

Santa Monica Daily Press

A newspaper with issues



Carolyn Sackariason/Daily Press

Santa Monica Police officer Adam Gwartz asks a driver for her identification to make sure her handicap placard is legal. The driver was found in compliance, but many others weren't during an undercover sting operation on Tuesday at Santa Monica College.

Non-handicapped caught in police sting

Police officers conduct undercover sting to catch illegal parkers

BY CAROLYN SACKARIASON
Daily Press Staff Writer

Police confiscated more than a dozen handicap permits in the past week from people who were illegally using them to park for free.

The Santa Monica Police Department conducted an undercover sting operation two days in the past week at the Santa Monica College Campus to catch individuals who are not disabled but used parking permits to either park in designated spaces or park for free.

Last Tuesday, 50 percent of the people stopped by police officers after they exited their cars were using someone else's handicap placard, which is hung from the rearview mirror.

On Tuesday of this week, seven people were caught — two who parked in designated spaces in the SMC parking garage and five that parked on streets near the campus.

"We have to make sure (handicap) spots are left open for people who need them."

— LT. FRANK FABREGA
SMPD spokesman

Handicapped individuals who have parking permits are able to park for free in the city — including preferential parking zones, metered spots

See STING, page 6

\$225 school parcel tax headed for the polls

School board will take up issue on Thursday night

BY ANDY FIXMER
Daily Press Staff Writer

After months of community positioning, a flat \$225 tax on every parcel of land in Santa Monica and Malibu has been proposed to go before voters.

A parcel tax exploratory committee voted Monday to recommend the Santa Monica-Malibu Unified School Board call a special June 3 election and ask voters to approve the tax. The tax — which will fall on property owners and can be passed down to renters — will have a term of six years.

If approved, the tax would generate about \$6.5 million annually for the school district, which is facing a loss of nearly \$19 million in state funding during the current

"Renters and businesses profit and the average homeowner gets screwed again."

— DON GRAY
Parcel tax committee member

year and next year.

The school board has called a special meeting Thursday to decide whether it will adopt the recommendation.

"We wanted the fairest approach we could get that would give us the best chance of winning," said Harley Frankel, a parcel tax committee member.

"We are trying to prevent massive cuts to our schools," he said. "So we were trying to be fair while still winning the election."

The committee considered two other options that would have included both a flat fee and a tax on the amount of

square feet in a building. The first proposal was a \$60 flat fee with a 7-cent tax for every square foot of developed property. The other called for a \$110 flat rate and a 5-cent tax for every square foot of developed space.

The last option was tossed out based on results from a recent poll of voters who had little support for either plan.

A study of those options released Monday night by the committee showed that most renters, homeowners, and businesses would end up paying more under the

See TAX, page 5

Let the mud fly, it's time for another city election

BY ANDY FIXMER
Daily Press Staff Writer

A coalition of national and regional conservancy groups joined forces Tuesday to oppose a measure that would make historic preservation voluntary in Santa Monica.

The National Trust for Historic Preservation, the California Preservation Foundation, the Los Angeles Conservancy and the Santa Monica Conservancy announced they would join with "Save Our Neighborhoods" to oppose Proposition A, which is also known as the Homeowners Freedom of Choice Initiative.

Special election ballots for the initiative will be sent out

in less than three weeks to registered Santa Monica voters, who will have a month to send the forms back to the City Clerk's office.

The initiative would allow Santa Monica property owners to opt out of the city's landmarks ordinance. For a residence to be designated a landmark, a structure of merit or included in an historic district, property owners would have to agree to it.

Preservationists say the initiative is a way for developers to tear down homes to build larger ones. Supporters dismiss the charge and say they are protecting their rights as property owners.

Both sides are gearing up campaigns to convince voters

of their positions. And while residents can expect in the coming weeks to see yard signs and fliers in their mail boxes, the mud-slinging already has started.

"The developer-funded supporters of the measure have spread false information about the landmarks ordinance and historic preservation to frighten voters," said Bea Nemlaha, a spokesperson for the group. "If Proposition A passes ... we will no longer be able to protect our city's few remaining significant and unique architectural and historic houses and neighborhoods from real estate speculators."

"Their investment in Santa See CAMPAIGN, page 5

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★★-So-so ★-Difficult

♈ ARIES (March 21-April 19)

★★★★ Finally, what you say counts, which creates a sense of relief. No one likes a mutiny on his or her hands, but you above all signs dislike rebellion against your ideas. You will be much happier when what you say counts. Pick and choose your words with care. Check on an older relative. Tonight: Work as late as need be.

♉ TAURUS (April 20-May 20)

★★★★ You know how to take an overview. Do just that. You get additional information from sources at a distance. Explore your options through discussions and surfing the Net. You might be amazed at what you come up with. Tonight: Rent a movie on the way home. You need some mental R and R.

♊ GEMINI (May 21-June 20)

★★★★ Your volatile energy needs focus. Allow a partner to help you with this task. "Success" becomes your middle name. Carefully review a decision that involves a partnership or a money matter. Teamwork pays off, and you actually have a good time as well. Tonight: Go for a duo.

♋ CANCER (June 21-July 22)

★★★★ Others run with the ball. If you have any thoughts of stopping a runaway train, you will have to throw yourself right in front of it. Why do that to yourself? Let others show off their stuff. You'll have plenty of time to do your thing. Tonight: The only answer is "yes."

♌ LEO (July 23-Aug. 22)

★★★ All work and no play will never make the Lion happy. Pace yourself during a heavy few days of work. Learn to delegate and rely more on associates. You will prosper, and so will others. Teamwork beats overwork. Tonight: Do something ultimately relaxing.

♍ VIRGO (Aug. 23-Sept. 22)

★★★★ Play away. You might want to carefully think through a decision that involves someone close. Bring up a questionable topic. Let a friend or loved one express his or her needs more fully. Talk together and share. Tonight: Play away.

♎ LIBRA (Sept. 23-Oct. 22)

★★★ Discussions revolve around a domestic matter. Think through a decision that could ultimately impact your personal life. You might want some feedback from those in your life who count. Think security. Tonight: Happy at home. Put your feet up.

♏ SCORPIO (Oct. 23-Nov. 21)

★★★★ Keep conversations moving, even if you hit a roadblock. You might be surprised by what you hear from others. Knowing and understanding where those around you come from could be quite helpful. A talk proves to be healing. Tonight: At a favorite spot.

♐ SAGITTARIUS (Nov. 22-Dec. 21)

★★★★ Realize what is needed to make a personal or financial matter work. You know much more than you realize about what someone wants. Deal with spending in a more conservative but direct manner with this person. Tonight: Budget night!

♑ CAPRICORN (Dec. 22-Jan. 19)

★★★★ Understand more of what you want and expect from a loved one. You might have many questions. Simply start asking them. You could be surprised at the news you hear, if you just listen. Your energy soars. Tonight: Whatever knocks your socks off.

♒ AQUARIUS (Jan. 20-Feb. 18)

★★★ You might want to listen more. What others are saying subtly could be hard to hear. You need to clear out and understand what is on your mind. Listen to your sixth sense. Follow through. Tonight: Get a good night's sleep.

♓ PISCES (Feb. 19-March 20)

★★★★ A meeting could prove more explosive than not. You might want to watch what happens, though you could decide that you do need to take a leadership role. Others respond to you and your ideas. Tonight: Do only what you want.



QUOTE of the DAY

**"I never expected to see the day when girls
would get sunburned in the places they do today."**

— Will Rogers (1879-1935)

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LOCAL



Heavyweight shopping



Carolyn Sackariason/Daily Press
Boxing legend Evander Holyfield and Randy Manns take in the sights along Broadway after shopping on the Third Street Promenade Tuesday.

Man exposes self to juvenile

By Daily Press staff

A Hispanic man allegedly pulled down his trousers in front of a young woman Monday afternoon, the juvenile victim told police.

Santa Monica Police officers responded to the report of indecent exposure on the 900 block of Michigan Avenue, but the suspect already had fled in his vehicle.

Officers spoke to the juvenile victim, who said she was standing on the sidewalk when the suspect approached her in his vehicle. The man reportedly exposed his penis to the victim, who immediately ran away.

The suspect then fled the scene — driving eastbound on Michigan Avenue and southbound on 10th Street.

Police say the suspect is a male Hispanic in his mid 30s, of average height and weight. He wears a mustache and a goatee. At the time of the incident he was wearing a backwards black baseball cap, a black T-shirt, black pants and dark sunglasses.

The suspect's vehicle is described as a newer model, dark green, 4-door with beige leather interior.

Anyone with additional information is encouraged to contact the Youth Services Division of the Santa Monica Police Department at (310) 458-8451.

SM pier looking for volunteers

By Daily Press staff

The Santa Monica Pier needs help.

Volunteers are being sought to help assist visitors and help produce the pier's events. Volunteer activities will include:

- Distributing flyers near the pier prior to events.
- Assisting the pier's guests by answering questions, locating events, and providing general assistance.
- Providing media relations assistance.
- Assisting pier and event staff with set-up and tear-down of some events.
- Working with prominent community leaders to insure the Pier's success on all events.

Volunteers who sign up now will have the opportunity to work at great pier events, including the Valentines Day Dance, arts festival, spring activities, and the Twilight Dance Series. The next volunteer session begins in February, call the volunteer coordinator at (310) 458-8786 to sign up.



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Information compiled by Jesse Haley

Today we start to see a decline in size from earlier in the week as the west-northwest swell backs off.

