," said state Rep. Mary Kapsner, of Bethel. "I really feel this isn't just an academic issue about benchmark tests, but about cultural and social well being."

Beginning in kindergarten and extending to third grade, students enrolled in the Yupik language program are taught a Western curriculum similar to those found in Lower 48 classrooms.

But teachers speak Yupik and students read from Yupik textbooks, produced by the district by permission of their English-language publishers.

While most children speak some English, those enrolled in the programs don't begin formal academic training in the language until fourth grade.

Sampson wants permission from federal education officials to delay testing these Heritage Language students until sixth grade. At that time, the students would

have had three years of English-speaking instruction.

Already, schools in the district are failing to meet "adequate yearly progress" set out by the federal law, and much of that is attributed to the language barrier, Ferguson said.

Alaska educators hold little hope that Yupik-speaking students will fare well in third-grade testing in the 2005-2006 school year when all schools are expected to have such tests in place.

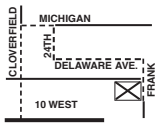
Ultimately, Alaska may seek a waiver under the federal law to accommodate its language barrier, Sampson said. The state Board of Education will take up the issue Jan. 29.

Winning an exemption from some parts of No Child Left Behind from Education Secretary Rod Paige will be difficult.

"Secretary Paige has made some very strong statements regarding the fact that he doesn't anticipate the state's being exempted from any requirement under NCLB," said Education Department spokesman Zollie Stevenson.

States could seek federal funds to pay for translating testing materials, Stevenson said, but he acknowledged enough money may not be available to meet Alaska's varied dialects.

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Mayors give 'no confidence' vote to Legislature on taxes

By The Associated Press

JUNEAU, Alaska — Alaska's mayors have given an unprecedented "no confidence" vote to the Republican-controlled Legislature.

In a strongly worded resolution, the Alaska Conference of Mayors warned that Alaska faces an economic crash if lawmakers fail again this year to deal with the state's chronic budget shortfalls.

The Legislature's failure to act has shifted more expenses — and higher taxes — to local governments and their residents, the group representing about 100 Alaska cities and boroughs said Tuesday.

The group is affiliated with the Alaska Municipal League, the chief lobbying arm for local governments. Both groups have been pressing lawmakers for years to deal with budget deficits that have reached hundreds of millions of dollars annually.

Lawmakers have passed several small tax increases on alcohol, tobacco and the

like. But it has failed to enact any broad-based tax to bring in revenue matching state spending.

Most recently, the Legislature rejected a statewide sales tax last session, and most GOP lawmakers along with Republican Gov. Frank Murkowski have rejected talk of an income tax.

Murkowski cut about \$250 million from state spending last session to help balance the state budget, including millions in cuts to local governments.

Local governments have seen a 33 percent increase in property taxes as the state shifts more expenses to them, the group said. Schools have suffered, and more than 30 rural communities have been forced to cut or reduce essential services such as public safety and road maintenance.

The Conference of Mayors called on lawmakers to act this year to head off a "crash and burn of our economy like that of the mid-1980s."

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U.N. Secretary-General Annan: Election team goes to Iraq

BY PAMELA SAMPSON
Associated Press Writer

PARIS — The United Nations will send a team to Iraq to determine whether elections should be held once the U.S.-led coalition authority can guarantee the mission's safety, Secretary-General Kofi Annan said Tuesday.

Annan was asked by the U.S.-led coalition and the Iraqi Governing Council to consider sending a team to examine the possibility of holding elections before the return of Iraqi sovereignty on June 30.

The U.N. chief said he believes the world body can play "a constructive role" in helping to break an impasse over the selection of a future interim Iraqi government and will send in a team as soon as security arrangements can be made.

"The mission will ascertain the views of a broad spectrum of Iraqi society in the search for alternatives that might be developed to move forward to the formation of a provisional government," Annan said in a statement issued in Paris.

The United States is hoping that U.N.

intervention will break a deadlock between the United States and a powerful cleric over how to choose an interim Iraqi government.

