FREE

TUESDAY, FEBRUARY 11, 2003

Volume 2, Issue 77

Santa Monica Daily Press

A newspaper with issues

LOTTO

FANTASY 5

08, 11, 24, 26, 36

DAILY 3

Afternoon picks: **2, 4, 9**

Evening picks: **7, 2, 7**

DAILY DERBY

1st Place: 02, Lucky Star

2nd Place: 10, Solid Gold

3rd Place: 07, Eureka

NEWS OF THE WEIRD
by Chuck Shepard

■ According to the prosecutor at the Waterloo, Iowa, theft trial of Bradley Steven Bailey, 21, in December, not only did Bailey steal a day's bank deposit for the Hardee's restaurant where he worked and leave town, but after he was arrested and jailed, he wrote a letter to the Hardee's manager saying he was sorry but that he never did get his final paycheck, and could it please be mailed to him.

THOUGHT OF THE DAY

Never expect anything. This way you never get disappointed.

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Del Pastrana/Daily Press

Pandora Kan cleans an aquarium Monday at the UCLA Ocean Discovery Center. The City Council may allocate $82,200 tonight to keep the center open. Due to budget constraints, UCLA had planned to close the center March 1.

City to spend $302K on frequency for bus radios

(Editor's note: This is part of an ongoing series that tracks the city's expenditures which appear on the upcoming 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 CAROLYN SACKARIASON
Daily Press Staff Writer

Better radio communication between bus drivers and continuing education on the ocean environment is expected to cost local taxpayers $387,300 tonight.

The Santa Monica City Council has been asked by staff to allocate $302,100 for a new dispatch radio frequency for the Big Blue Bus.

The council agreed last October to spend $7.2 million on what's called an "Advanced Fleet Management System," which applies state-of-the-art technologies to the Big Blue Bus in an attempt to be more efficient in operations, scheduling and traveling times, among other things.

The system includes bus radios, global positioning system locators, an "automatic vehicle location system," a "computer aided dispatch," "automatic passenger counters," scheduling and trip planning software, and an "interactive voice response" system.

But the new system can't be installed without a new 500 MHz radio frequency, which will support two voice channels and one data channel that will be available

See CITY SPENDING, page 6

Neighborhood groups oppose Proposition A

Critics say groups are out of touch with their membership

By Daily Press staff

A battle among property owners appears to be breaking out over a proposal to weaken the city's ability to designate historic homes.

The proposal, Proposition A, would give owners of single-family homes the final say on whether their properties could be designated historic. The ballot proposition's latest opponents are four Santa Monica neighborhood groups, each claiming to represent owners and tenants, and all claiming to oppose the "Homeowners Freedom of Choice Initiative."

The latest allies of "Save Our Neighborhood," the community organization formed to defeat Prop. A, are the Friends of Sunset Park, North of Montana Association, Ocean Park Community Organization and Wilshire/Montana Neighborhood Coalition. The groups are Santa Monica neighborhood organizations that say they represent property owners and tenants of both single and multi-family units throughout the city.

Opponents of the measure say that since Prop. A claims to be the "Homeowners Freedom to Choose" initiative, it's significant that the two largest community organizations representing Santa Monica homeowners have endorsed the "No on A" position.

The neighborhood organizations, which represent a variety of demographic groups in Santa Monica, have joined the opposition in coalition with national, state, and local preservation organ-

See PROPOSITION, page 6

Woman's stolen identity taken on shopping spree

Similar accounts of identity theft are on the rise in L.A. County

BY CAROLYN SACKARIASON
Daily Press Staff Writer

A Pacific Palisades woman had planned to do a significant amount of shopping this past holiday season, but she never counted on an extra $10,000 of her money being spent from here to Seattle.

The woman, who asked to only be identified as "Jessica," learned that her identity had been stolen the day before Thanksgiving. For more than a month, Jessica watched counterfeit checks with the number from a joint account she shared with her husband come in from stores she hadn't shopped at.

There were hundreds of dollars in charges from Nordstrom's and Macy's department stores, Ralph's grocery stores, Sears, Bed, Bath and Beyond, Ross' Dress for Less and J.C. Penny's. The last fraudulent check was rejected on Dec. 30. All total, someone had spent more than $10,000 on Jessica's account.

"Somebody called me from Bank of America's fraud department and said, 'Jessica you did so much shopping today,'" the Indonesian-born woman explained from her Palisades home last month.

Jessica and her husband have been customers of Bank of America since 1983. A joint checking account they share is used specifically to pay bills like the utilities and the mortgage on their home that overlooks the Riviera Golf Course.

The bank informed her on Nov. 26 that someone had been using the checking account for something other than paying bills. The person used checks that had her husband's name removed, the wrong sequence of check numbers,

See FRAUD, page 7

Consumer watch
See related story on page 9

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HOROSCOPE

Discuss your goals today, Aries



JACQUELINE BIGAR'S STARS

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

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

Happy Birthday for Tuesday, Feb. 11, 2003

You discover that what you say gets a strong reaction. Sometimes others could be difficult, but at least friends and loved ones know what they want. Listen more carefully to others' offers. You might feel as if pressure builds, but there is little you can do to change your direction. You want to create something of value this year. If you are single, you will want a major relationship. You will meet someone quite significant in the next 12 months. If you are attached, the two of you want a concrete representation of your love. Often, you each might find the other to be cold. Discuss these issues. Give up judgments. GEMINI can be full of fun.

ARIES (March 21-April 19)
★★★★★ Your word counts. Though you might encounter a challenge or two to your thinking, your presentation could solidify an idea or project. Do not accept "no" as an answer. Recognize the possibilities that lie ahead of you. Discuss goals with those around you. Tonight: A must show.

TAURUS (April 20-May 20)
★★★★ Deal with money matters as directly as possible. Your way of handling someone could change substantially because of your attitude. You might wonder what would be the best way to express your disdain. Take a firmer hand in how you deal with your finances. Tonight: Your treat.

GEMINI (May 21-June 20)
★★★★★ Be your happy-go-lucky self in the face of someone's challenge or attitude. You need to let someone know you have had enough. Be sensitive to what another might think is a great idea. If you detach, you might gain a better understanding. Tonight: Claim your power.

CANCER (June 21-July 22)
★★★ Step back and make important decisions for yourself. How you view someone's actions could be a lot different from how he or she does. You cannot remember enough how many different perspectives there are. Everyone grows up in a different environment. Tonight: Get a good night's sleep.

LEO (July 23-Aug. 22)
★★★★ You might not know which way you're going when dealing with an associate or loved one. Tempers flair in a most unexpected manner. You might want to re-evaluate a key relationship. Control could be a critical issue for this person. Take a strong stand. Tonight: A must appearance.

VIRGO (Aug. 23-Sept. 22)
★★★ You're more in charge than you're aware of. Your family might pull on you, as they have certain expectations that they want you to meet. You have different ideas. Stay centered when dealing with others, especially a boss. Know who butters your bread. Tonight: A must show.

LIBRA (Sept. 23-Oct. 22)
★★★★★ Your good will and positive attitude go far. You might not be exactly sure what needs to happen within an important relationship. Detach and don't have an expectation about the outcome. Discussions from this point of view become easy. Tonight: Relax your mind.

SCORPIO (Oct. 23-Nov. 21)
★★★★ Give a partner or associate the benefit of the doubt. You don't have to always agree with this person. Loosen up more, seeking out new solutions, and be willing to try something different. Consider a reorganization of your finances. Build security. Tonight: Go along with someone's wishes.

SAGITTARIUS (Nov. 22-Dec. 21)
★★★ You might not consciously cause a snafu, but your testy attitude could. You might get locked into a certain type of thinking that could be most uncomfortable. A partner does the same. Something has to give. Keep conversations moving. Tonight: Say "yes" to a partner.

CAPRICORN (Dec. 22-Jan. 19)
★★★ How you deal with an associate could change once you get the complete story. Your discomfort could be enhanced by your fatigue. You also might resent being treated like a money tree. You need to establish your own boundaries. Tonight: Get a little exercise.

AQUARIUS (Jan. 20-Feb. 18)
★★★★★ You mean well, but convincing others could take a lot of work. Understand your limits within your immediate circle. You might need to stretch more and expand your network of friends. Don't take another's tantrum personally. Tonight: Keep it light and easy.

PISCES (Feb. 19-March 20)
★★★ Listen more carefully to news that comes your way. You might feel tense when dealing with others in your immediate circle. Your perspective changes when you hear the boss's version of what is going on. Do what is instinctive for you. Tonight: Consider a home office.

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LOCAL

COMMUNITY BRIEFS

Anti-war rally planned at City Hall today

By Daily Press staff

Hundreds of activists are expected to show up at City Hall tonight to urge the City Council to take a stand against the impending war in Iraq.

Anti-war activists, students, parents, educators, religious leaders and concerned citizens plan to hold a rally and press conference on the steps of Santa Monica City Hall at 5:30 p.m. today in an effort to convince the council that it should officially oppose the war. At least 60 cities across the country already have taken a stand against the war.

Santa Monica Mayor Pro Tem Kevin McKeown has placed a resolution on tonight's meeting agenda that requests the council go on record opposing the possible war with Iraq because of numerous negative local impacts. A similar resolution was presented in November but no action was taken.

Also on the council's agenda is an item requested by McKeown and Councilman Ken Genser "that in response to the USA Patriot Act the council adopt a resolution affirming Santa Monica's commitment to civil liberties and supporting unabrogated city protection of Constitutional rights."

City Hall is located at 1685 Main Street, between Colorado Avenue and Pico Boulevard. The rally will take place just before the City Council meeting, which begins at about 5:45 p.m.

Sign an anti-war Valentine to Bush

By Daily Press staff

On Friday, an eight-foot tall anti-war Valentine Card will be displayed on the Third Street Promenade, just south of Arizona Avenue.

The public is invited to inscribe their personal messages in opposition to the planned war on Iraq. People can sign the card from 10 a.m. to midnight.

The event is sponsored by the Alliance for Survival peace group. The card will be shipped to President George W. Bush at the White House.

Peace on the beach this weekend

By Daily Press staff

On Saturday, thousands of people are expected to attend a peace vigil at the beach in Santa Monica.

Between 2,000 and 4,000 people will gather at the end of Ocean Park, just north of Perry's and west of the bike and walking path from noon to 3 p.m.

Environmentalist John Quigley who stationed himself in a tree in Santa Clarita for the past several months is expected to speak to the crowd and music from the Agape Choir will be performed. A formation of a human peace sign will be done by participants.