Monday and Tuesday's head highs will give way to chest- and shoulder-level surf on average. A minor south-west swell also is on the rise today, so south side breaks with combination exposures could see some head high waves when the tides are best.

Thursday things trend further downward as swell continues to languish.

Water looks relatively clean, especially in the north, temperatures at a moderate low, in the high 50s.

Better size is expected Friday, when new swell is due.



**Today's
Tides:**

Low- 12:25 a.m. 2.24'
High- 6:37 a.m. 6.05'
Low- 2:09 p.m. -1.14'
High- 8:40 p.m. 3.69'

Location	Wednesday	Thursday	Water Quality
County Line	3-4'/Fair	3-4'/Fair	A
Zuma	3-4'/Fair	3-4'/Fair	A
Surfrider	1-3'/Fair	1-3'/Fair	D
Topanga	2-3'/Fair	2-3'/Fair	A
Breakwater	3-4'/Fair	3-4'/Fair	A
El Porto	4-5'/Fair	4-5'/Fair	A

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The Q Line

It was reported over this past week-end that another Starbucks is opening a shop on the Third Street Promenade. That makes it one for every block. There's a Starbucks on Wilshire, another at Center Court and now one's going in between Santa Monica Boulevard and Broadway. Its location is within feet of two businesses that serve coffee and pastries.

In fact, there are more than a dozen coffee houses on the Third Street

Promenade. It appears that Santa Monicans can't get enough java.

This week, Q-Line wants to know "Do you think the Promenade needs another Starbucks? Why or why not?"

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

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OPINION

LETTERS

Arrogance of power in the White House

Editor:

Former CIA analyst Judith Yaphe reveals the utter contempt with which George Bush and his advisers hold Americans, the UN and citizens of the world. Bush and his advisers, she states approvingly, are "not going to be deterred by the U.N. report, European crankiness, anti-war sentiment at home or regional efforts by Saddam's neighbors to get him to comply ... (they) won't be swayed, although (they) may allow a bit more time for the inevitable to unfold" (*LA Times*, Jan. 26).

This arrogance of power is brutal and clear, and has provoked a profound historical moment. We can let such arrogance continue and play our assigned role as passive bystanders in this "inevitable" process, revealing ourselves worthy of the contempt with which we are held by Bush, his administration and many in Congress. Or we can resist this madness and tyranny by upholding the American tradition of dissent represented by Martin Luther King, Jr. and Henry David Thoreau. The choice is ours.

John Marciano
Santa Monica

A strange encounter

Editor:

His hands outstretched showed a few coins —

A dime, four nickels and a penny.

"Please," he said, "could you spare a coin? No matter how small, any?"

I looked at him with puzzled eyes and started to walk away.

But he continued, ill at ease, "Please, I've tried all day

To find a job — some work to do —

I'll do anything. Let me carry your groceries for you."

Words fell hastily, accelerating as he entreated ...

"Just a penny, he pleaded."

I regarded his distress

Wondering how he came by this inclementness.

Moved ...

His distraught expression I found hard to disregard,

But all I found inside my purse was the usual Visa card!

Then, finding five pennies and feeling scrooge-like, I distributed my mete;

For which he thanked me profusely, and practically "kissed my feet."

With his appreciative eagerness

I felt humbled by my meagerness.

His demeanor, sincere, seemed not a bit spurious

Still, it left me wondering ...

Speculating ...

Curious!

Betty Tomson
Santa Monica

Who's the real dictator?

Editor:

With this Iraq situation, we are faced with a problem. A leader of a country with no regard for the international community. A leader on a personal vendetta. A leader who has his sole focus on this war, rather than the situations in his own country that need fixing. A leader who doesn't care about what happens to his own military, or his citizens. Maybe a regime change would be for the best. By the way, does anybody think I am referring to Saddam Hussein?

Mike Kirwan
Venice

Measure A has nothing to do with abortion

Editor:

I am shocked and offended by your guest commentary in which Tom Larmore compares Measure "A" in the upcoming election to a woman's freedom of choice.

A woman's freedom to choose is one of the most intimate, personal and important decisions she will ever make. It is an affront to the women of this community — and to many men — that this immensely personal decision could be so casually compared to the pending ballot measure.

Measure "A" is being promoted by real estate developers to give them ability to demolish historically significant buildings, rather than preserve them for future generations to enjoy. To suggest that Measure "A" is comparable to the rights of women granted by Roe vs. Wade is a slap in the face to those of us who truly believe in the freedom to choose.

Tom Larmore, the real estate attorney who wrote Measure "A" should be ashamed. As a pro-choice Santa Monica resident, I will vote No on Measure "A." We must reject the attempts by Mr. Larmore and the real estate industry to profit at our community's expense.

Sarah Olson Graves
Santa Monica

Jokers to the left of me, jokers to the right



INCITES

By Ed Silverstein

Winston Churchill said it best: "Anyone who isn't a liberal in their 20s has no heart and anyone who isn't a conservative in their 40s has no brain."

At 20, I could party all night and work all day: Eat fast food every day for a year and not gain enough weight for a decent lawsuit. My dreams were intact; my career filled with all things possible and my ideology remained untainted by life experience. I felt benevolent. I knew everything. Of course I was a liberal.

Having kicked and clawed my way into my 40s, for better or worse, I have arrived. My career, the third, is now a job, a necessary evil to support a lifestyle. I am into conservation ... but it's of my own diminishing energy resources. I'm sick and tired of working five months a year to pay taxes so that some politician can give it to a big donor drinking buddy or some miscreant who doesn't want to work because, well, it's work. I have no idea what that 20-year-old was thinking, but now, thank God, I do know everything. Of course I'm more conservative.

Actually, more like in the middle: a centrist Democrat to be exact. It's not that I have any great love for the Democratic Party, in fact in theory I could be just as happy as a moderate Republican, but that's in theory.

In reality the Republican Party, led by a former (read reformed) cocaine snorting, pot smoking, boozing, playboy has embraced an agenda so far to the right that Pat Buchanan is beginning to look like a liberal. Bush and his far right constituency are like a morality board uttering gasps of disapproval as they salivate over a stream of dirty movies so as to protect the rest of us from being sullied by their depravity. Their slogan should be, "Leave it to Beaver," as they are determined to turn the clock back 50 years. To achieve this they must eschew scholarship and intellectual debate in favor of appointing sycophant advisors willing to support the entire right wing dogma no matter how badly flawed.

The president's so-called culture of life embraces the death penalty and wants to teach abstinence-only sex education despite knowing that this will result in more teens contracting the deadly AIDS virus. Conservatives claim to adhere to religious values, but don't seem to know the golden rule and totally skipped John 8:7 as they condemn everyone who does not conform to their narrow vision of the universe. Conservatives support school vouchers that include religious schools like the one my wife attended where she was taught that all Jews are going to hell, or conceivably madrasas that are turning out the next generation of terrorists in Pakistan.

They claim they want the government out of our lives, but they want the keys to our bedrooms. They also want the government, not trained medical professionals, to decide when and how we die, and they continue to wage a disastrous drug war that makes Vietnam look like a victory. And despite all

the talk about compassionate conservatism it's the liberals who have always showed true compassion.

There, I said the L word and despite what conservatives might think, liberal is not a dirty word. That is not to say that liberals don't have their own set of annoying quirks. A typical conversation with a liberal would go something like: "But it doesn't work" "But it's the right thing to do." "But it doesn't work" "But it's the right thing to do." "BUT IT DOESN'T WORK!!!" "But it's the right thing to do." Sometimes you just want to slap them.

Liberals maintain death-holds on programs that succeed only as sound bites. And when a program is broken they don't fix it; they throw more and more money at it until they make the Pentagon look like cost consultants. Liberals also support an unachievable equality rather than equal opportunity. As a result they pander to the lowest common denominator and lower expectations, rather than embracing achievement and setting the bar higher for everyone. They have left personal responsibility in the dust and kow-towed to a destructive victimization.

And liberals have become what I used to hate about conservatives ... censors. Just try to have an open discussion about problems in the black community and you'll be labeled a racist faster than you can say nigardly. Look what happened to Horowitz when he declared his opposition to slave reparations. Colleges, so called institutions of higher learning, refused to run his ads. Did they even read what he had written? I mean these people could give lessons to the Iraqi news ministry. Liberal ideologues are every bit as guilty as right wingers at clos-

ing off meaningful discussion which in turn does tremendous damage to the very people they purport to be helping.

And here's a dirty little secret; liberals can be maddeningly condescending. When you lower standards for a single group, or when you protect one gender from a hostile work environment by creating one even more hostile, it implies that those groups are not smart enough, strong enough or capable enough to compete on an equal level. Believe me they are, and if you insist on personal responsibility, they will. Too many liberals descend from their ivory suburban towers to tell the rest of us how to live, then at the first hint of darkness, retreat to the safety of their million dollar nests to sip hundred dollar Cabernet and feel good about themselves for giving a few bucks to that poor panhandler who is that very moment shooting it into his veins, prolonging his misery and shortening his life. And remember the old adage, a conservative is nothing more than a liberal who's been mugged.

Having gotten that off my chest, I admit that there is much to be admired in both conservative and liberal thinking, but extremism, in any form, is the antithesis of objective thought. Without that objectivity we will never have meaningful programs or solutions. It is far better to try to cherry pick the ideas that seem to be grounded in reality while retaining a modicum of compassion. Which is why I'm stuck in the middle, hopefully with you.

(Ed Silverstein is a freelance writer splitting his time between Santa Monica and the Middle Earth. Both liberal and conservative comments will be accepted at: edsincites@aol.com.)