"I have concluded that the United Nations can play a constructive role in helping to break the current impasse," Annan said. "Therefore, once I am satisfied that the CPA (Coalition Provisional Authority) will provide adequate security arrangements, I will send a mission to Iraq in response to the requests that I received."

For security reasons, Annan said he would not give any details about the team.

"I have already made clear that in my view there is no single 'right way.' I strongly hold to the idea that the most sustainable way forward would be one that came from Iraqis themselves," Annan said.

A leading Iraqi cleric, Grand Ayatollah Ali al-Husseini al-Sistani, opposes the U.S. blueprint for transferring power to the Iraqis by July 1. He advocates a transitional legislature to be elected, rather than appointed in regional caucuses, as the Americans have proposed. He has

drawn tens of thousands of supporters out to protest the American plans.

The United States opposes early elections because of the security situation and lack of voter rolls, but acknowledges al-Sistani's widespread influence.

U.S. officials see the United Nations as their best hope for a compromise solution. Secretary of State Colin Powell said Saturday he had been in touch with Annan almost every day recently and also met with Annan's special adviser, Lakhdar Brahimi.

The United Nations said Friday that a two-person team had arrived in Baghdad for talks with the coalition on various security matters. It was the first time foreign U.N. staff had returned to Baghdad since Annan withdrew personnel in October.

Attacks in August on U.N. headquarters in Baghdad killed 22 people, including top U.N. envoy Sergio Vieira de Mello. The United Nations has employed Iraqi staff since then.

In Baghdad, Mahmoud Othman, a Kurdish member of the Iraqi Governing

Council, called Annan's decision "a positive one" and noted that the Iraqi leadership had been urging a greater role for the United Nations.

"But I think that Iraqis should agree on this issue (elections) so that the U.N. team will not face different opinions when it arrives," he said. "The Governing Council should have a united position so that things will be easier for the team. The visiting team should consult with all Iraqis, including al-Sistani, Sunnis and the Kurds."

Entifad Qanbar, spokesman for Iraqi Governing Council member Ahmad Chalabi, said the U.S. proposal of holding caucuses was "too complicated" and that Iraqis were eager for democracy after so many years of iron rule under Saddam Hussein.

"The country may be not safe enough to hold elections, but we do not know how things are going to change and what kind of preparations that we can provide," Qanbar said. "There must be a way to have elections. We all must put our thinking in the direction of how we can have an election."



WORLD BRIEFLY

Building collapses in Cairo

By The Associated Press

CAIRO, Egypt — Rescue workers used bulldozers and cranes to clear rubble and search for survivors Tuesday after an 11-story building caught fire and collapsed, killing at least nine people — mostly firefighters who'd come to put out the blaze.

The building collapsed Monday night in the Cairo suburb of Nasr City about three hours after the fire broke out in a ground-floor appliance store.

After working through the night under spotlights, authorities recovered eight bodies — seven firefighters and police officers as well as a private citizen, according to rescue officials on the scene and Egypt's semi-official Middle East News Agency.

At least six people remained trapped in the rubble, and a member of the rescue team told The Associated Press that rescuers had heard from a survivor beneath the debris. The survivor said two others were alive with him, according to the rescue worker, who spoke on condition of anonymity.

Powell defends military stations

By The Associated Press

MOSCOW — Secretary of State Colin Powell said Tuesday U.S. plans to station military facilities in Eastern Europe are not part of an anti-Russia strategy, but rather an effort to obtain easier access to potential crises in Central Asia, the Persian Gulf and the Middle East.

Powell, winding up a three-day visit to Georgia and Russia, said the "temporary facilities" the United States has in mind for some former Warsaw Pact countries "would not be big bases of the kind we had during the Cold War."

"These might be small places where we could go and train for a brief period of time or use air bases as access to dangerous places, crisis places" to the east and south of Russia, Powell said.

He added that it would be a mistake for Russians to

see the planned deployments as directed against Russian interests.

Weapons plant thwarts fake attacks

By The Associated Press

KNOXVILLE, Tenn. — Security guards at the nuclear weapons plant in Oak Ridge stunned inspectors in June by successfully repelling four simulated terrorist attacks — a feat even computer programs predicted wouldn't be done.

