

FREE

MONDAY, MARCH 3, 2003

Volume 2, Issue 94

Santa Monica Daily Press

A newspaper with issues

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FANTASY 5

03, 09, 12, 28, 30

DAILY 3

Afternoon picks: 9, 8, 2

Evening picks: 5, 5, 1

DAILY DERBY

1st Place: 09, Winning Spirit

2nd Place: 02, Lucky Star

3rd Place: 01, Gold Rush

Race time: 1:43.55



NEWS OF THE WEIRD

by Chuck Shepard

■ In December, the manager of Greenland's government hired an ethnic Inuit faith healer to "cleanse" government offices ("give the walls some fresh paint") in the capital of Nuuk, by "driv(ing) away the negative energy." That was regarded as such nonsense by the non-Inuit political party that, on Jan. 15, the governing coalition collapsed. The manager said he hired the spiritualist as a bridging gesture to promote harmony and "the special Greenland spirit."



THOUGHT OF THE DAY

Life is thirst.



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Search for missing Santa Monica woman in 16th day

Search organizers looking for new command center

BY CAROLYN SACKARIASON

Daily Press Staff Writer

Search teams focused their hunt for a missing Santa Monica woman in rural and urban areas of Los Angeles over the weekend, but turned up nothing.

Police are searching for 22-year-old Kristi Johnson, who disappeared Feb. 15 after she told her roommates she was going to audition for a film with a man who claimed to be a photographer and whom she had previously met at the Century City Mall.

Santa Monica Police didn't release any new information in the investigation over

the weekend, but said last week that they have a name of a man who may know where Johnson is.

Search volunteers who came from as far as Sacramento, spread out in teams and combed through areas in Topgana Canyon and the woods of Hollywood Hills on Saturday. The search was expanded on Sunday to other outlying areas in Los Angeles.

A temporary command center was established over the weekend at the Ramada Inn in Culver City where search teams assembled and volunteers answered phone lines with potential tips.

But that facility is no longer available and search organizers are scrambling to find a semi-permanent place in Santa

See MISSING, page 8

Cops begin enforcing downtown sleeping ban

BY JOHN WOOD

Daily Press Staff Writer

Police began enforcing a law Friday night that makes it illegal to sleep in downtown doorways.

Officers will first issue warnings to homeless people camped in doorways of businesses between 11 p.m. and 7 a.m., but only where a sign has been posted that cites the law.

Business owners who pushed for the measure — which was adopted by the Santa Monica City Council four months ago — lauded the announcement. Many had grown frustrated over what appeared to be inaction by City Hall on enforcing the controversial law.

Homeless campers have long congregated in doorways overnight and used

entryways as rest stops, according to business owners.

The ordinance covers downtown from Ocean Park Boulevard to Wilshire Boulevard, Lincoln Boulevard to Ocean Avenue and commercial zones along Main Street.

Santa Monica Police Sgt. Ira Rutan said Thursday at a meeting with downtown officials that officers will educate campers about the new law before making any arrests. Once a violator has been notified and continues to break the law, they will be charged with a misdemeanor and arrested.

Rutan said he interprets the new ordinance as making it illegal to sleep in any doorway, including those along the

See HOMELESS, page 7

Man shot in possible gang activity

By Daily Press staff

A man was shot early Sunday on Ocean Avenue in a possible gang-related shooting involving seven people, police said.

At about 4:05 a.m. Santa Monica Police officers found a 26-year-old man in the 1600 Block of Ocean Avenue, just south of the pier, with a gunshot wound.

The victim, a resident of Bell Gardens, was transported to a local hospital and treated for a wound to the abdomen. His injuries are not life threatening, police said.

The first suspect is described as a male Hispanic, between 26 to 30-years old, 5' 5", 200 lbs., wearing a white thermal-type shirt and gray pants.

The other suspects are both male and female Hispanics, but police have no other information about their descriptions.

The investigation is on going. Police ask anyone with information to call the robbery-homicide Unit of the Santa Monica Police Department at (310) 458-8451.

The art of preservation



Andy Fixmer/Daily Press

Suza Szewiola restores a mural in the lobby of City Hall last week. Szewiola, and two other employees of Reiner & Zebala — an art conservation company based in Los Angeles — have been restoring the famous McDonald-Wright murals.