GOT SOMETHING TO SAY?
SOUND OFF IN THE DAILY PRESS

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surf report

Information compiled by Jesse Haley

Occasional sets at South Bay breaks were hitting waist to shoulder high, the best of those waves probably at El Porto.

We'll see the peak of this steep northwest swell during the morning today, but conditions change little from yesterday.

Expect mostly small, flat conditions in the north.

The best waves will be from Porto south, good breaks in P.V. showing chest high as well.

Swell fades this afternoon, into Tuesday, and probably Wednesday. Long range forecasts say the next swell is due Thursday.

Today, expect offshore winds around 10 knots. Also, a chance rain is in the forecast for Today and Wednesday.

Today's Tides:

High-	3:47 a.m.	4.35'
Low-	12:03 p.m.	0.91'
High-	7:21 p.m.	2.80'
Low-	9:54 p.m.	2.80'

Location	Tuesday	Wednesday	Water Quality
County Line	2-3'/Fair	1-3'/Fair	A
Zuma	2-3'/Fair	1-3'/Fair	A
Surfrider	1-2'/Poor	1-2'/Poor	C
Topanga	1-3'/Poor	1-2'/Poor	A
Breakwater	3-4'/Fair	2-3'/Fair	A
El Porto	3-4'/Fair	2-4'/Fair	A

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The Q Line

Plans have been in the works the past few years to rebuild the Santa Monica Pier's breakwater so it can become a harbor again for sailboats, sport fishing and other recreational opportunities.

But, of course, because of the city's budget crisis, the City Council may divert the $4 million needed to match the federal government's share of the project toward other projects that are more needed.

Some say having a harbor will give Santa Monica another reason for people to come here, which will fuel the economy. Others say a harbor will add traffic and attract too many people here.

This week, Q-Line wants to know:

"Do you think the city should use its financial resources to build a new harbor? Would it be bad or good for Santa Monica?"

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

The $10,000 question

Editor:

Mike Feinsteins continued refusal to account for a $10,000 check that was intended for the Los Angeles Green Party has strained his credibility. Considering he is involved with the management and disbursement of Santa Monica's budget, this is a very serious concern. It seems to me Mr. Feinstein has only three options: Disclose, resign or be recalled. Time is running out.

Ed Silverstein
Santa Monica

Disappointed in Feinstein and council

Editor:

Is Santa Monica one big good ole' boys (and girls) club?

Council member Feinstein's financial finagling in the Green Party was no surprise to me. I heard that reported on KPCC in Pasadena by their local news staff many months ago. What amazes me is the time that has gone by before it got exposure in Santa Monica. How many other vital things, we might wonder, may never come to light in our fair city?

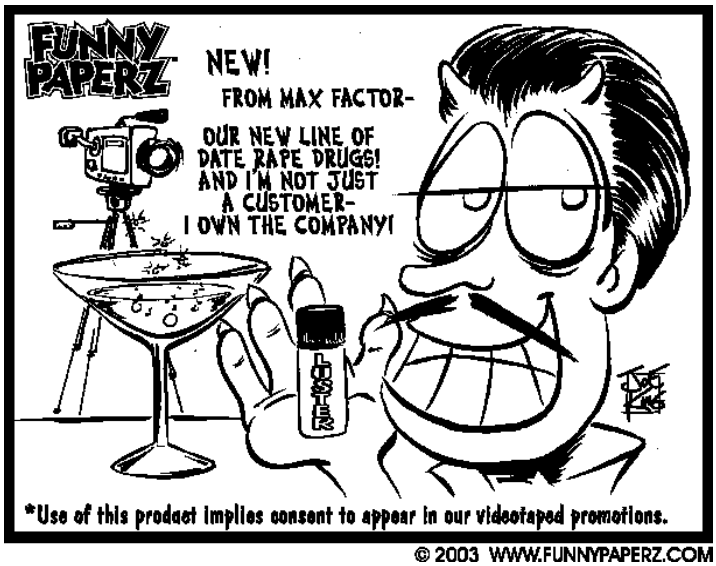
I wonder if, even now, it would have ever been talked about by his fellow Santa Monica politicians or newspapers if he hadn't had a temper tantrum the other night at City Council and stormed out after telling the members that he didn't want to be associated with them.

According to your own story, it has been 18 months that the Greens have been trying to get hold of $30,000 in campaign funds that Mr. Feinstein has in his personal savings account. How is it that in all this time not a squeak has come out of any of the local newspapers?

Surely they don't embrace the philosophy that Mayor Bloom expressed on the matter. He said, in essence, that it is none of our business what Feinstein does outside his formal duties as city councilman, and that it is probably some silly political thing inside the Green Party, which he wouldn't know about because he is a Democrat. Following that philosophy, we shouldn't bother ourselves if a city council member is charged with rape, murder or bank robbery if he didn't do it while on the podium at City Hall.

Pam O'Connor along with Bloom is sure that his problems will have no effect on the City Council. O'Connor suggests that it is all probably due to Feinstein being a little sloppy at handling details. Thirty thousand dollars worth? She's sure his "good

See LETTERS, page 5



THINK twice

The merits of Prop. A: Developer's dream or a preservationist's nightmare?



Todd Flora

■ In 26 years, the Landmarks Commission has created ONE historic district. Only 16 homes have been designated landmarks. And yet we will soon go to the ballot box in Santa Monica because there is apparently a HUGE crisis facing homeowners.

Some will probably try and tell you money is being wasted to run Proposition A because the City Council didn't heed the concerns of 9,000 petitioners. I would argue that the city is spending more than $100,000 to conduct the Proposition A election because conservative land use attorneys saw dollar signs and forced the issue, and the city didn't cower to their threats.

Proposition A is a political tool more than a policy issue. Conservative forces in Santa Monica are using this measure as another organizing device in their quest to crush all things progressive here.

Sure, proponents of Proposition A, which would strip the city of any power to preserve historic spaces, got their necessary amount of signatures (among them are many unwitting accomplices). And there is no question that homeowners should expect certain private property rights. Yet the proponents of this reactionary measure knocked down the doors of City Hall as if aliens had landed, and threatened the City Council by saying "an electoral giant" was "coming after" them.

Well pardon me, but with 16 houses dedicated as landmarks in 26 YEARS, isn't this a little like an arsonist coming to the fire station to demand that if his blaze isn't put out fast, there will be hell to pay?

Enter Tom Larmore, a property rights attorney and Santa Monica's "conservative consigliere." He is a very articulate true believer who fights for big hotel owners, big developers, and now Proposition A. He even had the audacity to compare this homeowner's rights issue to the reproductive rights movement in a recent Daily Press guest editorial piece. The comparison is offensive at best.

Mr. Larmore makes money representing people who buy up land to build on it. That's not necessarily bad. My dad works for developers too. But make no mistake — Larmore and friends MANUFACTURED this historic districts crisis. I'm not saying no homeowner has suffered unnecessarily at the hands of City Hall. I've heard stories. But ask yourself who financially benefits from forcing this issue? Who could make a decent hourly rate fighting for those who would tear down existing homes to build out to the property line? Friends, who REALLY has the city wasting $100,000 to run this election?

(Todd Flora has served as personal assistant to then Lt. Gov., Gray Davis, and state director for the California Clean Money Campaign. He is a professional issues manager who has been featured on TV, radio, and in several publications. To respond or to reach Todd, e-mail him at junkfood6@aol.com).



Evelyn Jerome

■ It's election time in Santa Monica again — your ballot will arrive in the mail any day now.

You'd think from the "NO WAR" lawn signs and the "War is Not the Answer" bumper stickers all over town, that the citizens of Santa Monica get to decide America's strategy with Iraq.

But no, at stake in this election is whether homeowners will have the right to approve or disapprove of the establishment of a historic district that includes their home.

Why are we voting on this issue, in a mail-only election, in the middle of March, when there will be another issue on the ballot in just a few months?

Sometimes I think that Santa Monica's government is the exception to the Constitutionally-protected "one person, one vote" standard. There are about 70,000 voters in our city. If nine or ten thousand renters had signed a petition in support of a particular policy, the City Council would have tripped over itself to encode that policy immediately.

But apparently being a homeowner in Santa Monica means you have fewer rights, and your signature on a petition is worth less than the powerful renters. Upon receiving the 10,000-signature petition, the City Council arrogantly chose to ignore it, and instead spend $100,000 of your tax dollars to hold a mail-in ballot election.

I'm not going to even touch the merits of the issue this week, or the ridiculous accusations that the homeowners north of Montana want to protect their right to tear down older homes and build "monster mansions," despite the fact that "monster mansions" are now prohibited there. I'm not going to talk about the "sky is falling" tactics that otherwise-reputable conservation groups have adopted in fighting this measure. I'm not going to give credence to those who are yelling, horrified, that (big, mean, nasty) developers must be behind this awful proposal.

Not even going to go there.

I'm incensed that our City Council has ignored the clear wishes of those they were elected to represent. I'm incensed that on top of their arrogant refusal to acknowledge that homeowners want to protect their investments, the Council cynically decided that they could defeat this homeowners' rights measure by conducting a vote-by-mail election, trying to boost participation among typically low-turnout voters.

Homeowners protecting their investments, by the way, is what has driven property values up in Santa Monica, and some of us think that's a good thing.

Next week I'll tell you how I really feel about Proposition A.

(Evelyn Jerome is a past president of the Los Angeles County Young Democrats, and a member of the New Democrat Network. To respond or to reach Jerome, e-mail her at evelyn_thinktwice@yahoo.com.)

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

OPINION

LETTERS

LETTERS, from page 4

heart" will carry him through. Thirty thousand dollars worth?

I just hope that if I ever have difficulties, I have a good ole boys and girls club that will protect me as long and as sympathetically as this one.

Mr. Bloom, I voted Green the last couple of elections, and I am concerned that a good chunk of their money is being "misappropriated," or has "disappeared." Similarly, I have voted mostly SMRR for a while now, and I am depressed lately with the tone of its inner carryings on.

And, despite the assurances by Bloom and Councilman Herb Katz, I am shocked that there is so little concern about allegations that they have long known and decided mums the word. Now that it is out, they have turned into vocal apologists. All Santa Monicans should be concerned about these allegations from a state and national party that seems to be more concerned with honesty than these city council persons. I like Ralph Nader's honesty and intelligence and would hate to see a party that supported him be tainted. We need the Greens, but it sounds like the Greens may not need Feinstein — nor may we.

There is nothing more important than our city council be financially trustworthy and morally reputable, seeing as they make judgments on hundreds of millions of public dollars. At some point they will have to stop being so concerned about Mr. Feinstein's feelings and start being more concerned about the public good.

It seems to me that the City Attorney, County District Attorney or some other credible entity should investigate these charges rather than sit back and treat them as though they have nothing to do with us.