LOCAL

Tax proposal critics say it's nearly the same as last year

TAX, from page 1

varying proposals than the original \$300 tax proposal which was shot down in the November election.

Voters in favor of the school district historically have been renters and large homeowners — the two groups most hurt by a varying parcel tax, Frankel said.

"There were a lot more people under those scenarios that would be paying more than under the flat tax," said Mark Harding, a parcel tax committee member. "So the committee felt the flat tax was the fairest option."

Renters who live in buildings that have more than four units — which is about 75 percent of renters living in the district — would pay more under a varying proposal than under the flat tax, Frankel said.

For example, in a 100,000-square-foot apartment building with 100 units, each renter would pay \$70.60 annually under the varying proposal, but under the flat tax they would pay \$2.25 a year.

About 50 percent of Malibu residents polled said they were opposed to a varying tax. Committee members said for a varying tax to succeed, it would need more than 70 percent support in Santa Monica, which would be difficult to achieve.

Lowering the tax to \$198 for each parcel to gain more voter support also was discussed. But that was thrown out because members believed it would bring in about \$800,000 less for the school district while not increasing votes substantially.

One member, Don Gray, said a flat tax is full of contradictions. He said it would allow senior citizens who own property to be exempt from the parcel tax, but seniors renting apartments wouldn't be.

He said the committee is trying to pass off last year's ballot measure as something new, but he said voters won't go for it.

"Renters and businesses profit and the average homeowner gets screwed again," Gray said.

Parcel tax supporters said the new measure is far different from the original one because it is only for six years instead of 12; it allows seniors to be exempt and it doesn't adjust upward with the cost of living.

"To say this is the same as (last year's ballot measure), I think those are people who are looking for an excuse to fight us," said Neil Carrey, chair of the Parcel Tax Committee. "For some people we are not talking about a lot of dollars. They spend many times more than this on a weekend going out to dinner."

Initiative sets 'dangerous' precedent, preservationists say

CAMPAIGN, from page 1

Monica is only for short-term profits," she added. "The community, not the developers, should determine the character of Santa Monica's neighborhoods and be able to preserve its history for our children and future generations."

Supporters of the measure admit some of them are developers and land use attorneys by profession, but they say those individuals are acting only as concerned homeowners and nothing more.

They accuse preservationists of bringing in carpet-baggers who are trying to tell Santa Monica homeowners how to think.

"Our supporters are the people who live in the neighborhoods," said Greg Poirer, an 18th Street resident who supports the initiative. "We don't need a lot of outside organizations to come in and tell us how to think. We don't take our marching orders from the L.A. Conservancy. We're Santa Monica people."

The historic preservation law, passed by voters in 1976 to save the Santa Monica Pier, requires the Landmarks Commission to review demolition permits for old buildings to ensure important architectural and historic buildings are not torn down. During the 26 years the law has been in effect, 16 homes have been landmarked and one historic district has been created.

If a home is designated as historic, there are limits to what the property owner can do to the exterior of the structure. The Landmarks Commission reviews proposed changes and either approves or denies them before the property owner can do anything to his home.

Preservationists say because the initiative would require unanimous consent from property owners, a single objection would prevent the designation from going through.

"Proposition A threatens irreparable harm to Santa Monica's historic neighbor-

hoods," said Holly Fiala, Director of the Western Office of the National Trust for Historic Preservation, in a prepared statement. "If passed, this initiative would fuel Santa Monica's tear-down trend, resulting in further erosion of community character as older homes and established landscaping give way to insensitive 'monster mansions.'"

"This is a dangerous precedent-setting campaign, likely to spread to other California communities if successful in Santa Monica," she added.

But the initiative's supporters said the city has previously considered creating historic districts that don't contain every house in a neighborhood. They say there should be no reason future districts can't be created with homeowners that want to participate and exempt those that don't.

"Historic districts can look like anything they want it to look like," said Poirer of city officials. "To say they can't do it would seem disingenuous since they have tried it before."

Tom Larmore, an initiative supporter, said preservationists are trying to scare people into thinking voluntary preservation will lead to "monster mansions." Larmore and others point out that Santa Monica already has zoning ordinances that prevent over-sized homes, and the initiative would not affect those.

Historic districts from "Brooklyn Heights and Georgetown to Pasadena and San Francisco" have increased in property values faster than surrounding properties, according to preservationists.

But the initiative's supporters say property values will fall, maintenance costs will rise, and property owners will lose the ability to modify their homes, inside or out.

"What we keep saying is that nobody will know for certain what will happen in any historic district," said Poirer. "Our measure doesn't address property values, it addresses homeowner choice."

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LOCAL □ STATE


Defendant in music piracy lawsuit files counterclaim

BY ANICK JESDANUN

AP Internet Writer

NEW YORK — The owners of the Kazaa file-sharing network are trying to defend a copyright-infringement lawsuit by alleging that the entertainment industry promotes piracy by failing to work with them to create a legal alternative.

In court papers filed in Los Angeles, Sharman Networks Ltd. accused several movie studios and recording labels of antitrust violations.

"The plaintiffs have failed to reasonably act to discourage infringing conduct, and the plaintiffs thereby promote the very infringing conduct about which they complain," Sharman said Monday.

Kazaa is a system in which Internet users around the world can share movies, music and other digital materials. Although Kazaa claims it does not condone copyright infringement, users can easily get copyright materials shared by other users through the Kazaa network.

More than 4 million users were sharing some 832 million files Tuesday afternoon.

Copyright lawyers termed Kazaa's antitrust defense a stretch and noted that Napster and others have failed before with similar arguments.

Owners of copyright generally have wide discretion over whether or not to license their works to specific individuals or groups, said Evan Cox, a lawyer with Covington & Burling in San Francisco.

"The argument that they somehow have to license people who they view as having gone out and deliberately infringe-

ing their copyright by itself is not going to get them far," Cox said.

Eric A. Prager, a lawyer with Darby & Darby in New York, said the most the antitrust claims would likely do is make the lawsuit more expensive for the entertainment companies. During the evidentiary phase known as discovery, Sharman lawyers could now be permitted to broaden the scope of their questioning of industry witnesses.

In the latest filing, Sharman said that the movie and recording industries do not understand the digital age and are monopolizing entertainment.

The counterclaim was in response to the industry's copyright-infringement lawsuit against Sharman and other file-sharing services, accusing them of providing free access to copyright music and movies to millions of Internet users in the United States.

Just two weeks ago, U.S. District Judge Stephen V. Wilson in Los Angeles dismissed Sharman's claim that it could not be sued in the United States because it is based in Australia and incorporated in the South Pacific nation of Vanuatu.

Wilson found Sharman subject to U.S. copyright laws because it has substantial usage by Californians and its actions are alleged to contribute to commercial piracy within the United States.

Sharman's counterclaim essentially argues that the recording industry "obscenely overreached" and lost its right to enforce copyright by monopolizing movies and songs.

Parking violators get hit with criminal and civil charges

STING, from page 1

and just about anywhere on the street, except red zones.

Two undercover officers stationed themselves in an unmarked car directly across from a row of handicap spaces in SMC's parking structure on Tuesday morning. Within 15 minutes, officers already had cited a violator.

When the undercover officers saw people exit their vehicles who didn't appear to be disabled they radioed Adam Gwartz, a motor officer assigned to special enforcement who was waiting on the upper level of the parking structure.

Gwartz approached the individuals, asked them to produce identification and compared it to the information on the handicapped placard. If they didn't match up, Gwartz cited them with a misdemeanor charge and \$330 ticket. The placards also were confiscated and will be turned over to the Department of Motor Vehicles, which will determine if another one should be re-issued. A letter will be sent to the individual whose name is on the placard informing them the placard was confiscated.

Individuals who can't produce identification to officers will be arrested.

"If they show no outward signs of disability we approach them because it gives us probable cause," said SMPD Sgt. Greg Smiley of the traffic services enforcement division.

Traffic safety officers, who predomi-

nately issue parking tickets, also were on hand to observe how to write a misdemeanor citation and file a crime report so when they see a handicap placard violation, they can cite the individual on the spot instead of having to call police officers.

Many people who were cited were using a family member's placard. On Tuesday morning, a woman who was caught said she was using her mother's permit and didn't know it was illegal until she was stopped by police. It's probable she won't forget now because she got hit with both criminal and civil charges.

Last week, six out of 13 people stopped by officers were cited for parking on streets near the SMC campus, which are mostly restricted for residents in the area.

This was the first handicap placard sting the SMPD has conducted.

"The reason we do this type of action is because the (chief of police) wants to ensure people with disabilities in this city know we are committed to making sure people don't abuse their rights for parking," said SMPD Lt. Frank Fabrega. "We have to make sure those spots are left open for people who need them."

Officers chose the SMC campus because there have been a lot of complaints from residents in the area, police said. Other problem areas reportedly are in city parking structures and beach lots.

"One of the things we hope that comes from this is that people have seen or heard of the enforcement and won't do it," Fabrega said.

STATE



Scott Peterson admits telling wife about affair

BY JIM WASSERMAN
Associated Press Writer

SACRAMENTO — Days after a 28-year-old woman admitted having an affair with him, Modesto fertilizer salesman Scott Peterson publicly acknowledged it, and said he told his pregnant wife about the relationship before she disappeared on Christmas Eve.

But Peterson said it didn't rupture his marriage to Laci Peterson and denied again a role in her monthlong disappearance.