Peculiar building approached with caution by students

Santa Monica firm designed college facility

BY M.R. KROPKO

Associated Press Writer

CLEVELAND — The shiny, swirling \$62 million building that houses the business school at Case Western Reserve University is a marvel to behold. It is sometimes best admired from afar.

In its first winter, snow and ice have been sliding off the long, sloping,

stainless-steel roof, bombarding the sidewalk below. And in bright sun, the glint off the steel tiles is so powerful that standing next to the building is like lying on a beach with a tanning mirror.

The peculiar Peter B. Lewis Building was designed by Frank Gehry, the internationally renowned architect who also created the titanium-covered Guggenheim museum in Bilbao, Spain.

"You might have to walk on the road to make

See BUILDING, page 9

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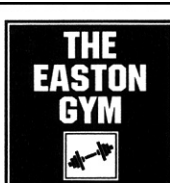
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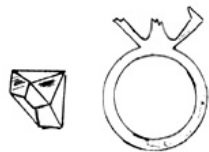


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HAPPY BIRTHDAY for Monday, March 3, 2003:

Make the most out of an opportunity that heads your way this year, even if you hit a roadblock or two. You feel like you're in a pressure cooker as you attempt to juggle both home and work. Can you do it? Of course, but you will need to be centered. Think in terms of gains and changes within your life. You need to let go of a need for control, and flow from a point of centering. Only you know what is right for you. Your charisma carries you over a bump or two. If you are single, you need to make time for a romance that comes your way in fall 2003. Understand that this person could be most special to your life. If you are attached, you might feel as if you need to give a family member more time, especially in the fall. Do it. PISCES is a soul mate.

♈ ARIES (March 21-April 19)

★★ Tension marks your interactions. You wonder why. Listen well to a friend. Keep communication flowing between you and someone else, even if you want to shut down. You will need to revise your thinking. Tonight: Cocoon. Vanish.

♉ TAURUS (April 20-May 20)

★★★★ Deal with those around you. Tension builds within a business association or partnership. You might wonder exactly what you want. In this case, you might want to think through a problem more carefully. Instead of blaming, take responsibility. Tonight: Where your friends are.

♊ GEMINI (May 21-June 20)

★★★ You're out of sorts, and someone clearly knows that. Don't get into a one-upmanship contest with a boss or parent. You could be only heading for trouble. You also might project more negativity than you realize. Tonight: Keep smiling, even if you have to work late.

♋ CANCER (June 21-July 22)

★★★★ Realize that you must detach, especially with the negativity that surrounds you right now. Others might be aiming for a squabble or two. Find experts. Listen carefully to a potential source. You might not exactly understand what needs to happen just yet. Tonight: Go for some mind candy.

♌ LEO (July 23-Aug. 22)

★★★★ Understand what needs to happen within an important relationship that might be causing you a problem. Part of the dissension could involve your long-term goals and desires. Not everyone needs to see eye to eye with you. Tonight: Be a team.

♍ VIRGO (Aug. 23-Sept. 22)

★★★★ Tension builds within an important relationship. You might wonder exactly what a boss or an authority figure wants from you. Listen well to what someone shares. A domestic or personal matter adds to your stress level. Tonight: Say "yes" to a loved one.

♎ LIBRA (Sept. 23-Oct. 22)

★★★★ While others feel tense and as if a situation needs changing, you dig into work. Get as much done as possible. Do not allow someone to pressure you unnecessarily. Realize what you need and expect from a special friendship. Tonight: Take a brisk walk.

♏ SCORPIO (Oct. 23-Nov. 21)

★★★★ Your intuitive, knee-jerk reaction generally works. Still, you might have a difficult time discovering exactly what you need to do in order to have a relationship flow more easily. Willingly say "no" if something doesn't work for you personally. Deal with money issues. Tonight: Spice up your life.

♐ SAGITTARIUS (Nov. 22-Dec. 21)

★★★★ Recognize what you want from a child or loved one who might be close to you. Sometimes you throw obstacles in your path. Be more aware and in touch with what you want. Loosen up in your dealings with a cantankerous associate. Tonight: Relax at home.

♑ CAPRICORN (Dec. 22-Jan. 19)

★★★★ Keep conversations moving, even if you might be uncomfortable with information that comes forward. Work past your discomfort, allowing others to be themselves as well. Minimize a judgmental streak, please. Tonight: Playtime.