Frankly, I'm deeply disappointed.

Bill Bolt
Santa Monica

War is not about siding with one party

Editor:

Our culture tends to both define and divide itself into two groups — the political left and the political right. I prefer to simply be called an "American." Having this name tag means supporting what I feel is decent and works for this country; and addressing its more unattractive traits through constructive problem solving, rather than defensive scapegoating.

Unlike some of the extreme anti-war demonstrators, I'm uncomfortable divorcing myself from the United States when trouble brews over its horizon. It's the same as being a fair weather friend to a dear friend. Rebuking our form of government, created under the constitutional mandates of democracy and capitalism, seems like the actions of an ungrateful child. And, denouncing and demeaning presidential decisions, mainly because it's a Republican presidency, is just immature and petty.

The threats confronting us today had their seeds planted in our yesterdays. Saddam is not just a menacing phenomena of the 21st century. He has been an unstable force in the Middle East for decades! And the 12 years of containment, since his defeat in the Gulf War, does not guarantee that more of the same will keep him subdued indefinitely. As the old saying goes, "Nothing is forever." For the dynamics of a virulent personality, such as his, is to regain as much strength and power as possible so that havoc can be wreaked on all enemies. Confrontation with this man is only a matter of time. What remains to be seen is, will it be his time or ours?

Most of today's problems were acknowledged and bantered around in the last administration. Instead of tackling them, they chose to pass on fermenting hostilities, like Iraq, to the current administration. Included in this package, of incomplete or deferred responsibilities, was a breached 1994 nuclear agreement with North Korea, as well as a botched opportunity to arrest bin Laden during the dusk of Clinton's term.

These situations have only become more formidable with time. Chiding, minimizing, delaying or denying their immediacy creates untoward risks of even greater proportion than the unprovoked attacks of 9/11. In the aftermath of this recent disaster, people were quick to blame a complicity between our government and their failure to track clues more expediently in order to thwart such an attack. Ironically, these same people are vehemently opposed to recognizing any of the familiar telltale signs suggesting that aggression is still out there biding its time. And those blusterers saying, "Bush knew" are now pounding the table crying, "Wait for the smoking gun!" Does that mean wait for another assault? Because that is the only way we will know for sure ...

It is wise, in this time of high stakes and uncertainly, to brainstorm and ask serious questions. No one would argue that intelligent debate is indeed a valuable safeguard towards making the best decision possible. However, what is achieved from anti-war sentiment when it is orchestrated to basically tear down our country? How can a public forum — primarily devoted to derogatory, insulting rhetoric, regurgitating past elections as a reason to doubt present day engagements — be deemed anything more than just a "good old hate festival?"

I really don't think most anti-war activists, gathering themselves under the anti-American shill, A.N.S.W.E.R., view their strident dissent as destructive. They probably feel they are merely expressing themselves fully under the rights of the First Amendment. However, just as containment does not necessarily serve the objectives of peace, cannibalizing our country, by way of radical free speech, is not the suitable conduit in deciding such fateful crossroads ahead.

Jan Tousignant
Santa Monica

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LOCAL

Homeowners divided by property rights, preservation

PROPOSITION, from page 1

izations which have denounced Prop. A. Those organizations include the local Santa Monica and Los Angeles Conservancies, the California Preservation Foundation, and the National Trust for Historic Preservation, which oversees historic sites from coast to coast.

However, Prop. A supporters say the neighborhood groups are out of touch with the residents they claim to represent. They say members of the neighborhood groups were never asked if they wanted to endorse the proposition. That decision was made solely by the groups' boards of directors, many of whom are allied with members of the city's Landmarks Commission, Prop. A supporters said.

"To say (North of Montana Association) is against this is a total farce," said local land use attorney Tom Larmore, an author of the proposition and a North of Montana homeowner. "And I think that's true of Friends of Sunset Park as well. I don't think they held a forum or asked their members what they think.

"All you have to do is drive around North of Montana and you'll see the neighbors are speaking for themselves."

— TOM LARMORE
Proposition A supporter

"I think NOMA is kind of a disgrace the way it's positioning itself as if it speaks for North of Montana residents when obviously it doesn't," he added "All you have to do is drive around North of Montana and you'll see the neighbors are speaking for themselves" with yard signs.

At stake in the upcoming election is whether developers and other property owners can be halted from knocking down architecturally, culturally, or historically significant homes in Santa Monica, proposition opponents say.

Proposition supporters say the issue is property rights. They assert that homeowners should have the final say whether the city can prevent them from remodeling their homes or building entirely new ones.

The city's Landmarks Commission, operating under a 26-year-old Landmarks ordinance, is charged with the responsibility to ensure that important buildings and neighborhoods in Santa Monica are preserved for the future.

Over the past several years, preservationists say the trend in Santa Monica has been for developers to purchase older homes and commercial buildings, knock them down, construct larger buildings in their place and sell them. The current Landmarks ordinance allows the Landmarks Commission to prevent or delay demolition or character-altering remodels of buildings considered worth preserving based on their architectural style, cultural significance, or historic importance to the city.

The Landmarks ordinance is an obstacle for developers and Proposition A is designed to eliminate it, preservationists say.

"The property rights arguments made by developers and other supporters of Proposition A are hostile to any spirit of community," says Bea Nemlaha, spokesperson for Save Our Neighborhoods. "They insist that the community cannot protect its own history if doing so infringes on owners' rights to do whatever they want, even if it causes irreparable damage to important original homes and mature landscaping in their neighborhoods.

"But this extreme position means that property owners who want to maintain the uniqueness and scale of their community end up with no rights," she added.

For the first time in the city's history, the election is taking place entirely through the mail. Ballots will be sent out to registered Santa Monica residents beginning Feb. 20, and residents will have until March 21 to return them to the City Clerk's office.

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City may allocate $82,200 for environmental education

CITY SPENDING, from page 1

for all radio units. City staff members believe the new radio frequency will lessen the burden on the Big Blue Bus' primary channel and be able to handle future growth of the fleet. It also will allow dispatchers to communicate with multiple buses at the same time, allow bus drivers to receive private communication during emergencies and a host of other benefits, according to a city staff report.

The city will buy the frequency equipment from Mobile Relay Associates and it will require a $3,000 annual rental fee. The money will be used from the city's public transit funds, and therefore not affect the city's general fund, city staff members said.

Big Blue Bus hopes to improve driver and passenger safety, provide travelers with real time transit and traffic information, and be able to provide faster and more accurate reporting of information required under Federal Transit Administrations regulations.

City staff also recommends that $82,200 be spent to ensure that the Ocean Discovery Center at the Santa Monica Pier doesn't shut down, as well as to provide environmental education to local students.

For the past several years, UCLA has operated and funded the discovery center at the pier. But because the state has cut funding for higher education, UCLA has decided to stop operating the center as of March 1.

Heal the Bay, a Santa Monica-based environmental organization, has devised a funding plan to help keep the facility open from March 1 to June 30 while it figures out a way to keep it operating indefinitely.

The city is being asked to help Heal the Bay with 40 percent of the interim funding, which amounts to $48,000 and will be taken out of the city's environmental programs division.

The city council is also anticipated to give Heal the Bay $15,000 to fund two education projects — "Bay Days," a community event held at the beach and the organization's marine educational program called "Key to the Sea." The city is expected to spend $5,000 for Bay Days, which is a free, one-day public event that has an ocean-related environmental theme and includes a variety of environmental activities and a beach clean-up.

"Key to the Sea" provides a combination of teacher professional development, and student learning in the classroom and in the field for kids in kindergarten through fourth grade. Students will learn about ocean pollution prevention, coastal stewardship and beach safety.

Students will learn about ocean pollution prevention, coastal stewardship and beach safety.

Another program undertaken by an organization called the BayKeeper is asking the city for $19,200. The program educates middle school students about urban impacts on the local marine environment. It involves in-class experiments with kelp germination and a field trip by boat to an underwater kelp reforestation site.

The BayKeeper makes in-class presentations to about 18 classes in the sixth grade, focusing on the investigation of local marine phyla, animal taxonomy and physiology, biodiversity, urban runoff and sources of pollution. BayKeeper also assists with in-class cultivation of living kelp specimens which are later transplanted into coastal kelp beds in the Santa Monica Bay.

The city also plans to spend $26,500 for other educational programs, including a school gardening project for local students and household hazardous waste education for city residents.

LOCAL

Authorities: Shred personal information before trashing it

FRAUD, from page 1

a fake phone number and driver's license number, and a counterfeit bank logo on the check. But what remained on the checks was the correct account number and Jessica's full name.

"Our home and office had not been burglarized and we didn't lose any checks so I don't know where they got all the counterfeit checks," she said. "I was really naive and didn't know what happened."

Jessica soon realized she was a victim of identity theft. She immediately closed the joint checking account, filed a police report and got a lawyer.

But that was just the beginning of her nightmare. Collection agencies began calling and writing nasty letters demanding that Jessica pay the unresolved bills. She called the department stores, who told her it wasn't their problem and she had to deal directly with the collection agencies.

"Be very careful about where you put your credit card and your ID. The scum is everywhere."

— JESSICA
Identity theft victim

Jessica was instructed by the West Los Angeles police department's financial crime division to have a fraud alert issued so it would be on file with credit agencies that she is a victim of identity theft. She also was instructed to check her credit report every 30 days to see if other fraudulent activity had been recorded.

By filing a police report, Jessica was able to get a signed and notarized affidavit stating she was a victim of identity theft to use as protection against the collection agencies.

But one collection agency, Florida-based Daniel Trust who was collecting on behalf of Nordstrom's, wouldn't accept Jessica's identity theft story. As she had tried to explain to the department store and the collection agency previously, Jessica wasn't responsible for the charges. Jessica had been a regular customer of Nordstrom's for years and was worried about her standing in their credit department.

Jessica received a strongly-worded letter on Jan. 2 from Daniel Trust that read in part, "To be blunt, it's not a disgrace to owe a delinquent debt, it only becomes a disgrace when you fail to address it and continue to do nothing about it."

Jessica had to spend several hours on the phone and filing paperwork to make sure her name was cleared at Nordstrom's. A few days later, Jessica received a phone call from Nordstrom's headquarters by a customer relations manager who apologized for the treatment she received.

As police suggested, Jessica is keeping meticulous records of all correspondence relating to the crime. But she wonders when the nightmare will end and whether the person who stole her identity will keep using her information fraudulently.

"For me, I thought I had lost my mind," she said. "The scare of when it will be finished is on my mind always.

"You feel someone is watching you all the time," Jessica added. "You are afraid of everything ... it's like somebody is sleeping in your bed."