Peterson, 30, breaking a long silence and reversing weeks of denying an affair, called the relationship with Fresno-area massage therapist Amber Frey "inappropriate." But referring to his wife of nearly five years, he told ABC's "Good Morning America" in an interview broadcast Tuesday that it "wasn't anything that would break us apart."

He said Laci Peterson, 27 and seven months pregnant at the time, was unhappy. "But it was not something we weren't dealing with."

Peterson said there was not a lot of anger, no physical altercations and that his wife made peace with the affair.

"No one knows our relationship but us," he told ABC's Diane Sawyer.

Peterson told Sawyer he didn't kill his wife and added there is no proof she is dead. The possibility runs through his mind, he said, but, "It's not one we're ready to accept."

The couple were expecting a baby boy they had named Conner, on Feb. 10.

Peterson also told Sawyer he still saw Frey, of Madera Ranchos, Calif., after he told his wife about her.

Frey made a dramatic tearful appearance Friday in Modesto on the one-month anniversary of Laci Peterson's disappearance, admitting a "romantic relationship" with Scott Peterson and apologizing "for the pain this has caused" Laci Peterson's family.

A shaken emotional Frey, a single mother with a 23-month-old child, said Peterson told her he was unmarried when they met Nov. 20. She said she called

Modesto Police Dec. 30 when she discovered he was Laci Peterson's husband.

Peterson told Sawyer he didn't love Frey, but, "I'd have to say that I respect her" for making the public appearance.

He told he notified police of his relationship with Frey immediately last Christmas Eve, and that Frey was the only person with whom he had an extramarital relationship.

"It was inappropriate and I owe a tremendous apology to everyone," Peterson said. "It should have been brought forth by me, immediately..."

Modesto Police spokesman Doug Ridenour said Tuesday that police investigators have seen the interview, but declined to comment on any details of the interview, including Peterson's claim of telling police about the affair immediately.

Police say they neither consider Peterson a suspect, nor have they ruled him out.

Peterson said he last saw his wife about 9:30 a.m. the morning of Christmas Eve when he left to go fishing at the Berkeley Marina. Police searches there have proved fruitless, as have searches of creeks, irrigation canals and reservoirs in Modesto and surrounding counties.

Kirk McAllister, a Modesto criminal defense attorney reportedly retained by Peterson, has not answered repeated calls from The Associated Press.

Laci Peterson's family members, who publicly broke with Peterson last Friday, saying he has lied to them and broken off contact with their family, were also unavailable for comment Tuesday. A call to the Sacramento-area home of Brent Rocha, brother of the missing woman, was not answered. There was also no answer at the Modesto home of his and Laci's mother and stepfather, Sharon Rocha and Ron Grantski.

Peterson called his wife's family "wonderful people," saying, "They're obviously upset with me about the romantic relationship with Amber. And they have little trust, as they've expressed in the media to date."

But Peterson said he believes they'll still work together to find Laci.

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Sons dismembered mom after watching 'Sopranos'

BY ERICA WERNER
Associated Press Writer

SANTA ANA — Two brothers accused of killing their 41-year-old mother and trying to hide the crime by lopping off her head and hands allegedly told police they got the idea to decapitate her from the popular TV show "The Sopranos."

Jason V. Bautista, 20, and his 15-year-old half brother, who was not identified because he is a juvenile, were arrested Friday for investigation of murder in the death of Jane M. Bautista.

They were expected to be arraigned Tuesday afternoon in Superior Court in Santa Ana. Prosecutors said they want to charge the 15-year-old as an adult. A judge has to approve the move.

"Jason told investigators that he and his brother had been involved in the killing and dismemberment of his mother," Orange County Sheriff Michael S. Carona told a news conference Monday. "Bautista

also told investigators he had seen an episode of 'The Sopranos' where he saw the same type of dismemberment that had been done before dumping a body."

HBO, which broadcasts the Emmy-winning program, declined comment.

The sheriff told reporters the killing took place Jan. 14 in Riverside, where the three recently had moved, but refused to say exactly where it happened or how it was done.

Preliminary autopsy results showed the cause of death was strangulation.

When investigators first spoke with Jason Bautista on Friday, Carona said, he told them he and his brother hadn't seen their mother for weeks. After he agreed to let them search the apartment and his car, Carona said, he changed his story.

Authorities didn't reveal a motive.

"I don't know what motive you could possibly give for killing your mother, cutting off her head, cutting off her hands," Carona said.

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- Create a team name and select your team's campsite
- Be enthusiastic and urge team members to Fundraise. Most of the money will come from fundraising.

The next team captain's meeting for Relay For Life will be held at the Ken Edwards Center, 1527 4th Street, Room 100B, Santa Monica. The meeting will be on Wednesday, February 5, 2003, beginning at 6:00 p.m. Parking is free.

For more information:

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tracey.mayer@cancer.org



NATIONAL

Bush plans to 'rally' Americans



J. Scott Applewhite/Associated Press
 President Bush wraps up a meeting with his Cabinet at the White House in Washington on Tuesday. With no direct mention of a war with Iraq, Bush told reporters he "will rally the American people to some great causes."

Teen thrown from Jeep grabs overhead wires until rescued

BY MARGARET STAFFORD
 Associated Press Writer

KANSAS CITY, Mo. — A teenager was catapulted at least 25 feet in the air during an auto accident but grabbed onto overhead utility wires like an action hero and dangled for about 20 minutes before a rescue crew brought him down by ladder.

Joe R. Thompson III, 18, was treated for bruises and scratches at a hospital and was released.

"God was definitely in control," he said.

Thompson lost control of his Jeep on Monday evening after another car suddenly turned in front of him. Thompson's Jeep clipped the other car and rolled over and over, possibly five times, witnesses said.

The Jeep's fiberglass top was ripped off, and Thompson, who was not wearing a seat belt, flew through the air, bouncing off three power lines and falling onto what he thinks was a telephone wire and grounding wire. His leg caught in one wire, and he grabbed for the other.

Sgt. Ray Myers of the Blue Springs police said Thompson was "bear-hug-

ging" the wires when help arrived.

The wires were insulated, but the power lines above him had to be turned off before the rescue ladder could be raised.

The driver of the other car, Justin B. Elam, of Olathe, Kan., came immediately to check on Thompson.

"I just started saying, 'Dude, turn off my car.' He looked around at first, he couldn't find me. Then he looked up and saw me," Thompson said.

Meanwhile, Thompson's father had rushed to the scene.

"I was told he was hanging on for dear life," Joe Thompson II said. "I didn't know they meant he literally was hanging on for dear life."

The father said his son was talking the entire time.

"We asked him how long he could hold on, and he said, 'I can hold on as long as it takes.' His arms were turning blue because it was cold, but otherwise he was fine," the elder Thompson said. "And don't forget, this is a great story to remind people to wear seat belts."

Cable company rejects anti-war ads during State of Union

BY JOHN CURRAN
 Associated Press Writer

ATLANTIC CITY, N.J. — The Comcast cable television company rejected ads that an anti-war group wanted to air during President Bush's State of the Union speech, saying they included unsubstantiated claims.

Peace Action Education Fund had spent \$5,000 to have six 30-second ads aired on CNN by Philadelphia-based Comcast beginning Tuesday night. During his speech, Bush was expected to reiterate his case for war.

The ads were to be broadcast in the Washington, D.C., area. But Comcast's legal department notified the group Tuesday morning that the ads would not air.

"Comcast runs advertisements from many sources representing a wide range of viewpoints, pro and con," Comcast

spokesman Mitchell Schmale said in a statement issued Tuesday evening. "However, we must decline to run any spot that fails to substantiate certain claims or charges. In our view, this spot raises such questions."

The statement did not specify what Comcast, the nation's largest cable company, objected to.

The ads show citizens expressing opposition to war with Iraq and were to run twice on Tuesday, Wednesday and Thursday nights.

The idea was to reach Congress members, Cabinet members and other Washington decision makers, said the Rev. Robert Moore, executive director of the 2,000-member peace group, which is based in Princeton.

"This is an outrageous infringement on our First Amendment rights, in the center of our democracy, Washington, D.C.," he said.

NATIONAL



Mayors of New York and Philly propose big cutbacks

BY TIMOTHY WILLIAMS
Associated Press Writer

NEW YORK — With New York City facing its worst fiscal crisis since the '70s, Mayor Michael Bloomberg proposed a \$44 billion budget Tuesday that includes \$487 million in cuts and assumes passage of a commuter tax that the governor is against.

Bloomberg's spending plan does not call for any immediate layoffs in the city's work force of 250,000.

In Philadelphia, meanwhile, Mayor John Street proposed the elimination of about 1,600 jobs through layoffs and attrition.

Bloomberg's spending plan also includes \$600 million in savings from the city's municipal work force — such as making employees help pay for their own prescription drugs — which union leaders have flatly rejected.

Essential to the budget, the mayor said, is \$1 billion from a commuter tax that Gov. George Pataki has repeatedly said he does not support.

As with many items in his proposal that would need the approval of state legislators, Bloomberg said he is

optimistic that he will be able to make his case on the commuter tax.

"The governor made clear that given the fragile nature of the economy, he's going to look to other ways to help the city."

— LISA DEWALD STOLL
Gov. George Pataki spokeswoman

"Those people take advantage of the protection our police department provides, of the safety our fire department provides, they throw out trash that our sanitation picks up, and when you say it's not fair, it's not fair to get a service and not pay your fair share of it," Bloomberg said.

On Tuesday, a Pataki spokeswoman reiterated the governor's opposition to the tax.