That apparent success may have been tarnished, according to the Energy Department: Outside security contractors were tipped off about the impending simulations, making the tests a costly waste of time.

A broader investigation uncovered more evidence of cheating during mock attacks at the plant over the past two decades, including barricades being set up before the test to alter the outcome and guards deviating from the established response plan to improve their performance.

"There's no point in doing them if you have people who are going to cheat," said Richard Clarke, a former senior White House counterterrorism official. "That's ridiculous. It kind of defeats the whole point of having these tests."

Youthful killer goes free

By The Associated Press

FORT LAUDERDALE, Fla. — Lionel Tate, the teen who killed a 6-year-old playmate at age 12 and became the youngest defendant in the nation to be locked away for life, plans to enjoy his birthday this week like any other 17-year-old.

After an appeals court threw out his first-degree murder conviction last month, Tate struck a plea bargain that allowed him to walk out of prison Monday.

The plea hearing will take place Thursday, a day before he turns 17 and three years after he received a mandatory life sentence for the death of Tiffany Eunick. Under the deal, he will be sentenced to the time he has

already served behind bars.

Tate went home with his mother, Kathleen Grossett-Tate, where he will spend a year under house arrest and continue studying culinary arts to complete his high school diploma.

Cattle blood in feed banned

By The Associated Press

WASHINGTON — The government is banning the use of cattle blood in livestock feed in an effort to ward off an outbreak of mad cow disease.

Other rules will bar the use of cow brains and certain other animal parts in dietary supplements taken by humans.

Federal investigators also said Monday they are winding down their search for potentially infected animals which grew up with the infected Holstein — America's first and only known case discovered last month in Washington state.

The announcements came a day before a Senate Agriculture Committee hearing on mad cow. Agriculture Secretary Anne Veneman, and the Food and Drug Administration's deputy commissioner, Dr. Lester Crawford, were to testify.

O'Neill stands by criticism

By The Associated Press

WASHINGTON — Former Treasury Secretary Paul O'Neill says he stands behind his criticism of the inner workings of the Bush administration, but regrets that some of his "vivid language" is detracting from serious issues he wants to discuss.

O'Neill said in an interview with The Associated Press that despite the criticism leveled out him by the administration and its supporters, he has gotten a lot of support from ordinary people since the book, "The Price of Loyalty," was published two weeks ago.

The book, written by Ron Suskind, paints an unflattering portrait of President Bush as a disengaged chief executive in a White House where Vice President Dick Cheney and the political team wielded the real power.

In his sharpest comment in the book, O'Neill said Bush was so disengaged during Cabinet meetings that the president reminded him of a "blind man in a room full of deaf people."



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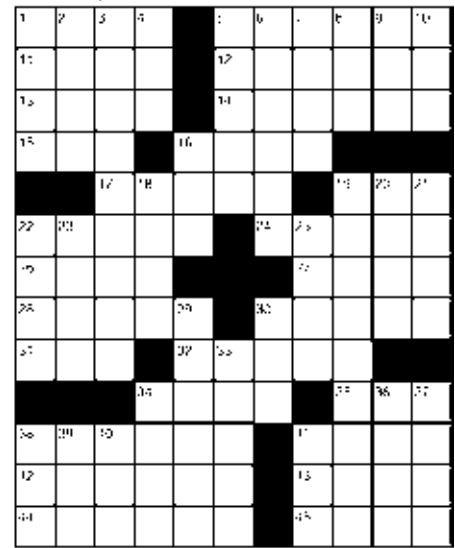


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PEOPLE IN THE NEWS

The Dead recruits Warren Haynes of Gov't Mule

By The Associated Press

■ **NEW YORK** — The Dead is getting a new member, albeit temporarily.

Gov't Mule's Warren Haynes will perform with The Dead as the band heads out on the road this summer. The guitarist, whose band toured with The Dead in 2002, will begin performing with the band next month, including a performance at the Dead's Second Annual Winter Jam in San Francisco on Feb. 9.

In a statement, Haynes said "getting to sing some of the Hunter/Garcia songs will be a real honor."