Jessica is not alone, she is the victim of a fast-growing crime that has topped the government's list of consumer frauds for three years in a row. The Federal Trade Commission reports that 43 percent of roughly 380,000 complaints involved the hijacking of someone's identity information last year. (See related story, page 9.)

Regina James, a manager at Bank of America's check fraud claim center in downtown Los Angeles, said counterfeit checks are common in identity theft cases.

"Your account number is on every check you've ever written," she said. "There is a lot of sophistication out there that people know about to change the checks."

Banks don't always contact the customer if counterfeit checks are processed but the fraud department routinely checks a certain percentage of accounts every day looking for fraudulent activity. Some accounts may be flagged by the system if checks are paid but the bar codes show a different number on the check, James said.

She suggests that people check their statements each month for unusual activity and check their credit reports routinely.

Santa Monica Police Lt. Frank Fabrega said cases of identity theft are on the rise throughout Los Angeles County.

"More and more people are using the Internet and buying online and not being as careful as they should be," he said, adding would-be thieves have several ways of getting a hold of personal information about a person. "Even the junk mail has information that the suspects can use, especially credit card offers."

Fabrega suggests that any information about a person's life should be destroyed before it hits the garbage can.

"Every household should have a shredder," he said.

For Jessica, who composts all of her trash in her backyard, she will always be looking over her shoulder.

"Be very careful about where you put your credit card and your ID," she said. "The scum is everywhere."

Police tips for victims whose identity has been stolen

By Daily Press staff

Victims of identity theft must act quickly to minimize their damage.

Police say it's important to keep good notes of conversations, records and correspondence with financial institutions and law enforcement agencies. That includes a log of the names, dates and phone number of persons the victim contacted. Victims also should confirm the information in writing. Sending letters by certified mail and a return receipt requested, will provide victims with a record of all correspondence.

What to do about identity theft:

Report the crime immediately.
Obtain your credit report.
Contest fraudulent bills.
Access fraudulent account information.
Clear your name of false civil and criminal judgments.

REPORT ID THEFT TO MAJOR CREDIT BUREAUS

Contact the fraud departments of each of the three major credit bureaus and report that your identity has been stolen. Ask that a "fraud alert" be placed in your file. Here is the contact information for the credit bureaus:

■ Trans Union — (800) 680-7289
P.O. Box 1000, Chester, PA 19016-1000.
■ Experian (formerly TRW) — (888) 397-3742
P.O. Box 9532, Allen, TX 75013.
■ Equifax — (800) 525-6285
P.O. Box 105069, Atlanta, GA 30348

REPORT STOLEN CHECKS AND STOP PAYMENT IMMEDIATELY

If you have had checks stolen or bank accounts set up fraudulently, report it to the appropriate check verification companies. Put stop payments on any outstanding checks that you are unsure of. Cancel your checking and savings accounts and obtain new account numbers. Give the bank a secret password for your account (not mother's maiden name). If your own checks are rejected at stores where you shop, contact the check verification company that the merchant uses.

TO REPORT FRAUDULENT USE OF YOUR CHECKS:

■ CheckRite: (800) 766-2748
■ Chexsystems: (800) 428-9623
■ CrossCheck: (800) 843-0760
■ Equifax: (800) 437-5120
■ International Check Services: (800) 631-9656
■ SCAN: (800) 262-7771
■ TeleCheck: (800) 710-9898

REPORT STOLEN ATM CARDS AND CHANGE PASSWORDS

Get a new ATM card, account number and password. When creating a password, don't use common numbers like the last four digits of your social security number or your birth date. Monitor your account statement. You may be liable if fraud is not reported quickly.

File a police report with the police department in the city where the identity theft occurred

Get a copy of the police report and keep it for your records. Credit card companies and financial institutions may require you to show a copy of this report to verify the crime. Keep the phone number of your investigator and provide it to creditors and others who require verification of your case.

CONTACT ALL CREDITORS

For any accounts that have been fraudulently accessed or opened, contact the billing inquiries and security departments of the appropriate creditors or financial institutions. Close these accounts. Use passwords — not your mother's maiden name — on any new accounts opened. Confirm your contact in writing. Ask that old accounts be processed as "account closed at consumer's request." Have a "card lost or stolen" reference because when the statement is reported to credit bureaus, it can be interpreted as blaming you for the loss. Carefully monitor your mail and credit card bills, and report immediately any new fraudulent activity to credit grantors.

GET FREE COPY OF CREDIT REPORT AND MONITOR IT REGULARLY

As victim of identity theft, you may obtain a free copy of your credit report and should monitor activity every few months.

Ask the credit bureaus for names and phone numbers of credit grantors with whom fraudulent accounts have been opened. Ask the credit bureaus to remove inquiries that have been generated due to the fraudulent access. Other consumers seeking a copy of their credit report may be charged a fee.

■ Equifax — (800) 685-1111
■ Experian (formerly TRW) — (888) 397-3742
■ Trans Union — 800-888-4213

Under state law, a consumer submitting a valid police report can have the credit-reporting agency block the reporting of any information that the consumer alleges appears on the credit report as a result of identity theft. You also may want to ask the credit bureaus to notify those who have received your credit report in the last six months in order to alert them to the disputed and erroneous information.

CONTEST BILLS THAT RESULT FROM IDENTITY THEFT

Consumer and privacy advocates suggest not paying any portion of a bill, which is a result of identity theft. Also, do not file for bankruptcy. This will involve disputing credit card charges with the card company by writing to the address for "billing error" disputes — not the bill payment address.

You should follow the directions given by the credit card company for disputing charges. The company must provide this information. Your credit rating should not be permanently affected, and no legal action should be taken against you as a result of identity theft. If any merchant, financial institution or collection agency suggests otherwise, simply restate your willingness to cooperate, but don't allow yourself to be coerced into paying fraudulent bills. Report such attempts to government regulators immediately.

ACCESS INFORMATION IF ACCOUNT OPENED IS FRAUDULENT IN YOUR NAME

If a loan, credit or utility service account has been opened fraudulently in your name, you now can obtain a copy of the application used and a record of transactions or charges associated with that account. The information you learn may be useful in determining what personally identifying information was stolen, help clear your good name and credit, and even lead to the identity of the thief.

The following is a checklist for accessing account information:

■ File a police report that you believe you are a victim of identity theft.
■ Keep a copy of the police report.
■ Fill out the request forms provided by the law enforcement agency or use the fraudulent account information request form
■ Fill out the identity theft affidavit
■ Send completed package to each creditor where the thief opened an account using your stolen identity.
■ Provide account information you receive to the police officer investigating your identity theft case.

FALSE AND CIVIL JUDGMENTS

Sometimes victims of identity theft are wrongfully accused of crimes committed by the identity thief. If a civil judgment has been entered in your name for actions taken or debts incurred by your impostor, contact the court where the judgment was entered and report that you are a victim of identity theft.

If you are wrongfully prosecuted for criminal charges, contact the state Department of Justice and the FBI and obtain information on how to clear your name. The California Department of Justice has established a statewide data base to provide certain information about identity theft crimes to victims and law enforcement agencies.

IDENTITY THEFT RESOURCES

California Office of Privacy Protection
Electronic Privacy Information Center (EPIC)
Federal Deposit Insurance Commission
Federal Trade Commission (FTC)
Privacy Rights Clearinghouse
U.S. Comptroller of the Currency
U.S. Justice Department
U.S. Postal Inspection Service
U.S. Public Interest Research Group
U.S. Secret Service
http://caag.state.ca.us/idtheft/tips.htm

LOS ANGELES COUNTY RESOURCES

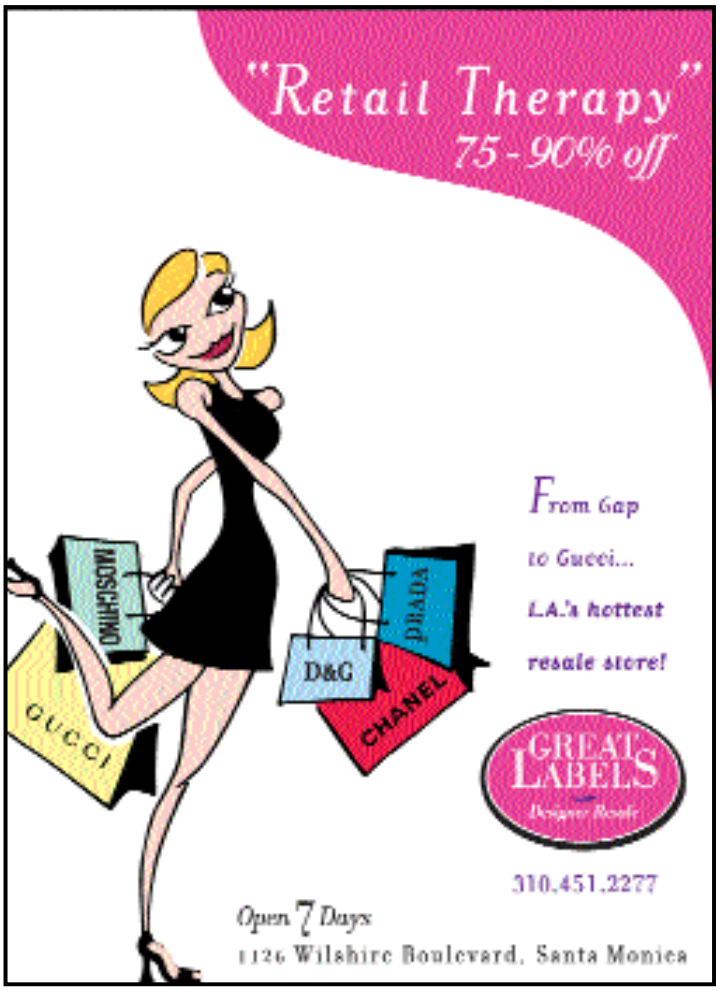
Los Angeles County Department of Consumer Affairs: (213) 974-1452

Los Angeles County District Attorney's Office:

Consumer Protection Division (213) 580-3273
http://da.co.la.ca.us/cpd/

Identity theft pamphlet:

http://da.co.la.ca.us/cpd/forms.htm





STATE

California judges clamp down on media coverage

BY LINDA DEUTSCH
AP Special Correspondent

LOS ANGELES — Judges who preside over some of California's highest-profile trials have been clamping down on press coverage in spite of legal rules and admonitions from higher courts telling them to keep doors and documents open.

In cases such as the Winona Ryder shoplifting prosecution in Beverly Hills and the David Westerfield child kidnap-murder trial in San Diego, judges have closed courtroom doors and sealed documents, releasing information only when ordered to do so by appellate courts.