"The governor made clear that given the fragile nature of the economy, he's going to look to other ways to help the city," spokeswoman Lisa Dewald Stoll said.

Beyond its projected \$3.4 billion deficit for fiscal year 2004, the city faces gaps of \$5 billion or more each in fiscal years 2005, 2006 and 2007.

Bloomberg did not rule out layoffs. The city's work force is expected to be reduced by 8,000 through early retirements and buyouts by mid-2004. Since October, 700 city workers have been laid off.

The City Council must approve the budget by June.

In Philadelphia, Street said he will cut 50 people from his top staff and eliminate 1,614 jobs. By 2008, he said he plans to eliminate 2,500 positions, or 10 percent of the city's work force. He also proposed closing some recreation centers and pools.

Because of surpluses from previous years, Philadelphia will actually end 2003 with a small surplus. But with flat revenue, increasing health care costs and the stock market in a slide, the city's budget deficit is projected at \$834 million by 2008.

Brownies, orchids: Charities are starting for-profit spinoffs

BY DAN NEPHIN
Associated Press Writer

PITTSBURGH — With donations increasingly tough to come by, more and more charities are setting up moneymaking sideline businesses.

In Pittsburgh, for example, one charity plans to grow and sell orchids. An organization in Yonkers, N.Y., operates a bakery whose customers include Ben & Jerry's. And a child-care center for poor families in the Washington area uses its kitchen to run a catering service.

The for-profit businesses generate income and also allow the charities to provide job training to employees.

The concept isn't new — think of thrift stores run by nonprofit groups — but it is becoming more sophisticated, and the number of such operations is expected to grow, especially with the economic downturn and the drop-off on Wall Street hurting donations.

"That whole way of thinking and that discipline is what's new," said Evan Hochberg, director of Community Wealth Ventures, a Washington consulting firm that advises charities on establishing businesses.

William Strickland Jr., president and chief executive of Pittsburgh's Manchester Craftsmen's Guild and the Bidwell Training Center, which provide arts and vocational training to poor children and adults, said the poor econ-

omy helped him decide recently to build a greenhouse as a moneymaking venture. Inner-city schoolchildren will grow orchids, which will be sold to a supermarket chain, to a flower broker and through stores this spring.

"I think that the future is going to be organizations that have a multiple revenue stream."

— WILLIAM STRICKLAND
Chief executive of Pittsburgh's Manchester Craftsmen's Guild and the Bidwell Training Center

Strickland said the project will create up to 18 jobs at the end of two years. By the end of five years, he hopes to be bringing in \$100,000 in profits annually.

"I think that the future is going to be organizations that have a multiple revenue stream," said Strickland, who is also about to launch a moneymaking jazz recording studio that could be running by the fall.

Charities running their own businesses benefit because they can use the money with more freedom. Government and foundation grants can come with restrictions; for example, sometimes such grants cannot be used to pay for increases in staff salaries or an upgrading of technology.

Hochberg said a charity that runs a for-profit business generally will not endanger the tax-exempt status of its charitable operations if the moneymaking venture is related to the organization's overall mission.

The Greyston Foundation, which runs housing, health and education programs in Yonkers, N.Y., operates the Greyston Bakery, which makes brownies for Ben & Jerry's ice cream. It does about \$4.5 million in business annually, providing as much as 7 percent of the foundation's roughly \$10 million budget. It also offers job training.

"The myth out there in the marketplace is that Ben & Jerry's is paying some exorbitant price" because the bakery is tied to a charity, said foundation president Charles Lief. "They beat us up over price just like anybody else. We have 100 percent of the same risks that any business has."

Ben & Jerry's also joins with nonprofit organizations willing to run ice cream shops, and has 12 such stores around the country. Besides getting to keep all the profits, the nonprofits are able to offer job training to poor people and the homeless.

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INTERNATIONAL

Moscow may change its position regarding Iraq crisis

BY VLADIMIR ISACHENKOV
Associated Press Writer

KIEV, Ukraine — Russian President Vladimir Putin warned on Tuesday that Moscow, which has been pushing for a diplomatic solution to the Iraq crisis, "may change its position" if Baghdad hampers U.N. weapons inspectors.

France and Germany, strong opponents of the war option, also issued calls for Iraq to cooperate, but Baghdad remained defiant.

The comments — particularly from Russia, Iraq's most powerful ally — were signs of growing international impatience with Saddam Hussein a day after chief U.N. weapons inspector Hans Blix delivered his toughest assessment yet of Baghdad's level of compliance.

In London, British Foreign Secretary Jack Straw said the "damning and disturbing" report by the inspectors Monday proved Iraq was in "material breach" —

or violation — of a U.N. disarmament resolution and made war more likely. It was the first time Britain branded Iraq in material breach since inspectors resumed their work in November.

And in the Arab world, Egyptian President Hosni Mubarak told the Al-Ittihad newspaper of the United Arab Emirates that war will come "unless Iraq abides by the resolutions of international legitimacy and ceases to put obstacles in front of the international inspection operations."

During a visit to the Ukrainian capital, Putin said diplomatic measures to resolve the crisis had not been exhausted. However, he suggested that if Baghdad creates difficulties, Russia could move closer to Washington's position.

"If Iraq resists these inspections, if it creates problems for the inspectors, I do not rule out that Russia may change its position," Putin said. "And we intend to work

with other Security Council members, including the United States, to work out other decisions — I won't say what kind, but tougher than the existing decisions."

The comments were in stark contrast to repeated Russian statements emphasizing Moscow's opposition to the use of force. Russia has pursued relations with Iraq over the past decade even as the country was a pariah to much of the world, and has repeatedly called for the lifting of economic sanctions stemming from the 1991 Gulf War.

Putin's statement "confirmed the fact that Russia isn't defending Saddam, Russia doesn't give Iraq carte blanche for any activity, including illegal activity," said Alexander Pikayev, an analyst at the Moscow Carnegie Center.

Among the five veto-holding countries in the U.N. Security Council, Russia, France and China had indicated they would not support a U.S.-led war against Iraq at this time. The

United States and Britain believe Saddam is rearming and that time is running out for Iraq to cooperate with inspections.

French President Jacques Chirac, in a meeting with the Saudi foreign minister, said that inspections must be given more time, but "Iraq's cooperation must improve," Chirac's spokeswoman said.

German Foreign Minister Joschka Fischer echoed those remarks: "The risks for regional stability and the coalition against terrorism are tremendous," he said. "But on the other hand, it's quite clear that the regime of Saddam Hussein has to comply fully."

The British foreign minister told a news conference that Iraq "does not have long to change its behavior fundamentally." Australian Prime Minister John Howard took a similar stance, saying Iraq should be given "some time, but not a lot" to disarm.

In Baghdad, however, a senior Iraqi, Lt. Gen. Amir Rashid, complained Tuesday that arms inspectors exaggerated problems in their reports to the Security Council. He said Baghdad would work on the problems, including scientists' rejection of private U.N. interviews.

On another issue — U.N. reconnaissance overflights — Rashid said Iraq would allow them if the Security Council told Washington to ground its attack

planes during such missions.

Despite the critical U.N. report, the Bush administration still faces obstacles as it pushes ahead with war preparations that point to more than 150,000 troops and four aircraft carrier battle groups in the Persian Gulf region by the end of February.

NATO will delay a U.S. proposal to send surveillance planes and Patriot missiles to Turkey as part of the buildup for military action, a senior diplomat said Tuesday.

A closed meeting in Brussels, Belgium, of ambassadors from the 19 NATO nations remained deadlocked on the issue, with Germany, France, Belgium and Luxembourg insisting on more time before ordering the military to start planning for a limited alliance role in an Iraq conflict, diplomats said.

But a senior European diplomat said there would "definitely not" be a decision to trigger the military preparations when a full meeting of the North Atlantic Council — NATO's policy making body, takes up the issue again Wednesday.

The Pentagon concluded an arrangement with the Turkish government to permit up to 20,000 U.S. troops to use bases in Turkey for a potential ground invasion into northern Iraq, a senior Defense Department official said.

Congolese tell how rebel troops changed from killers to cannibals

BY RODRIQUE NGOWI
Associated Press Writer

BENI, Congo — Hiding in bushes, Amuzati Nzoli watched as rebel soldiers turned from killers into cannibals: his 6-year-old nephew was their victim.

Accounts like the one told by the middle-aged Pygmy are sweeping through northeastern Congo.

Human rights activists and investigators from the United Nations say rebels cooked and ate at least a dozen Pygmies and an undetermined number of people from other tribes during recent fighting with rival insurgents.

Pygmies have no calendar, so Nzoli can't say exactly when the rebels from the Congolese Liberation Movement invaded his forest camp. But he remembers what he saw.

The rebels slaughtered the dozen people they found at the camp. Nzoli, who had been hunting, arrived during the attack and hid.

Rebel fighters butchered the man's nephew, Kebe Musika, and roasted his body parts over an open fire, grabbing pieces from the smoldering embers.

"They even sprinkled salt on the flesh as they ate, as if cannibalism was all very natural to them," Nzoli said. He fled as the rebels were eating his nephew and can't say what happened to the bodies of the others.

It is not the first time cannibalism has been reported in Congo; it generally occurs during great upheaval, like the Simba rebellion in 1964.

The latest upheaval is the country's 4-year civil war, which has left an estimated 2.5 million people dead, the vast majority from starvation. It set the stage for this latest round of cannibalism.

As in the past, the attacks are fueled by a mix of tribal animosities and a desire to spread fear in the region. There is also a belief among some that eating one's foes is a source of power.