♒ AQUARIUS (Jan. 20-Feb. 18)

★★★★ Understand more of what you expect from others financially. You might find that a situation becomes a bit tense, especially one involving a child or loved one. Avoid taking a risk, if possible. A friendship could be changing right in front of your very eyes. Tonight: Where the gang is.

♓ PISCES (Feb. 19-March 20)

★★★★ Sometimes your magnetism works better than your intelligence. You might find pressure between work and your private life a bit overwhelming. You might be too tired for your own good. Say "no" to accepting any more responsibility. Tonight: What do you want?



FISH FACTS:

Q: What's the worlds largest fish?

**A: The whale shark. It is over 50' long
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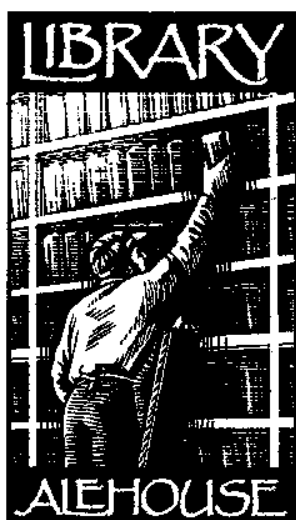
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LOCAL

Gavel III Gavel

From the people's court in the Santa Monica Courthouse

By Daily Press staff

Judge admonishes parties for unprofessionalism

Sometimes a judge just shrugs and splits the difference.

After small claims Commissioner Roberta Kyman heard a particularly contentious case involving a pool contractor and an excavator last week, she announced she "would make both sides unhappy" by splitting the amount in dispute.

She awarded half of it, potentially miffing both sides, who'd already appeared relatively immovable by the prospect of settling.

Kyman really didn't have much on which to base her decision except her notation that both sides had handled themselves unprofessionally and should bear equal responsibility. The evidence in the case was complex and conflicting.

Margarita Plascencia, whose outfit, Building Consensus, digs dirt, ended up billing Bill Rigdon and Carmen Olson almost twice the amount of her \$2,300 estimate for excavating for a new pool at a Pacific Palisades home. Plascencia said that Rigdon and Olson, who operate J&M Pool Contractors, left her with a work project more complicated than the one for which she'd bid.

Plascencia sent a contract to Rigdon and Olson outlining her terms, but they didn't sign it before she began work last September. But she'd telephoned Rigdon advising him of the additional work — a call which both sides admit was a bit scrambled by his cell phone reception.

"He said it was OK, just go ahead. He said they always paid their bills, and not to worry about it," Plascencia told Commissioner Kyman, while noting that his cell phone kept "breaking up."

But Rigdon said the phone call was about digging for a fountain, and had nothing to do with the pool job. The fountain job was left unfinished, both sides agreed. But Plascencia sent Rigdon and Olson a bill for \$4,480. The defendants refused to pay it, noting that they'd never approved a change order, which is always done in writing.

Rigdon and Olson blamed themselves for failing to negotiate the contract and get the change orders in writing, but blamed Plascencia for not clearly communicating the cost and purpose of additional work. They said if they'd known the job was going to result in a cost overrun of 95 percent, they'd have used a different excavator.

Kyman blamed them all.

Both sides were negligent, Kyman found, admonishing them particularly since both were professional contractors. She found they should have taken particular care to get their agreement in writing.

Then she split the \$2,180 in dispute down the middle, awarding only half of it to Plascencia. Kyman noted there were few other logical ways to judge a case in which both sides bore some responsibility.

A no-show doesn't guarantee victory for plaintiff

A plaintiff who appears in court ready for trial while a defendant doesn't show isn't guaranteed she'll get everything she wants. Ask journalist Dominique Mameczko, who found her money request from a fender-bender cut last week because she couldn't back up her case in court.

Mameczko, a freelance journalist from Britain living in Santa Monica, sued Michael Tucker over a minor fender-bender car accident. She claimed that while her car was out of commission getting fixed, she lost freelance work worth \$500 per day. She sued for \$5,000, the maximum allowed in small claims court.

But Commissioner Roberta Kyman, a stickler for detail and known for managing

See GAVEL TO GAVEL, page 5

surf report

Information compiled by Jamie Seborer

There's a strong possibility today of chest-high waves and possibly shoulder-high at west facing breaks by mid to late morning. The swell will peak on Tuesday and will have overhead waves on west facing breaks.

County Line will have the best waves along with areas further South. There will be some afternoon blow-out and look for temperatures to remain around 60 degrees. The 72-hour rain advisory is still in effect.