"This happens not only in high-profile trials. It happens in all kinds of cases," said attorney Kelli Sager. "But unless the media challenges it, the public doesn't know about it."

Sager has represented numerous media organizations in cases ranging from Ryder to O.J. Simpson. She and other First Amendment lawyers suggest that judges are either unaware of the rules governing access or ignore them to stifle publicity.

Federal case law supports openness in all court proceedings unless there is proof that "irreparable harm" would result to a defendant's case. Judges are required to consider less restrictive alternative than closure as a means of preventing that harm.

Memories of the O.J. Simpson murder trial still haunt the Los Angeles judiciary. Six years after the saga ended, judges remain concerned about avoiding the kind of wall-to-wall coverage that made the case a national obsession.

"The courts still have an O.J. hangover," said Loyola Law School professor Laurie Levenson who was a TV commentator during that trial.

"No judge wants to be the next Lance Ito," she said of the much maligned jurist who presided in the Simpson trial. "It's even become a verb — to be 'O.J.ed.' It means your case is in the spotlight and everyone is watching. Frankly, judges don't like operating with people looking over their shoulders, especially when there are several million of them."

In the Ryder case, Superior Court Judge Elden Fox refused to admit the press and public to his courtroom during arguments on a sealed motion involving allegations of "prior bad acts" by Ryder. The judge also excluded the press and public while the prospective jury panel was being sworn in and refused to release their answers to a written questionnaire.

Fox lost in news media appeals on all counts. The 2nd District Court of Appeal found that he erred when he held closed hearings and did not make any findings on the record to justify his sealing of pretrial legal documents.

Fox responded that there were "unique aspects of this trial" involving pervasive publicity, a claim made by many judges in newsworthy trials.

"The court notes that even minute details of this trial are broadcast several times every hour on television and radio," Fox said.

The appeals court, however, declared that the presumption of openness is essential to "the very nature of a criminal trial under our system of justice."

In San Jose last year, Superior Court Judge Thomas C. Hastings was reversed by an appellate court after he excluded the press and public from jury selection in the trial of Carey Stayner for the murders of three women in Yosemite National Park.

The Robert Blake murder case is likely to pose the next media-court conflict because of the massive publicity surrounding the murder of the actor's wife.

Los Angeles District Attorney Steve Cooley, whose office is prosecuting Blake, said he opposes gag orders, sealing orders and closing of courtrooms.

"An informed public served by the free media has a right to know what happens in the courtrooms that its taxpayer dollars support," Cooley said. "There are few legitimate reasons to close courtrooms to the public or to order documents sealed."

Cooley also said he supports electronic coverage of criminal cases. Whether Blake's trial will be televised has yet to be decided.

"I think that a lot of us were perhaps overly optimistic that the trial courts would read and understand the message conveyed by the Supreme Court."

— DOUGLAS MIRELL
First Amendment lawyer

Sager said publicity alone is not a reason to shut the doors and cameras on big trials.

"I think the whole notion that you can't have publicity without it being prejudicial is just wrong," said Sager. "It used to be that everyone knew everything and juries were people that knew the defendant. It's still like that in some small towns."

In San Diego, Judge William Mudd clashed with the media in sealing thousands of pages of documents that were released only after David Westerfield was sentenced to death for kidnapping and killing 7-year-old Danielle van Dam.

He also excluded a radio journalist from his court after the woman's station reported what happened at a closed hearing.

"She is the representative of an individual who takes great glee and delight in shoving it in this court's face in the name of the First Amendment," the judge said

Rather than a fundamental attack on First Amendment law, such actions are personal, said Guylyn Cummins, the lawyer who represented The San Diego Union-Tribune in fighting for openness.

"Judges feel it's their courtroom and they do what they want," she said.

First Amendment lawyer Douglas Mirell of Los Angeles said attorneys were optimistic when the state Supreme Court enacted Rule No. 243 in 1999 to make clear a series of steps that must be taken before a judge can close proceedings or documents.

"I think that a lot of us were perhaps overly optimistic that the trial courts would read and understand the message conveyed by the Supreme Court," Mirell said. "We thought that closed hearings and sealed records would be an unfortunate historical memory."

NATIONAL

Number of identity theft complaints doubled last year

BY DAVID HO
Associated Press Writer

WASHINGTON — Complaints about identity theft nearly doubled in 2002 as the fast-growing crime topped the government's list of consumer frauds for a third consecutive year.

The Federal Trade Commission reports that 43 percent of roughly 380,000 complaints involved the hijacking of someone's identity information, such as credit card or Social Security number, to steal money or commit fraud.

The figures come from a government database of complaints collected from the FTC, the FBI and scores of law enforcement and consumer groups. Gripes about fraud in Internet auctions ranked No. 2 and accounted for 13 percent of complaints.

Outlining the most-frequent complaints on a nationally broadcast interview Wednesday, the FTC's Howard Beales said reports from consumers have increased with greater awareness of the problem prompted by recent high-profile identity-theft cases.

"I think identity theft is a particularly pernicious crime," said Beales, on CBS's "The Early Show."

Beales, who heads the FTC's consumer protection bureau, called identity theft "one specific fraud that we really reach out and try to gather complaints about."

Up to 700,000 people in the United States may be victimized by identity bandits each year, the Justice Department says. It costs the average victim more than $1,000 in expenses to cope with the damage to their accounts and reputations, the FTC has said.

"This is a crime that is almost solely on the shoulders of the victim to resolve," said Beth Givens, director of the Privacy Rights Clearinghouse, a San Diego-based consumer group. "They're beleaguered, they're tired, they're angry and it takes them a good deal of time to recover."

Recovery has taken about five years for Alexandra May, 40, an office equipment saleswoman from Cupertino, Calif.

May said that in 1997 a woman who looked nothing like her obtained a duplicate of her driver's license from a local department of motor vehicles office. With the license, the woman drained $4,000 from May's bank account and tarnished her records with an accident and the theft of a rental car.

"I went to rent a car a few months later and was almost arrested," May said. She said she expects this month to be issued a new license that finally severs her record from the ID thief's actions.

Privacy advocates advise consumers to protect themselves from identity theft by checking their credit reports twice a year, shredding personal documents before throwing them away and cleansing wallets of old receipts and printed Social Security numbers.

The number of identity theft complaints rose from about 86,000 in 2001 to about 162,000 last year, the FTC said. Of last year's incidents, 42 percent involved credit card fraud. Other major categories involved fraudulent bank and cell phone accounts.

The District of Columbia had the highest rate of identity theft in 2002 with 123 victims for every 100,000 people. California and Arizona followed with 91 and 88 victims per 100,000 people, respectively.

About half of all other types of fraud complaints last year had some connection to the Internet, the FTC said. They involved online transactions, Web site advertising or promotions sent as e-mail spam.

The number of complaints about identity theft shot up in 2001 after the FTC began promoting a dedicated Web site and toll-free phone number for victims.

In November, federal authorities broke up what they called the biggest identity theft case in U.S. history and charged three men with stealing credit information for 30,000 people. Prosecutors said the scheme began with passwords and records stolen from a software company.

Last spring, Attorney General John Ashcroft ordered federal prosecutors nationwide to speed up investigations and trials of people accused of stealing identities.

Sen. Dianne Feinstein, D-Calif., a longtime advocate for identity theft laws, will introduce several bills in the next few weeks seeking greater protections for Social Security numbers and stiffer penalties for identity thieves, spokesman Howard Gantman said.

Aretha Franklin hires new attorney for investigation of arson case on her home

By The Associated Press

BLOOMFIELD TOWNSHIP, Mich. — The lawyer now representing Aretha Franklin in the investigation of an arson fire that destroyed her $1.8 million mansion here says the singer has nothing to hide.

Franklin fired attorney Elbert Hatchett, who had advised her not to speak to investigators, and hired former Detroit U.S. attorney Saul Green.

"All she wants to do is to get a positive resolution to this," Green said Monday.

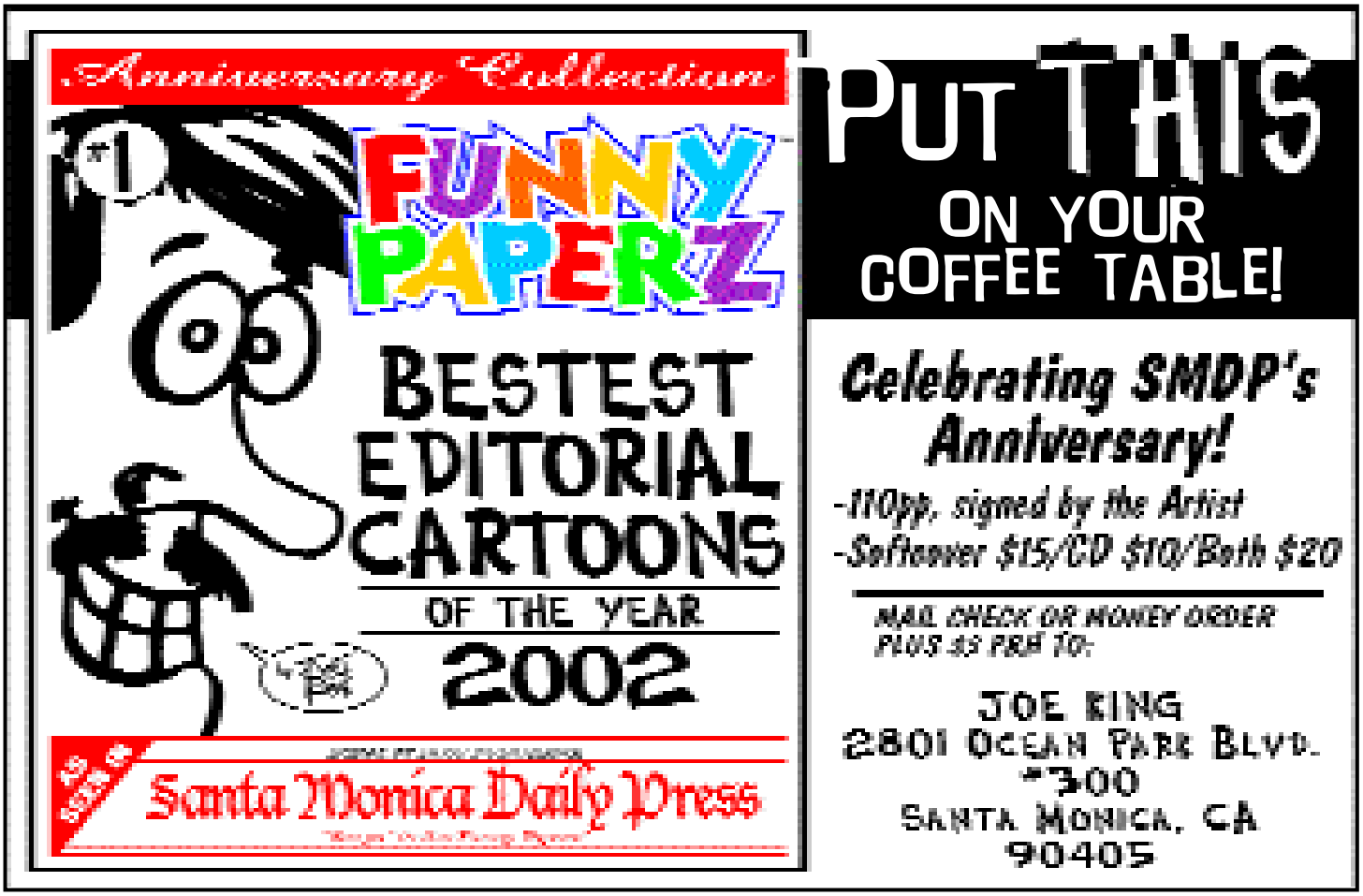
Oakland County Prosecutor David Gorcyca said there is "a new discourse" between his office and Franklin's new attorney, who met with prosecutors Monday. Gorcyca hopes to meet with Franklin by week's end.