The rebels used cannibalism "to provoke terrible fear in their foes and pave the way to dramatic success in the battlefield," said Apollinaire Kighoma, a Roman Catholic priest in Mangina, 19 miles northwest of Beni.

The priest has heard accounts about the practice from hundreds of people displaced by fighting who have taken refuge at his church.

"Once you develop a reputation as a cannibal, no one wants to stay in your path," Kighoma said.

Most of the reported acts of cannibalism took

place between November and December when the Congolese Liberation Movement launched a successful offensive to retake Mambasa, a town about 70 miles northwest of Beni.

The Congolese Liberation Movement had previously lost the town to a rival rebel group, the Congolese Rally for Democracy-Liberation Movement, which was allied with Mayi-Mayi tribal fighters.

The Mayi-Mayi believe witchcraft endows them with supernatural power to transform bullets into water.

Witch doctors reportedly told troops from the Congolese Liberation Movement that the Mayi-Mayi were vulnerable to bullets fired by people who had eaten the hearts of young men, said Jackson Basikania, coordinator of the Program for the Assistance to Pygmies in Congo.

Tribal rivalries, fueled by the fight to control the region's mineral and timber resources, determined the victims.

Aside from the Pygmies, many other victims were Nande, the tribe from which most of the leadership of the rival rebel group, the Congolese Rally for Democracy-Liberation Movement, is drawn. Some of the Nande victims were eaten but most were killed.

Many in northeastern Congo — one of the most fertile and resource-rich regions in the vast central African country — regard Pygmies as less than human. Original inhabitants of Congo, they continue to live deep in the forests, eking out an existence by hunting and gathering food from small, nomadic base camps.

Congolese Liberation Movement rebels may have eaten Pygmies as punishment for their guiding rival troops through the dense forests, said Angali Salehe, the chief of the camp were Nzoli lived.

Jean-Pierre Bemba, the leader of the Congolese Liberation Movement, says he is "shocked" by reports that his troops ate people.

"I don't even know how to explain it," Bemba said by telephone from his headquarters in Gbadolite, about 630 miles northwest of Beni.

Bemba is slated to become one of Congo's four vice presidents under a peace deal reached last year. But it's unclear whether that power-sharing deal will end the war, which has been marked by shifting alliances among a handful of fractured rebel groups all jockeying for Congo's natural resources.

Sharon casts his vote



Jim Hollander/Associated Press

Israel's Prime Minister Ariel Sharon casts his vote at a polling station in Jerusalem on Tuesday. Sharon's hawkish Likud party appears set for a convincing victory in Israel's general election Tuesday, but the challenges of forming a stable government amid the turmoil of the Palestinian uprising will give him little time to savor victory.

SPORTS



Jordan selected All-Star as Eastern Conference reserve

BY CHRIS SHERIDAN

AP Basketball Writer

NEW YORK — Michael Jordan was selected to the All-Star team for the 14th time Tuesday, and Karl Malone was shut out for the first time in 15 years.

Jordan moved into a tie with Malone and Jerry West for the second-most All-Star selections in NBA history behind Kareem Abdul-Jabbar's 19.

Jordan, who has the highest career scoring average in All-Star history at 21.3 points, was voted in as a starter in his 13 previous selections. He is a reserve for the Feb. 9 game in Atlanta.

Malone was selected every year since 1988, but did not make the cut in balloting

by the 29 NBA coaches.

Also chosen for the Eastern Conference team were Jason Kidd of New Jersey, Paul Pierce and Antoine Walker of Boston, Brad Miller of Indiana, Zydrunas Ilgauskas of Cleveland and Jamal Mashburn of New Orleans.

The Western Conference reserves are Shaquille O'Neal of the Lakers, Stephon Marbury and Shawn Marion of Phoenix, Steve Nash and Dirk Nowitzki of Dallas, Gary Payton of Seattle and Chris Webber of Sacramento.

O'Neal, who finished behind Houston's Yao Ming in fan balloting to pick the starters, was chosen an All-Star for the 10th time.

The selections of Ilgauskas

(Lithuania), Nash (Canada) and Nowitzki (Germany), along with starters Tim Duncan (U.S. Virgin Islands) and Yao (China), tie the record set last season of five international players.

Six NBA teams — Boston, Dallas, Houston, Indiana, the Lakers and Phoenix — will have two All-Stars.

Other than Malone or anyone else from the Utah Jazz, those notable for not being selected included Indiana's Ron Artest, Washington's Jerry Stackhouse, Dallas' Michael Finley and Golden State's Antawn Jamison.

Among the league's top 20 scorers, only Jamison (23.4 points), Chicago's

Jalen Rose (23.1), Stackhouse (22.9), Cleveland's Ricky Davis (22.4) and New York's Allan Houston (21.3) were not selected.

The starters for the East will be Detroit's Ben Wallace, Indiana's Jermaine O'Neal, Orlando's Tracy McGrady, Philadelphia's Allen Iverson and Toronto's Vince Carter.

Houston's Steve Francis and Yao, Kobe Bryant of the Lakers, Minnesota's Kevin Garnett and San Antonio's Duncan will start for the West.

Marion, Yao, Ilgauskas, Mashburn, Miller and Wallace will be making their first All-Star appearances.

Gray Davis holds up Tampa Bay jersey to satisfy bet

By The Associated Press

SACRAMENTO — Gov. Gray Davis interrupted a press briefing Tuesday to hold up a Tampa Bay Buccaneers jersey to partially satisfy a Super Bowl bet he made with Florida Gov. Jeb Bush.

"I am a man of my word. The Bucs won. I said I would display this jersey in the Capitol. I am displaying it," Davis said as reporters laughed.

"I still think real fans wear black and silver, but I am displaying it."

Tampa Bay defeated Oakland 48-21 on Sunday to win Super Bowl XXXVII.

Davis said he had planned to wear an Oakland Raiders jersey while holding up

the Buccaneers jersey but couldn't find one to buy.

The Bucs jersey had wide receiver Keyshawn Johnson's name and number 19 on the back, which Davis said was some consolation. Johnson, Davis noted, is a former University of Southern California star.

The bet also calls for Bush to receive a case of California wines, a fish taco dinner at Rubio's Baja Grill in San Diego and some of California's agricultural products.

If Raiders had won, Davis was to receive a dinner from the Columbia Restaurant in Tampa's historic Ybor City neighborhood and some citrus and agricultural products from Florida.

Professional golf tours swinging into action

By The Associated Press

■ PGA TOUR

Bob Hope Chrysler Classic

Site: La Quinta, Calif.

Schedule: Wednesday-Sunday.

Courses: PGA West, Arnold Palmer Private Course (6,931 yards, par 72), Bermuda Dunes Country Club (6,927 yards, par 72), Indian Wells Country Club (6,478 yards, par 72), La Quinta Country Club (7,060 yards, par 72).

Purse: \$4.5 million. Winner's share: \$810,000.

Television: USA (Wednesday-Friday, 12-3 p.m.) and CBS (Saturday-Sunday, 12-3 p.m.).

Last year: Phil Mickelson won in his first start in five months, birdieing the final three holes of regulation and the first hole of a playoff with David Berganio Jr.

Last week: Fiji's Vijay Singh won the Phoenix Open, closing with a 63 for a three-stroke victory over John Huston. Singh, also the 1995 Phoenix winner, jumped from seventh to fourth in the world rankings, passing Retief Goosen, David Toms and Sergio Garcia.

On the Net: <http://www.pgatour.com>

■ CHAMPIONS TOUR

MasterCard Championship

Site: Kaupulehu-Kona, Hawaii.

Schedule: Friday-Sunday.

Course: Hualalai Resort Golf Club (7,053 yards, par 72).

Purse: \$1.5 million. Winner's share: \$250,000.

Television: The Golf Channel (Friday-Sunday, 5-7:30 p.m., 8 p.m.-10:30 p.m.).

Last year: Tom Kite won the season-opening tournament, leading wire-to-wire for a six-stroke victory over John Jacobs. Kite opened with a course-record 63 and added rounds of 69 and 67.

Last week: Lee Trevino won the Champions Skins Game at Wailea, holing a 10-foot birdie putt on the third extra hole to finish with six skins and \$240,000. Hale Irwin was second with \$200,000, and Jack Nicklaus made \$160,000.

On the Net: <http://www.pgatour.com>

■ PGA EUROPEAN TOUR

■ AUSTRALASIAN PGA TOUR

Heineken Classic

Site: Melbourne, Australia.

Schedule: Thursday-Sunday.

Course: Royal Melbourne Golf Club, Composite Course (6,994 yards, par 72).

Purse: \$1.18 million. Winner's share: \$212,400.

Television: The Golf Channel (Wednesday, 8 p.m.-12 a.m.; Thursday, 6 a.m.-10 a.m., 8 p.m.-12 a.m.; Friday, 6 a.m.-10 a.m.; Saturday-Sunday, 11:30 p.m.-2:30 a.m., 6 a.m.-10 a.m.).

Last year: South Africa's Ernie Els led wire-to-wire on the historic Royal Melbourne course, opening with a 64 and closing with three 69s for a five-stroke victory.

Last week: Zhang Lian-Wei became the European tour's first Chinese winner, beating Els by a stroke in the Singapore Masters. Zhang closed with a 3-foot birdie putt after Els, coming off consecutive PGA Tour victories in Hawaii, finished with a bogey — his third on the back nine in a round of 73.