A full moon has made the tide swing more severe today and in the beginning of the week.

Today's Tides:		
Low	3:04 a.m.	1.2'
High	9:06 a.m.	5.6'
Low	3:44 a.m.	-0.4'
High	10:22 a.m.	4.6'

Location	Monday	Tuesday	Water Quality
County Line	4-6' good	5-7'	NA
Zuma	3-4' good	4-6'	NA
Surfrider	2-3' fair	3-4'	NA
Topanga	2-3' fair	3-4'	NA
Breakwater	2-3' fair	3-4'	NA
El Porto	4-6' fair	5-7'	NA

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The Q Line

It seems as though every week the news gets worse for our city and school budgets. Deficits grow by the millions and officials say it's going to get to much worse before it gets better.

The local school district is asking the city of Santa Monica to kick in an extra \$3.5 million this year. The city already gives the district \$3.5 million annually. Both entities are facing about the same deficit this year — between \$10 and \$15 million — based on ever-changing estimates.

And as the city continues to fund projects like the new \$56 million voter-

approved library, the schools will lose up to 200 employees because of lay-offs and many educational programs plan to be cut.

So this week, Q-Line wants to know, "Should the city give the district more money? 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

The inmates are going mad

Editor:

Par for the course for our City Council to create the NEED for "Proposition A." It's typical and true-to-form for Santa Monica's "governing" group since about 1978, when Santa Monica stopped being a "community" and the inmates began running the asylum (sound a teeny bit like Berkeley?) I know whereof I speak. I've lived in this family home for 50 years and have watched the deterioration of leadership, culture, beauty, and total lack of regard or respect for property owner's natural rights. Recent revolting example: Property owners receive no information, let alone VOTE, in regards to the Santa Monica incline (a rather "historic" area for those who know) being spoiled by an ugly, abominable "structure" looming up without warning (from hell or outerspace?)

But I digress. A historic district does not have multitudes of houses that were built within the last 40 years let alone the MANY built since the '80s. Even my area (Georgina, Marguerita, Alta, etc.) have lonely homes no older than 10 years. ALL home owners MUST be able to change appearances, improve, sell or demolish what THEY own, unless this is no longer America (hmmm-um-mm)??

My home, having been built in 1910 is some kind of natural landmark because of its age and history. However, it cannot be called a Historic Landmark unless the exterior is exactly the same as the original! We bought the house in 1952 and immediately changed the front, sides and back, improving and restoring the property, and to this day the work goes on to keep up and improve the house and property. In the '90s I sought to exceedingly improve the entire back area but the city of Santa Monica (surprise) in its infinite wisdom and sense of community, blocked my project, causing so much interference, phony "laws" and silly, maddening "rules" (their Project 10 was unconstitutional, for one) that the entire improvement took three times as long, over three times more expensive and over three years of nervous frustration and headache, etc. So much disdain from a city to a property owner who clearly remembers Santa Monica applauding our initial efforts 50 years ago.

TO RENTER: Don't believe the lie that this has anything to do with you. This is for private property owners, just like most of you will become. (Note: I would not advise buying in the Palisades Tract where I live, and maybe not anywhere North of Montana at this date.

You don't have to be a rocket scientist to see that this condition should never have been. Think of the unnecessary time, money, effort, and energy that could have been spent on something that is more important and is the city's business!

P.S. Just for kicks: At least in the '90s the head of Landmarks Commission and probably others had lived near or in Santa Monica for all of two years. But who's counting?

Natalie C. Morris
Santa Monica

Be clear: O'Connor against Prop. A

Editor:

Recently a mailing was sent from the proponents of Proposition A which implied that I support their campaign. I was never asked for my endorsement of Proposition A and none was ever given. In fact, had I been asked, I would have told them that I am 100 percent OPPOSED to Proposition A.

When asked last year, I noted I was concerned over the cost of a special election when city finances are severely strained; but now that the rest of the Council has voted to move forward with this special election, let no one be unclear about my position on this issue.

Proposition A takes rights away from our community which we currently enjoy. Its passage would make it impossible for Santa Monica to protect our significant architectural and historic homes and neighborhoods. It is also undemocratic in that one single property owner could stop an entire neighborhood from forming a historic district.

Proposition A is bad law in that it would harm our community's ability to protect our heritage. I urge voters to vote "No on A."