Franklin's son, Edward, and security guard Tyrone Jarrett Sr. appeared for depositions Monday. Edward Franklin's attorney said his client invoked his Fifth Amendment right to avoid self-incrimination.

In January, prosecutors subpoenaed Franklin, her son, Jarrett and family friend Dr. George West. West is expected to meet with prosecutors later this week.

Gorcyca has said Franklin isn't a suspect in the Oct. 25 fire that destroyed the 10,000-square-foot home, about 20 miles northwest of Detroit.

Hatchett said the split came because he'd advised his client not to speak to investigators.



INTERNATIONAL

Iraq agrees to U-2 overflight surveillance by inspectors

BY HAMZA HENDAWI
Associated Press Writer

BAGHDAD, Iraq — Iraq agreed Monday to allow U-2 surveillance flights over its territory, meeting a key demand by U.N. inspectors searching for banned weapons as European opposition to American military action mounted.

President Bush, however, brushed aside Iraqi concessions as too little, too late.

"This is a man who is trying to stall for time," he said after a meeting with Australian Prime Minister John Howard, a staunch U.S. ally against Iraq. "The reason we need to fly U-2 flights is they're not disarming."

Iraq's acceptance of the U-2 flights, as well as its submission of new documents to the United Nations over the weekend, marked Baghdad's latest step to stave off a U.S.-led attack and convince other governments that it was now ready to cooperate in full with U.N. inspectors.

Key European governments insist that Iraq's cooperation is sufficient to allow inspections to continue and delay military action. On Monday, France, Germany and Belgium vetoed a U.S.-backed measure to authorize NATO to make plans to protect Turkey in the event of attack by Iraq.

Defense Secretary Donald H. Rumsfeld said the United States and willing allies would plan to help Turkey "outside of NATO if necessary."

In a joint statement later Monday, France, Germany and Russia called for more inspectors to disarm Iraq without resorting to war.

"Nothing today justifies a war," French President Jacques Chirac said at a news conference in Paris with Russian President Vladimir Putin. "This region really does not need another war."

With the threat of war looming large, Baghdad appeared eager to display new cooperation with the inspectors in hopes of encouraging opposition to an imminent military strike. The announcement came days after five Iraqi scientists gave private interviews to the U.N. weapons inspectors.

"The inspectors are now free to use the American U-2s as well as French and Russian planes," Mohamed al-Douri, Iraqi ambassador to the United Nations, told The Associated Press in New York.

In a letter sent Monday to U.N. weapons inspectors, Iraq also pledged to pass legislation next week outlawing the use of weapons of mass destruction,

U.S. and British bombed a surface-to-air missile site Monday in the southern no-fly zone, the U.S. military said. The Iraqi News Agency reported two civilians were killed and nine others were wounded.

Iraqi forces regularly shoot at allied aircraft patrolling the northern and southern no-fly zones that Washington and London say are designed to protect Shiite Muslims and Kurds.

In Washington, State Department spokesman Richard Boucher described the Iraqi moves as tactical retreats. He said Iraq still had not indicated whether it would comply quickly and fully with U.N. disarmament demands.

Britain's U.N. ambassador, Jeremy Greenstock, said Iraq's latest moves indicated "some progress on procedure" but "that doesn't add up to the real change in Iraq's attitude that we're looking for."

Blix and ElBaradei report on Friday to the U.N. Security Council about their weekend talks in Baghdad. The report will help the U.N. Security Council decide whether to support a new resolution authorizing the use of force against Iraq.

Many on the council are waiting to hear the reports before deciding whether to allow the inspectors more time or move toward a military solution.

Britain, America's staunchest ally, is preparing a new resolution that would authorize force against Iraq, diplomats have said, and Bush has said "the game is up" for Iraq.



Laurent Rebours/Associated Press

French President Jacques Chirac, right, and his Russian counterpart Vladimir Putin gesture during a joint news conference after their meeting at the Elysee Palace in Paris on Monday. France, Russia and Germany on Monday called for strengthened U.N. weapons inspections in Iraq, a diplomatic initiative opposed by the United States that is aimed at disarming Saddam Hussein without war.

Airlines ordered to aid in transporting troops to Gulf

BY PAULINE JELINEK
Associated Press Writer

WASHINGTON — Commercial airlines are being pressed into military service to transport troops as the Pentagon continues its Persian Gulf buildup for a possible war in Iraq.

The airlines were flying troops Monday under an order by Defense Secretary Donald H. Rumsfeld mobilizing the Civil Reserve Air Fleet, a fleet of commercial passenger and cargo planes that can be used to move people and equipment in emergencies.

The Defense Department announced late Saturday it was activating the first stage of the fleet, making it only the second time it has done so in the 51-year history of the program.

"The measure is necessary due to increased operations associated with the build up of U.S. forces in the Persian Gulf region," it said in a statement.

Officials have the authority to call up 78 aircraft — 47 passenger planes and 31 wide-body cargo planes. But for now, Air Force Gen. John W. Handy, commander of the U.S. Transportation Command, has enough cargo planes and is calling only the passenger aircraft, said command spokesman Navy Capt. Steve Honda.

There are 11 carriers signed up for this first stage of mobilization, Honda said by phone from command offices at Scott Air Force Base in Illinois.

They are American Airlines, American Trans Air, Continental Airlines, Delta Airlines, Hawaiian Airlines, North American Airlines, Northwest Airlines, Omni Air International, United Airlines, US Airways and World Airways.

Names of airlines that began flying troops Monday were not immediately available, Honda said.

The reserve air fleet, established in 1951, consists of aircraft that commercial carriers have agreed to make available for military use in times of crisis and when there are not enough military aircraft to handle all the work. In return for participating, carriers are given preference for the defense departments peacetime passenger and cargo business and guaranteed that the burden of carrying out a deployment will be spread fairly among all participating.

The transportation command relies heavily on the commercial transport industry to move troops, equipment and supplies world wide in support of the nation's defense. Historically, 93 percent of troops and 41 percent of long-range air cargo are moved by chartered commercial aircraft.

The reserve fleet is mobilized only when there are not enough volunteers. The Pentagon has been having trouble finding volunteers from the industry, plagued by bankruptcies.

The only other time it was activated was in 1990-91, in the buildup to the Persian Gulf War and during the war itself.

The fleet can be mobilized in three stages, each calling for more aircraft. As of last month, 33 carriers and 927 aircraft were enrolled in all stages.

Though it is a help, civilian cargo aircraft are not good for everything because of their size or configuration or the way they operate. They cannot accommodate tanks, air defense weapons and many helicopters, nor airdrop cargo and people, provide the rapid off-loading needed in combat situations and so on.

Catherine Zeta-Jones sues for unauthorized photos

BY BETH GARDINER
Associated Press Writer

LONDON — Catherine Zeta-Jones said Monday that a sneaky photographer spoiled her wedding to Michael Douglas and jeopardized her career by showing her in an unflattering way.

"The quality was what every bride would hate to have out there. It was cheap and tacky and everything I didn't want," Zeta-Jones testified in the couple's lawsuit against Hello! magazine, which published unauthorized pictures of their reception.

Zeta-Jones, 33, and Douglas, 58, signed an exclusive $1.6 million deal with OK! magazine for pictures of their November 2000 wedding in New York.

Rival Hello! hit the streets three days earlier than OK! with its own "exclusive" photographs of the lavish wedding at The Plaza hotel.

The actors are suing Hello! magazine; its Spanish counterpart, Hola!; the magazine's proprietor, Eduardo Sanchez Junco; media consultant the Marquesa De Varela; her company Neneta Overseas Ltd.; and freelance photographer Philip Ramey.

Zeta-Jones, pregnant with the couple's second child, was cool and poised during 90 minutes of testimony.

She said she wanted to protect her privacy and her image, and to ensure that the couple could enjoy the day.

"There are so many different things that I wanted to keep secret. There are certain moments of emotion, certain moments of embrace," she said.

James Price, attorney for Hello!, noted that the authorized pictures in OK! included embraces.

"There is embracing, and there is embracing," Zeta-Jones said, drawing a little laugh around the court room.

She said the couple agreed to the deal with OK! to give them a measure of control "after living in a world where many people are very interested in what we do and how we live, ... to kind of quash the intensity of people stealing and being voyeuristic is a very private situation."

"This was going to be an overall look into the life of us ... in a classy way," she said. "We wanted to show the world a little slice of that ... in our control without us becoming a media circus."

One of the Hello! pictures made her look large, she complained.

"It was extremely important for my career that I regain my figure after giving birth to Dylan. I had put a lot of work in at the gym — which I loathe going to.

"It is all too easy for the film industry to conclude that an actress is past her best," she said.

Douglas testified that the couple knew a celebrity wedding would attract intense interest, and that they had a responsibility to deal with it.

"The best way to solve this was to make a deal with one publication," he said. "We thought this would be a more ordered way and it would eliminate the paparazzi frenzy that tends to happen around these events."

Price told the actress that his own wedding photographs had not been worth $1.6 million. "I can understand," she quipped. But she said money was not the issue.

SPORTS

Michael Jordan's retirement is for real this time

BY JIM LITKE
AP Sports Writer

He passed on the perfect ending the last time he had the chance.

So Michael Jordan didn't mind Kobe Bryant erasing the one he cobbled together in the closing seconds of the first overtime in Sunday night's All-Star game. Not that he would ever admit otherwise.