PGA European Tour site:

<http://www.europeantour.com>

Australasian PGA Tour site:

<http://www.pgatour.com.au>

■ LPGA TOUR

Next event: Welch's/Fry's Championship, March 13-16, Randolph Park Dell Ulrich Course, Tucson, Ariz.

Last week: Karrie Webb won the LPGA Skins Game in Hawaii, taking 12 skins for an event-record \$470,000. Annika Sorenstam was second with \$70,000, and Laura Diaz made \$60,000.

On the Net: <http://www.lpga.com>

OTHER TOURNAMENTS

■ SUNSHINE TOUR: The Tour Championship, Thursday-Sunday, Leopard Creek Country Club, Malelane, South Africa.

On the Net: <http://www.sunshinetour.com>

■ PGA EUROPEAN CHALLENGE TOUR/TOUR OF THE AMERICAS:

Costa Rica Open, Thursday-Sunday, Cariari Country Club, San Jose, Costa Rica.

On the Net: <http://www.europeantour.com> and <http://www.tourdelasamericas.com>

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 - 26 Tiny bit
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 - 30 McCoy's nickname
 - 31 Filling
 - 32 Take on
 - 34 Extra
 - 35 Turf
 - 38 Iranian city
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 - 44 Temple leaders
 - 45 Flight unit
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 - 6 Milk buy
 - 8 Bounce, perhaps
 - 7 Flapper-turned-actor
 - 8 Force member
 - 9 Stolen
 - 10 Golf's Emis
 - 16 Bar staple
 - 18 Borders
 - 19 Identifies
 - 20 Itch
 - 21 Harry's wife
 - 22 Mexican region
 - 23 On the roof of
 - 25 Farmer's concern
 - 29 Gauguin's home
 - 30 Violinist's need
 - 33 Naps
 - 34 Beach crawler
 - 36 Soap
 - 37 Plummet
 - 38 Cigarette ingredient
 - 39 Gardner of film
 - 40 Feeding time aid
 - 41 Uno doubled



Yesterday's answer

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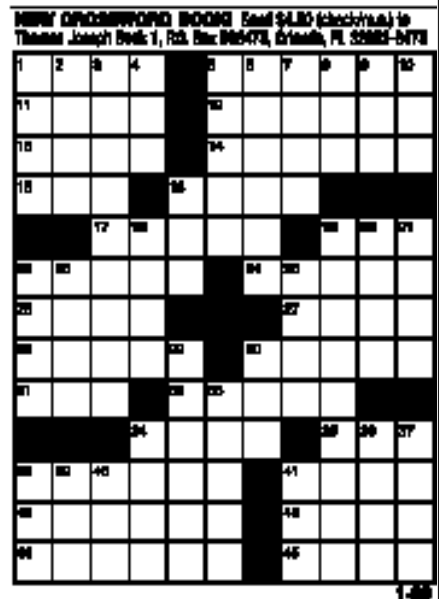
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NEWS OF THE WEIRD by Chuck Shepard

Nestle demands \$6M from Ethiopia

■ The Guardian (London) reported in December that multinational food giant Nestle continues relentlessly to demand about \$6 million from dirt-poor Ethiopia as payment for that government's having nationalized a Nestle subsidiary 27 years ago. (According to the Oxfam humanitarian group, \$6 million would feed a million people for a month.)

■ And Florida inmate Gary Alvord, 55, who escaped from a Michigan mental institution and killed two women in Tampa in 1973, this year begins his 30th year on death row.



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SANTA MONICA \$850.00 Guest House, 1+1, pet ok, r/s, near beach, quiet, prking.

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Announcements

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Lego trophy stolen

By The Associated Press

ENFIELD, Conn. — The Stanley Cup — at least one that's made of Legos — has disappeared.

A replica of the championship trophy for NHL hockey, made from 6,000 Lego bricks, was apparently stolen in Las Vegas. The Denmark-based Lego company is offering a reward of NHL tickets and various Lego products for its return.

The model was taken sometime before the close of the annual sports equipment Super Show that took place in last week, officials at Lego's North American headquarters in Enfield said Monday.

The replica cup, one of two the company built, was on display to promote a new line of Lego NHL hockey sets. The other model was a gift to NHL Commissioner Gary Bettman.

The cup was supposed to make an appearance in Florida this week at the NHL's All-Star festivities.

"We're hoping to convince Commissioner Bettman to let us borrow his personal cup so that others may enjoy viewing it," said Andrew Black, president of Lego Americas.

A silly lesson

By The Associated Press

ANN ARBOR, Mich. — A retired Ann Arbor educator is taking a serious look at silliness in workshops she designed to better the lives of older adults.

Connie Craft's three-session workshop, called

"Laughing in the Face of Old Age," started last week at the Ypsilanti Township Community Center. It is designed to encourage participants to become more active, Craft said.

"I think it's important for older people to exercise their brain, their body and to learn to play," Craft, 68, told The Ann Arbor News for a Monday story. "I hope they'll walk away feeling better about themselves with their shoulders back and head up."

Craft, a former principal of Ann Arbor's Community High School, said her father's cheerful nature inspired her to spread joy to other senior citizens. He was always singing funny songs and loved funny stories, she said.

Craft made the half dozen people at last week's session laugh by donning a variety of silly hats, from a safari helmet to a red and white umbrella hat. She also quizzed them on their lifestyle habits and encouraged them to identify an area of their life they would like to change and write a pep talk about it.

"I think laughter is very important and the opposite is detrimental to our health," said student Vivian Phillips, 67, who wore a red clown nose during the session. "I've learned there's a lot of people who need humor, and it's helpful."

How many crows is too many?

By The Associated Press

ANN ARBOR, Mich. — There are about 39,000 students at the University of Michigan's Ann Arbor campus. And about 14,000 crows.

Experts aren't sure what has caused the noisy birds to congregate in such numbers. But two things they make in large quantities — droppings, and a racket — are causing them to wear out their welcome.

Entomologist Dale Hodgson, head of the campus pest management division, has been the point man for seven years in the effort to disperse the birds.

Hodgson has been trying to scatter the crows using "Bird Bangers" — fireworks that scream and trail flames after being launched. The goal is to scare them

away, not hurt them.

"They're a fascinating bird," Hodgson told *The Detroit News* for a Tuesday story. "Their adaptability is incredible. It's amazing how they've adapted to an urban environment."

Hodgson most recently has focused on the area around the President's House, which is unoccupied during renovations. President Mary Sue Coleman has been on the job only since last July, but she already knows what to watch out for.

"I am very, very careful to cover my head when I walk in that area of campus," Coleman says. "It beats me why they find the President's House so attractive."

Groundhog earns respect

By The Associated Press

HARRISBURG, Pa. — After being snubbed by Pennsylvania governors for nearly a century, groundhog Punxsutawney Phil will finally get respect this year in the form of a visit from Gov. Ed Rendell.

The new governor plans travel to Punxsutawney on Feb. 1 to speak at the Groundhog Banquet and spend the night there so he can attend the Groundhog Day observance on Feb. 2, spokesman Tom Hickey said Thursday.

"He knows a good thing when he sees one," said Bill Deeley, Punxsutawney Phil's handler.

It will be the first time that a governor has attended a Groundhog Day-related event in Punxsutawney since Gov. Edwin S. Stuart attended a Groundhog Banquet picnic there in the summer of 1909.

Groundhog Day is "certainly a Pennsylvania tradition, and the governor is excited about the opportunity to participate," Hickey said.

Phil and his handler were featured in Rendell's inaugural parade in Harrisburg last week.

On Feb. 2, at a spot known as Gobbler's Knob, Phil will emerge from his hole and "predict" the weather. According to folklore, if the groundhog sees his shadow, it means six more weeks of winter; if not, it signals an early spring.

SANTA MONICA SCENE °CALENDAR EDITION

WEDNESDAY, JANUARY 29, 2003

TODAY

Farmer's Market every Wednesday. 9am to 2pm, Arizona between Second and Fourth Streets. Come and enjoy one of the largest and best farmer's markets in California!

Puppetolio! presented by the Santa Monica Puppet & Magic Center. All ages, 3 and up. This musical revue features marionettes, ventriloquism, magic and more. Shows are always followed by a demonstration, Q & A, and a tour of the Puppet workshop and Museum. Saturdays and Sundays at 1pm and 3pm. Wednesdays and Holidays at 1pm. Seats are \$6.50. 1255 2nd Street in Santa Monica. Reservations/Information (310)656-0483. www.puppetmagic.com

Santa Monica Public Library presents Preschool Story Time, every Wednesday at 11:15am, 1343 Sixth Street. Stories for children between the ages of three and five who are ready to participate on their own. (310)458-8600

Ongoing support groups for people 55 and older. Current openings in Parents of Adult Children. Wednesdays 2:00 to 3:30. Center for Healthy Aging, 2125 Arizona Avenue. Sliding scale fee. Not drop-in groups. Phone interview required. Call Information and Referral. (310)576-2550.

Senior Suppers - Discounted meals for people AGE 55 or older are served daily, from 3:30 p.m. To 7 p.m., in the cafeteria at Santa Monica-UCLA Medical Center, 1250 16th Street in Santa Monica. \$3.69 Info only: (310)319-4837.