Pam O'Connor
Santa Monica City Councilwoman

It's not the developers, it's bad taste

Editor:

George Carlin, who brought us the "Seven words you can never say on TV," would love Santa Monica's SMRR political tacticians' use of language. First they made "Landlord" a dirty word. Now they are trying to make "Developer" a dirty word. I have received many mailings from the "No on Prop. A" camp that asserts that Prop. A was conceived, funded and being pushed by "developers" who want to gut our beautiful city and make tons of money building monster mansions. Clearly, "developer" is the new hot-button word in Santa Monica.

I understand some's desire to legislate against bad taste but I'm not sure that "developers" are the problem. I could be wrong, and I invite the opposition to educate me if I am, but my guess is that many monster mansions are not built by developers, or ever spec-house builders, but by homeowners who build and live in their little castles by the sea ... they want a bigger, newer, house and they, well, just get a little car-

See LETTERS, page 5

FUNNY PAPERZ

"PEACE, LOVE, DOPES"

Q

Where were all the peace protestors on Sept. 11th?

A

...I'm still waiting...

Joe King

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Who is in control here, the government or the people?



Whether you like what I have to say or not, it's your right to have an opinion about it.

I appreciate the freedoms we have, like being able to express our opinions about the government and private organizations. This is one of the freedoms guaranteed under the original Constitution signed in 1776. These rights are for EVERYONE in this country, as I have stated before, no matter what color, religion or economic station we have.

This piece of paper is what separates us from the rest of the world and why people from all over want to come here. I find that when these rights are violated in any way shape or form then we become no better than the people doing wrong in other countries.

We become hypocrites to the rest of the world when this happens. We lose respect in the world community. When I speak out against the things that this government does whether it is local, county, state or federal, I speak out of love for this country, its people and the ideals that we are SUPPOSED to stand for in the world community.

I do not say these things out of malice or hatred for anyone individual, but for the hatred of the ACTIONS of certain groups and organizations who seek to undermine what I and many veterans fought and died for since this country was formed. The basic freedoms we as

Americans enjoy may soon no longer exist.

This is not because of Saddam Hussein, or the terrorists. They are the result of what is really wrong, which is that we no longer question authority and continue to look the other way when our administration goes against the will of the people. Look at the slashes in education in California, for example. The Governor and Legislature put special interests above the education of our children. How? The deregulation of the power companies that led to the spending of the surplus to bail out the power companies.

The people who govern seem to take great pride in our seeming short attention span and the fact that when the media hype dies down about an issue we tend to forget about the things that have caused our state and federal budget crunch. We as Americans have a responsibility to ourselves and our children to open our eyes to

the reality of this whole big picture. To question the authority and to not trust what they say because of the smoke and mirror antics of our governing body as a whole. We need to start to USE the rights we HAVE left and speak out. We need to take our country back from the corporate ghosts that have lined their pockets at our expense. And tell our leaders that WE ARE the government — not them.

Maybe we should read these documents to see how much of our freedom has already been taken from us and how much of our integrity as a country in the world community has declined at the expense of our trusted leaders. Thank you all who read my column for allowing me to exercise my right to freedom of speech as a homeless man in America.

(Charles Springer is homeless in Santa Monica.)

LOCAL □ OPINION

LETTERS

LETTERS, from page 4

ried away (the combination of lots of money and bad taste is always a recipe for disaster). Those houses that are built by developers are, sadly, just filling the demand; so if you want to attack somebody, attack tasteless slob who buy them.

Now, don't get me wrong, I am as concerned as anybody about over development and losing the small-town feel that I have come to enjoy in Ocean Park, but the vilification of the developers and sleazy name calling by the SMRR folks pisses me off. It is sad that this issue is so polarized. To be honest, I'm considering voting against Prop. A but when I see our City Council and SMRR line up against it, I have a hard time resisting the urge to run out and vote for it.

Tom Fuller
Santa Monica

School woes are real

Editor:

In his letter printed on Friday, Feb. 28, Thom Trybus assumes that the financial problems facing the SMMUSD are the result of mismanagement and teacher greed.

I don't know which planet he's on, but it sure isn't Earth. Down here the school district lost a major source of funding from the State of California. Warning the community about the devastating impact of state funding cuts is responsible communication, not whining. The school district has a responsibility to either find additional funds or cut services. What would Thom have them do, send the students home? Run up a debt without voter approval? Thom may have his head planted firmly in the sand, but I thank goodness that Dr. Deasy and the school board don't.