"As much as I wanted to play well," Jordan said after his East side lost 155-145, "it felt good just being out there."

Anybody who still harbored doubts about his retirement can relax. Jordan is leaving this time for good. For most of his competitive life, you couldn't have pried a sentence like that out of him with a crowbar. Now you just hope it isn't followed by a torrent of tears.

When he was younger, Jordan never worried about perfect endings or playing well, and he never, ever set foot on a court just to feel good "being out there." That was something the supporting actors said, not the guy who owned the spotlight.

But Jordan turns 40 in a week. And while that little "competition problem" his late father talked about still has Jordan in its grip — and probably always will — age has finally taught him a fact of life most of us are forced to learn much earlier. Nobody, not even Jordan, wins all the time.

To be sure, the night had already been humbling enough. There was the awkward maneuvering before the game to squeeze out a starting spot for Jordan, the 0-for-7 start from the field, the kitschy tribute delivered by Mariah Carey at halftime, and perhaps toughest of all, seeing defenders swat his shots away with such practiced cool that they looked as though they had been doing it all their lives.

Still, there were only 4.8 seconds left in overtime when he swerved into the corner and made a high-arching 15-footer over Phoenix's Shawn Marion to give the East a two-point lead. But the Lakers' Bryant was fouled on a 3-point attempt at the other end with a second left.

The heir apparent made the first and missed the second. Jordan came over and said something.

"I was needling him, trying to get him to miss," Jordan said.

"He was talking trash," Bryant confirmed. "Part of me felt I had a job to do, but another part of me just didn't want to do it, to be honest with you."

The competitive part won out. Bryant made the final free throw, Jordan had one final attempt blocked and the game went into double overtime for the first time. There, MVP Kevin Garnett scored nine of his 37 points while Jordan watched the final five minutes from the bench.

Afterward, someone asked if the sequence when Bryant trumped Jordan's potential winner was part of a bigger picture, akin to a symbolic passing of the torch.

"Obviously," Jordan began, almost by instinct, "I'd much rather we won the game."

But then he quickly veered off down memory lane, echoing several of the things he touched during the halftime speech, about how important it was to pass on the lessons he learned from men like Julius Erving, Larry Bird and Magic Johnson.

To do that, Jordan had to tie up a few other story lines. And because he understands what it means to be playing on borrowed time, he made sure to get to those. There was a reconciliation with East coach Isiah Thomas, the 10 points Jordan needed to surpass Kareem Abdul-Jabbar as the leading scorer in All-Star history, and proof that the game he was leaving behind would wind up in good hands.

The first time Jordan came out of retirement, he said it was to teach the knuckleheads and the flood of youngsters pouring in some respect. The jury is still out on that one, but four of the starters Sunday — Kevin Garnett, Tracy McGrady, Kobe Bryant and Jermaine O'Neal — jumped directly from high school to the pros and there wasn't a head case among them.

A fifth starter, 7-foot-6 center Yao Ming of China, was a kind of Jordan legacy, too, part of a wave of foreign-born players that drew inspiration as youngsters from the Jordan-led Dream Team's excellent adventure in the 1992 Olympics.

Jordan traveled everywhere and anywhere for a competitive fix, a kind of modern-day Ulysses roaming the world in sneakers and baggy shorts. He could have left in the most triumphant way, after his jumper gave the Bulls a sixth title in 1998, but the second time he came back for himself.

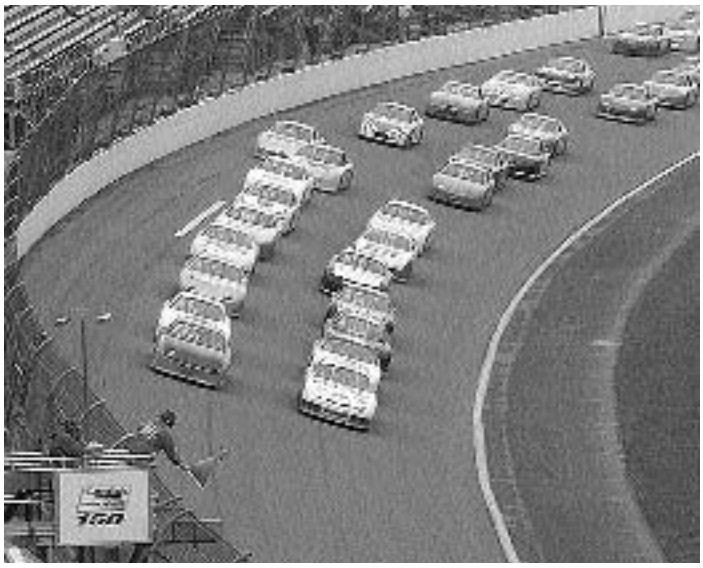
Now, he's finally come full circle. Like the soccer great, Pele, playing for the Cosmos in New York when his best days were behind him, Jordan is on his last legs, happy to be out there, happy to pay the game back.

The rest of his season will be played out quietly, and it will end somewhere well short of his expectations, and we'll hear more of the same we heard Sunday night.

But under his breath, the greatest player of his time — of any time, really — will walk off the stage muttering the same thing he was probably muttering Sunday night, "If only I could get that last shot back one more time."

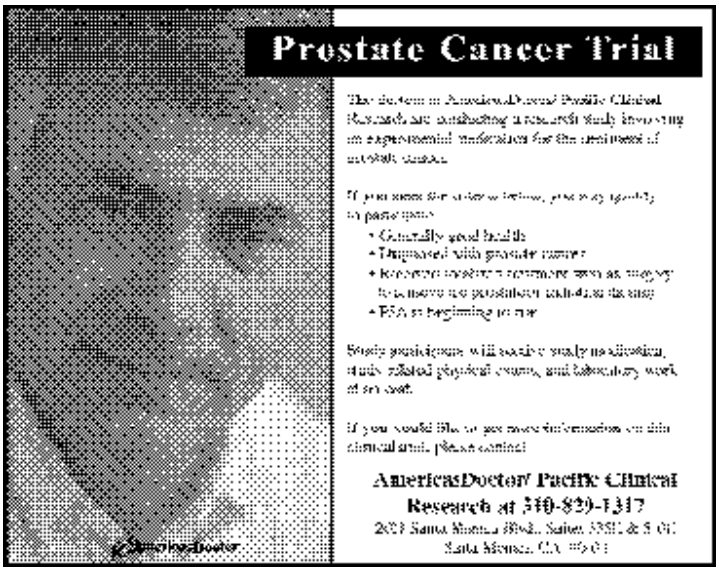
(Jim Litke is a national sports columnist for The Associated Press. Write to him at jlitke@ap.org)

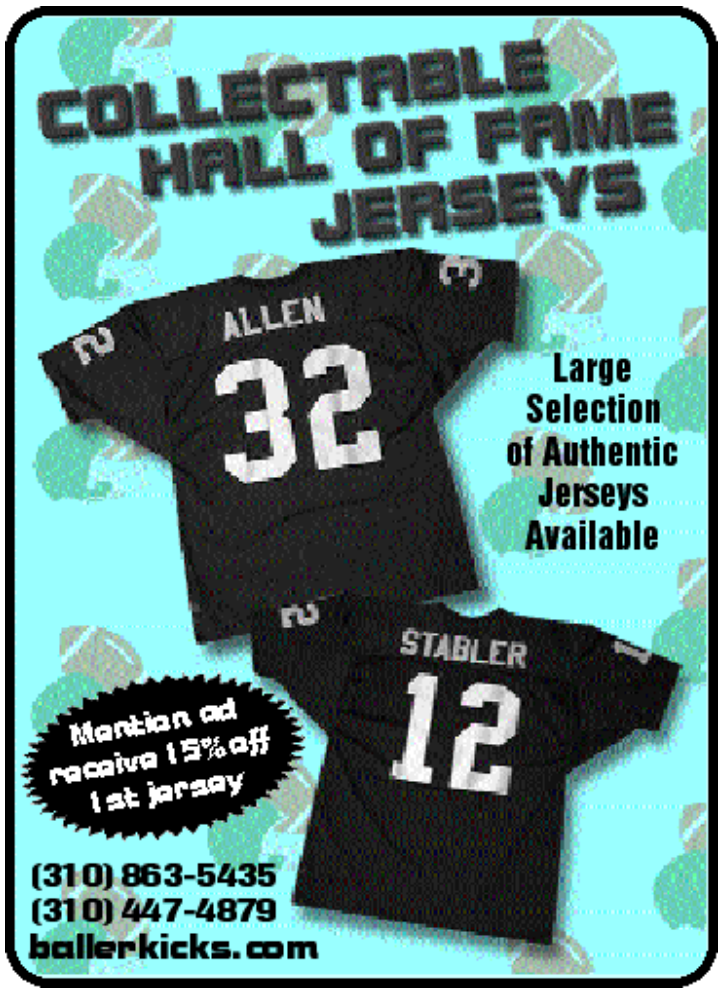
Racing to the finish line



David Graham/Associated Press

Cars running in the Goody's Dash race at the Daytona International Speedway take the green flag to start the race Monday in Daytona Beach, Fla. The rain shortened race was won by Robert Huffman from Claremont, NC.





COMICS

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Natural Selection®

By Russ Wallace



edge City

by Terry & Patty LaBan



Reality Check®

By Dave Whammond



Speed Bump®

By Dave Coverly



CROSSWORD

By THOMAS JOSEPH

ACROSS

1 Knee, e.g.
6 Bite of smoke
11 Concur
12 Loser to Dwight
13 Be silly
15 Actor Olin
16 Quick bite
17 Equine command
18 Citrus fruits
20 Clark's partner
23 Metes out
27 Swift horse
28 Etna output
29 Beeper's cousin
31 Howled
32 Soft drink buy
34 Reloading place
37 Pod unit
38 Ghost word
41 Play rough
44 Saucer filler
45 Dance music
46 Castle surrounders
47 More cunning

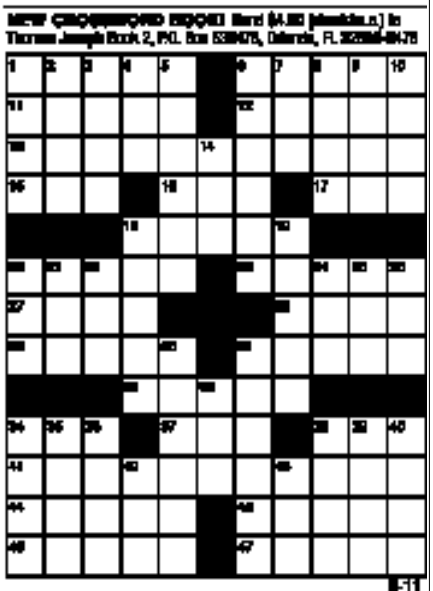
3 Press
4 Fresh
5 Court activity
6 Bent out of shape
7 Altar words
8 Wallop
9 Window part
10 Flank
14 Target
15 Detame
19 Kind of eclipse
20 Track trip
21 Historic period
22 Funny fellow
24 Put down
25 First lady
26 Blue
30 Turns red, perhaps
31 Chin covers
33 Afternoon event
34 Pillow cover
36 Equine game
38 Met solo
38 Not free
39 Formerly
40 Freshener target
42 Collection
43 Dressing ingredient

DOWN

1 Ten bester
2 Eyeball



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SM 2BDRM/1.5BA $2150.00 Prkg, wood flrs, newly remodeled, french doors, no pets. (310)261-8989

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For Rent

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VENICE BEACH Single $1000 Totally remodeled w/hardwood floors and tile. New everything, must see to appreciate. 1/2 block to beach and close to Main St. Parking included, 1 year lease, no pets. (310)396-4443 ext. 102.