"Every time you play with different players it changes from listening to the musicians on stage," said Haynes, who will be handling vocals and guitar for the band. "Playing with three guitar players will be more sensitive. It's a challenge I am very much looking forward to."

Haynes hasn't left behind his own band, however. The group, which is starting a tour with Kid Rock, is working on a new studio album. They also were nominated for a leading four awards, along with String Cheese Incident, for the fourth annual Jammy Awards, which will be given out March 16 in New York. The awards honor the best jam bands and musicians.

The same month, Haynes will also rejoin the Allman Brothers Band for performances at New York's Beacon Theatre.

■ **LOS ANGELES** — Adam Sandler will star in a remake of the 1974 Burt Reynolds comedy "The Longest Yard," the story of a former football player turned convict who challenges prison guards to a game.

Production will begin in June with Columbia Pictures, Sherry Lansing of Paramount's Motion Picture Group said Monday.

Sandler will play Paul Crewe, the retired football

player, in a role Reynolds originally played 30 years ago.

Producers also are in discussion with comedian Chris Rock to play the role of Caretaker and rapper Snoop Dogg to play a member of the team.

"Although we plan to update quite a few things, the overall story will remain intact," said Jack Giarraputo, who co-owns the Happy Madison production company with Sandler. "We want to keep the same blend of comedy and grit that made the first one a classic."

■ **NEW YORK** — Barbra Streisand is reading the script for "Meet the Fockers," the sequel to 2000's "Meet the Parents," her husband, James Brolin, said in an interview on the syndicated "Access Hollywood" entertainment TV show.

"I know she is reading it," said Brolin, in an interview to air Monday. Excerpts were released in advance.

Streisand's participation as Ben Stiller's mother would mark a return to film for the 61-year-old singer-actress after an eight-year hiatus. She starred in 1996's "The Mirror Has Two Faces."

"Meet the Parents" starred Stiller as Greg Focker, Teri Polo as Stiller's fiancée, and Robert De Niro and Blythe Danner as Polo's parents. They are slated to return for the sequel.

■ **BEVERLY HILLS** — The Hilton sisters got upstaged at one of the Golden Globe Awards afterparties.

Prince popped up as a surprise guest around midnight at In Style magazine's party following Sunday's awards show. He played guitar on "Brickhouse" and his signature hit "Kiss," but left the singing to the band.

After two songs, he blew a quick kiss to the crowd and hopped off the stage.

Nick Lachey stood on a pink-cushioned bench near

the back of the room to get a look at his wife, Jessica Simpson, hurried down front. Alicia Silverstone, Kevin Costner, Jim Belushi, Lance Bass and Clint Eastwood were among those who attended the party.

Paris and Nicky Hilton attracted gawkers while making the rounds of several parties at the Beverly Hilton. The hotel was once owned by Barron Hilton, the sisters' grandfather.

■ **ATLANTA** — Singer and composer Isaac Hayes was among those honored at the 12th Annual Trumpet Awards, which recognize achievement by blacks in politics, business, law and the arts.

Hayes, who won an Oscar for his theme song from the 1971 movie "Shaft," received an award Monday night for past accomplishments. The awards are sponsored by Turner Broadcasting System Inc.

"Isaac's music not only made the difference in that movie, it made a difference throughout the film industry where scores are concerned," said actor Richard Roundtree, who starred in the original "Shaft" and presented Hayes with his Trumpet.

A crowd estimated at 1,500 attended the black-tie affair. With the exception of former South African President Nelson Mandela, all of this year's honorees appeared in person to accept their awards.

Others included: actress Angela Bassett; singer-actress Della Reese; music-fashion mogul Russell Simmons; producer-director Norman Lear; musical prodigy Jordan Adams; casino owner Don Barden; philanthropist Dr. Anthony Pollard; record executive Sylvia Rhone; political rights activist Dr. C. Delores Tucker; and U.S. District Court Judge Horace T. Ward.

Comedian D.L. Hughley served as host.

A taped broadcast of the awards ceremony is scheduled air on TBS at 7 p.m. Feb. 21.

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