Unurban Coffee House presents Poetry and Spoken Word every Wednesday evening. Hosted by Tony Perez. 8pm, 3301 Pico Blvd. (310)315-0056

THURSDAY

Blue 7 will be opening with its debut in Santa Monica on Sat., Feb 22 with an exciting installation by three photographers entitled 'Near and Far - Photographic Images of Nature.' The featured photographers are Scott Connell, Michael Gordon and Gavin Lauchenauer. To be shown Feb 22-April 5th at: Blue 7, 3129 Pico Blvd., Santa Monica, CA 90405 (310)49-1444

Artful Science: The Social-Cultural Relationship Between Built and Natural Environments. Sam Francis Gallery at Crossroads School in Santa Monica presents an exhibition of drawings, paintings, photographs, and sculpture. Mon-Fri, 10am to 4pm through February 14. 1714 Twenty-First St., 2nd Floor, Peter Boxenbaum Arts Building. For more information please call (310)829-7391 ext. 425.

Dharma at the Clubhouse. A weekly book and multi-media study group, no fee. Applying studies of Buddhism-Dharma into our daily lives. Every Thursday night at the Clubhouse at Douglas Park, 25th & Wilshire. 7:30 to 9pm. Dan (310) 451-4368 www.santamonickksg.org

Gotham Comedy Night! Standup at Gotham Hall, 1431 3rd St. Promenade, Santa Monica; every Thursday, 7:30 pm, \$5.00 + 2 item min. 21/ over. (323) 525-5254

Unurban Coffee House presents Comedy Crunch every Thursday evening. Showtime is 7pm. 3301 Pico Blvd. (310)315-0056

O'Briens Irish Pub, 2941 Main St., Santa Monica, pours A Pint of Funny, every Thurs., 8 p.m. FREE! (310)396-4725.

MOVIE °GUIDE

LOEWS CINIPLEX BROADWAY CINEMA

1441 Third St. at Broadway
About Schmidt (R) 12:30, 3:30, 6:45, 9:45. Two Weeks Notice (PG-13) 12:00, 2:30, 5:00, 7:45, 10:30. The Hours (PG-13) 11:15, 2:00, 4:45, 6:30, 7:30, 9:15, 10:15.

MANN CRITERION

1313 Third St.
Adaptation (R) 12:30, 3:45, 7:30, 10:35. Confessions of a Dangerous Mind (R) 1:00, 4:00, 7:05, 10:00. Gangs of New York (R) 11:30, 3:15, 7:00, 10:30. Narc (R) 11:45, 2:15, 4:45, 7:45, 10:40. National Security (PG-13) 11:15, 1:45, 4:15, 7:15, 9:45. Darkness Falls (PG-13) 12:00, 2:15, 4:30, 7:10, 9:30.

AMC THEATRE SM 7

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Just Married (PG-13) 2:00, 5:05, 7:50, 10:05. The Lord of the Rings: The Two Towers (PG-13) 1:20, 5:00, 8:45. Catch Me If You Can (PG-13) 1:15, 4:10, 7:15, 10:15. Chicago (PG-13) 1:45, 4:30, 7:30, 10:10. 25th Hour (R) 1:20, 4:15, 7:20, 10:15. A Guy Thing (PG-13) 2:15, 5:10, 7:40, 9:55. Kangaroo Jack (PG) 2:30, 4:45, 7:00, 9:15

LANDMARK NU-WILSHIRE

1314 Wilshire Blvd.
Nicholas Nickleby (PG) 1:00, 4:00, 7:30, 10:30. The Pianist (R) 12:30, 3:45, 7:00, 10:15.

LAEMMLE MONICA

1332 2nd St.
City of God (R) 1:00, 4:00, 7:00, 10:00. Far From Heaven (PG-13) 1:30, 4:15, 7:10, 9:55. Frida (R) 1:45, 4:30, 7:15, 10:05. The Quiet American (R) 1:45, 4:20, 7:00, 9:40.

AERO THEATER

1328 Montana Ave.
My Big Fat Greek Wedding (PG) 5:30, 7:30, 9:30.



BACK PAGE

'Get the U.S. out of Mexico' isn't anti-American campaign

BY MARK STEVENSON

Associated Press Writer

MEXICO CITY — "Get the U.S. out of Mexico" isn't just a leftist slogan anymore.

It's a serious proposal by President Vicente Fox's conservative party — to delete "United States" from the name of a country where national pride permeates every aspect of society, including titles.

As it is, few people use Mexico's official name: United States of Mexico (Estados Unidos Mexicanos).

And to some Mexicans it's an unwelcome reminder of the powerful northern neighbor that took half of Mexico's land in the 1847-48 war. Indeed, some joke about the official name, calling it "United States, Mexico Branch" — a rueful commentary on what they consider overbearing U.S. influence.

The name United States of Mexico was adopted in 1824, not in emulation of the United States, but in hopes of developing

a federalist system of government. It didn't work; power remained centralized in Mexico City.

Now the National Action Party, or PAN, has put forward a proposal in Congress to change the country's name to simply Mexico.

"This would be a way to identify with our own Mexican nationality, not some other country's," said PAN's congressional leader, Felipe Calderon.

Another PAN congressman, Alejandro Zapata, said the idea comes from "a spirit of nationalism, not from any desire for confrontation."

It wouldn't be the first time Mexico's name has been a political issue.

The spelling was changed from the colonial era "Mejico" after independence from Spain in 1821 — because the hated Spaniards preferred the "j" spelling.

Paradoxically, some Mexican nationalists advocate putting the "j" back in Texas. The name was often spelled that way

before 1836, when the territory was part of Mexico. Activists say using "Tejas" would symbolize the "re-Mexicanization" of the Lone Star State as the result of increasing Mexican migration.

The proposal to change Mexico's name appears petty to some.

"It is a perfect and complete waste of time," snapped writer Carlos Monsivais. "We are inhabitants of Mexico, and nobody says 'United States of Mexico.'"

Yet Monsivais has his own name peeve. He's irritated by the term "Latin American," which he calls "an invention of the United States to describe us after they took 'American' for themselves."

Mexicans and Americans don't agree on several names.

In the United States, the waters between the Baja California peninsula and mainland Mexico are called the Gulf of California. In Mexico, it's the Sea of Cortes. The river that separates the two countries is the Rio Grande for

Americans, the Rio Bravo for Mexicans.

Many Mexicans probably would be satisfied if Americans just tried not to rename parts of Mexico.

U.S. visitors often insist on referring to Tijuana as "TJ" and to Puerto Penasco, Sonora — a weekend beach getaway for Arizona residents — as "Rocky Point."

Even for a Mexican town that proudly bills itself as "Arizona's beach," Puerto Penasco would like to be called by its proper name, thank you, said Mayor Rodrigo Vela Acosta. "Imagine if people were going around calling Acapulco some American name," he said.

For some, getting worked up over names is silly.

"Most people really don't care," said Victor Espinoza, a political science professor at Tijuana's Colegio de la Frontera Norte. "After all, look what we call the United States. In Tijuana, we don't call it America. For us, it's just 'el otro lado' (the other side)."

Highway 101 Santa is moving to Oxnard with frosty reception

By The Associated Press

OXNARD — Santa Claus is coming to town, and Old St. Nick is getting a frosty reception.

The giant chicken wire-and-plaster Santa that greeted Highway 101 travelers near Carpinteria for a half-century is moving down the coast to a Ventura County property just outside the Oxnard city limits.

But city officials fear the 5-ton icon, who bids Santa Claus Lane farewell this week, may become an eyesore after his sleigh arrives in a lot next to Highway 101.

"We just didn't want to see it destroyed. Maybe it'll

help the neighborhood. This is a poor neighborhood, and there's lots of kids. It'll make them happy," said Mike Barber, who read a story about the homeless Santa and decided to give it lodging on his vacant lot.

Neighbors aren't so jolly. They've persuaded the Oxnard City Council to vote on whether to send a letter to the Ventura County Board of Supervisors, which has jurisdiction over the land, to raise concerns about the statue.

Oxnard has been trying to improve the freeway corridor through the area, and Santa is not conducive to its plans.

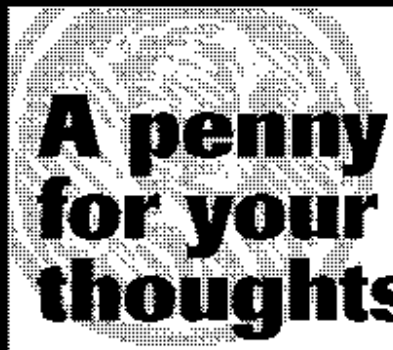
"This is not a case of 'bah humbug,'" Councilman Andres Herrera said. "We all know what Santa repre-

sents, but we're concerned that the structure will be right before the entrance of the city. It might create a little of an eyesore for us."

Mayor Manuel Lopez on Monday said the Santa will look like a "sore thumb sticking out."

It may be too late. Santa is scheduled to arrive on Wednesday.

"The time is too late for objections on this, so why don't we try to work together to make this really good for children," Supervisor John Flynn said. "We can make it successful."



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- 6:00pm - 7:00pm
- 8:00am - 9:00am
- 10:00am - 11:00am
- 12:00pm - 1:00pm

Thursday, January 30

- 6:00pm - 7:00pm
- 8:00am - 9:00am
- 10:00am - 11:00am
- 12:00pm - 1:00pm

Saturday, February 1

- 6:00am - 7:00am
- 8:00am - 9:00am
- 10:00am - 11:00am
- 12:00pm - 1:00pm

Tuesday, February 4

- 6:00pm - 7:00pm
- 8:00am - 9:00am
- 10:00am - 11:00am
- 12:00pm - 1:00pm

Wednesday, February 5

- 6:00pm - 7:00pm
- 8:00am - 9:00am
- 10:00am - 11:00am
- 12:00pm - 1:00pm

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