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VENICE DUPLEX $1495 1bdrm/1.5ba upper w/courtyard views, 2 car parking, W/D hookups, hardwood floors and lots of charm. 1 year lease, no pets. (310)396-4443 ext. 102.

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For Rent

VENICE/SM $895.00 Large corner studio, secure building, parking, pool. 235 Main St. Senior citizen 62+ only. (310)261-2093.

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OFFICE AVAILABLE in 5 office suite. 1121 4th St., SM. Law/Library, (West), reception, copier, fax. $825/mo. with secretary desk. Marcia, Agt. (310)394-4492.

Vehicles for sale

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Announcements

ASSISTANCE LEAGUE OF SANTA MONICA
Visit our bargain bazaar at 1453 15th St. Very reasonable prices. (310)395-2338

"I SOLD it one day! When I put my futon for sale in the Daily Press, it took me one day to sell it...thanks!" Nina Stewart, Santa Monica.

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KEEP YOUR DATE STRAIGHT

Promote your event in the *Santa Monica Daily Press* Calendar section.
Fax all information to our Calendar Editor:
Attention Angela @ 310.576.9913

WE ARE THE CLASSIEST GIG IN TOWN!

SANTA MONICA SCENE **°CALENDAR EDITION**

TUESDAY, FEBRUARY 11, 2003

TODAY

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.

Ongoing support groups for people 55 and older. Current openings in, So, What Are You Going to Do With the Rest of your Life? Tuesdays, 10:00 to 11:30am. Center for Healthy Aging, 2125 Arizona Avenue. Sliding scale fee. Not drop-in groups. Phone interview required. Call Information and Referral. (310)576-2550.

BEREAVEMENT SUPPORT GROUPS AT SMC'S EMERITUS COLLEGE. Santa Monica College offers free bereavement support groups in the summer session through it's Emeritus College, a widely praised program designed for older adults. Two support groups will meet Tuesdays on an ongoing basis. One group will meet from noon to 1:50 p.m. and the other from 7 p.m. to 8:50 p.m. For information and registration, call Emeritus College at (310) 434-4306.

Crossroads Schools in Santa Monica invites local musicians (grades 3-7) to join orchestra rehearsals. Rehearsals are ongoing and are held each Tuesday of the school year, from 3:15 to 4:15. Students may join at anytime. Cost is free, students must bring their own instruments. 1714 21st Street, SM. For more information please call (310)829-7391

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.

Santa Monica College Emeritus College Band invites adult musicians who play a band instrument to join the band. Rehearsals are held each Tuesday evening in the Band room at Lincoln Middle School, 14th and California Streets from 7pm to 9:15pm, Concerts are given during the year. For more information call (310)474-5271.

WEDNESDAY

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!

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.

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

Free Meditation Workshops sponsored by Sahaja Yoga. Every Wednesday night at 7pm in the Community Room at the Wilshire Wild Oats, 500 Wilshire Blvd. At 5th St. Open to all. (310)395-6443

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

MOVIE °GUIDE

LOEWS CINIPLEX BROADWAY CINEMA
1441 Third St. at Broadway
About Schmidt (R) 12:30, 3:30, 6:30, 9:30. **Biker Boyz (PG-13)** 1:30, 4:15, 7:00, 9:45. **The Hours** (PG-13) 1:45, 4:30, 7:15, 10:15. **The Guru (R)** 12:00, 2:30, 5:00, 7:30, 10:00.

MANN CRITERION
1313 Third St.
How to Lose a Guy in 10 Days (PG-13) 11:00, 12:45, 1:50, 3:45, 4:45, 7:10, 7:45, 10:05, 10:45, 12:45. **The Recruit (PG-13)** 12:15, 3:30, 7:05, 10:00, 12:50. **Confessions of a Dangerous Mind (R)** 1:00, 4:00, 7:15, 10:15. **Gangs of New York (R)** 11:30, 3:15, 7:00, 10:30. **National Security (PG-13)** 12:15, 2:30, 5:00, 7:30, 10:15. **Darkness Falls (PG-13)** 12:00, 2:20, 5:00, 7:20, 9:45.

AMC THEATRE SM 7
1310 3rd Street
Shanghai Knights (PG-13) 12:00, 2:20, 5:10, 8:00, 10:40. **The Lord of the Rings: The Two Towers (PG-13)** 2:45, 6:30, 10:20. **Deliver Us From Eva (R)** 1:45, 4:30, 7:10, 9:45. **Chicago (PG-13)** 1:30, 4:20, 7:30, 10:15. **25th Hour (R)** 1:40, 4:35, 10:15. **Kangaroo Jack (PG)** 12:10, 2:30, 4:45, 7:20, 9:30. **Final Destination 2** (R) 12:20, 2:40, 5:00, 7:40, 10:30.

LANDMARK NU-WILSHIRE
1314 Wilshire Blvd.
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. **Frida (R)** 1:45, 4:30, 7:15, 10:05. **The Quiet American (R)** 1:45, 4:20, 7:00, 9:40. **Shanghai Ghetto (NR)** 1:00, 3:20, 5:40, 8:00, 10:20.

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

Calendar items are printed free of charge as a service to our readers. Please submit your items to todayspaper@smdp.com for consideration. Calendar events are limited by space, and will be run at the discretion of the Calendar Editor.

‘Cyberbegging’ sites popping up all over World Wide Web

BY MARTHA IRVINE
AP National Writer

CHICAGO — They make their pleas for help via the World Wide Web. Some are struggling single moms or recent college graduates loaded down with student loans and maxed-out credit cards. Others are childless couples seeking treatment for infertility. One site even makes a pitch for a cat named Buster.

The tales of woe vary. But the request is the same: They want people to send money via home pages that are becoming a cottage industry on the Web. Skeptical Internet experts have even coined a term for the trend; they call it “cyberbegging.”

Take Mandy Aylward, a 23-year-old fashion major and waitress from Chicago who created a Web site earlier this month to try to pay off nearly $30,000 in school and credit-card debt.

So far she says the project has only raised about $160 — some of it from her mom. But she hasn’t lost heart: “I am looking for a generous soul to get me out of a bind,” she says.

Brian Nolan, a self-described “real, 26-year-old, kind-hearted, hardworking, aspiring paramedic” from Los Angeles County, says he’s having more luck. More than $40,000 in debt when he posted his site in November, Nolan says now regularly receives more than $1,000 a week in donations.

“I’m sure I could pay off my own debt someday,” Nolan says. “But why not take the help now if I can get it?”

Cyberbegging started gaining momentum late last year after a 29-year-old New Yorker named Karyn Bosnak claimed that members of the public sent enough money to SaveKaryn.com to help pay off more than $20,000 in debt.

A TV producer-turned-“cyber-celebrity” has since signed a publishing contract for her story and expects to finish her book later this year.

Some experts who study the Internet question the claims from Bosnak and others that they’re making money from their Web sites.

“I’d like some proof,” says Steve Jones, chairman of the communications department at the University of Illinois at Chicago.

Bosnak, who would respond to questions only by e-mail, declined to offer financial records until her book is out. Nolan provided a bank statement showing weekly deposits to a checking account — including some from PayPal, an online payment service — with payments to credit card and student loan companies.

Cyberbegging started gaining momentum late last year after a 29-year-old New Yorker named Karyn Bosnak claimed that members of the public sent enough money to SaveKaryn.com to help pay off more than $20,000 in debt.

The key to his success, he says, has been creating a site that is visually appealing, updated regularly — and that makes for “fun, light” reading. Desperate sob stories, he says, tend to be a turnoff to many Web surfers.

Christine Kent, whose cat is featured at SaveBuster.com, agrees, and says a lot of people who’ve created pages have misunderstood why Bosnak got so much attention.

“Her site is genuinely fun to read,” says Kent, a public relations consultant whose own site actually raises money not for herself or Buster, but for a San Francisco nonprofit that helps people with AIDS and other illnesses keep their pets.

Kent says donating money to such sites is like spending money on a magazine, or paying a cover charge to see a band.

“I bet a lot of people thought, ’Hey, she amused me for 10 minutes so I’ll send her a couple of bucks,”’ she says.

That’s exactly why Meg Cadwell, a 23-year-old medical research administrator from Clearwater, Fla., sent a few dollars to both Bosnak and Kent — though she doubts she will donate on the Web again.

“After something has been done, it loses its novelty,” Cadwell says. “People lose interest.”

Financial planner Michelle Hoesly also applauds the “creativity and initiative” of the people who’ve created the sites.

But she’s worried that, too often, people in debt look for someone to bail them out — “whether it be winning the lottery or having some rich guy or woman step in,” says Hoesly, a spokeswoman for the Million Dollar Round Table, an organization of finance professionals.

She says most people would be wiser to change the behavior that got them in debt in the first place — and then create a plan to pay it off themselves.

Penny Hawkins, a nursing student and mom from Lakewood, Wash., who caused a stir when she posted a site called HelpMeLeaveMyHusband.com, says she’s certainly heard that message. (So far, she says she’s raised about $2,000 of the $12,000 she needs to pay for tuition and daycare, allowing her to leave her husband, who is aware of her plan.)

One visitor to her site, who said he had financial troubles because of a health problem, wrote: “I didn’t go asking for money from strangers to help me. I just had to rebudget my income and bills.”

The hate mail got so bad for one suburban Seattle couple, who were seeking help with in vitro fertilization, that they withdrew their Web site.

But many Web surfers, Hawkins says, have been encouraging and regularly track her progress, even if they don’t send a donation.

Says Hawkins: “It’s really helped motivate me.”