Perhaps the reason Thom finds himself considered "dull and ignorant" is that he jumps to conclusions without checking the facts. Schools in the SMMUSD were over crowded BEFORE the budget cuts. Teachers, who Thom calls "greedy," receive very low pay, work long unpaid hours after classes, and use their own money to purchase needed supplies that the district cannot afford. All for the privilege of being the target of know-nothings like Thom.

As for the music trip to Boston, Thom should check his facts; the students and their chaperones (Thom would send children on a trip without adult supervision!) contribute to the cost, and receive specific private donations to support the program. Thom may not understand the educational value of a music program, but educators, benefactors and parents do.

As a parent of two students in SMMUSD schools, I know first hand that Dr. Deasy has raised the level of professionalism and financial responsibility at the school district. He deserves our thanks, not Thom's unfounded scorn. The challenge facing our schools did not result from actions taken on the local level; it was the Bush administration that sat back and allowed the energy companies (GOP donors) steal TEN BILLION DOLLARS from Californians. The Bush administration has cut back school funding (while creating the largest debt in history). When the parcel tax passes it will be the first of many tax increases caused by Resident Bush and his owners.

Thom, it's easy to ignore the facts and complain, but the real challenge is to find solutions. That's how we do things here on Earth.

Joel Sender
Santa Monica

GAVEL TO GAVEL, from page 3

efficient court trials, denied Mameczko's full request after asking her how she arrived at the \$5,000. Mameczko appeared perplexed when Kyman asked her to prove her lost income.

"How many days did you lose?" Kyman asked.

Mameczko said she hadn't kept precise records of days on which she was offered work she couldn't do.

Kyman cut the journalist's request,

awarding her \$3,200 on five days lost work, the repair bill, and "a little" for pain and suffering. Kyman noted she had presented little evidence of bodily injury.

Mameczko was satisfied with the judgment, which she termed "OK, but not great."

But she may be dissatisfied when she tries to collect the judgment, which is left up to the victorious in court. Tucker, a chef, was apparently uninsured.

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HOROSCOPE'S ... PAGE 2**

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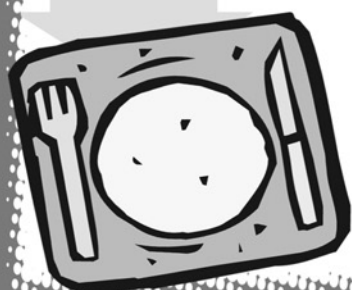
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COMMENTARY

Unemployment insurance is not what you think it is



LEGAL VIEWS AND NEWS

By David Pizarra

I've been fired, why can't I get unemployment insurance?

The conversation always starts out the same, "I've been paying all these years, why can't I get my money when I get fired?" The reason why the recently fired person is denied coverage when they apply is that the money is supposed to be used for people who are laid off, or their job terminated according to the terms of the employment agreement.

Unemployment insurance is designed to help people who are, through no fault of their own, no longer working. The theory behind it is that it's a safety net to help people through a temporary job loss. It was designed to protect the factory workers who were seasonally laid off or laid off when there was a downturn in the business.

To receive benefits an applicant must meet the following eight requirements:

1. Have received enough wages during the base period to establish a claim
2. Be totally or partially unemployed
3. Be unemployed through no fault of their own
4. Be physically able to work
5. Be available for work which means to be ready and willing to immediately accept work
6. Be actively looking for work
7. Meet eligibility requirements each week benefits are claimed
8. Be approved for training before training benefits can be paid

By far the most important requirement is No. 3, "... through no fault of their own." This is the part that prevents fired people from getting the benefits they feel they deserve. The policy behind not covering people when they are fired is that it is assumed if you were fired, you did something to deserve getting fired. The program is not designed to reward people for contributing to their own job loss.

The other way in which you can get paid is when the job you were hired for is com-

pleted according to its terms. For example, if you worked on a politician's campaign for three months, once the election is over your job disappears and then you can collect your unemployment insurance.

Most employers would rather fire you than say you were laid off. The reason for this is that the number of unemployment insurance claims affects their contribution to the program and the fewer claims they have the less they have to pay.

The process of receiving claims is to file your claim form, the EDD will send a letter to your employer asking for verification and allowance of the claim. If they deny it, which most will, you have the opportunity to appeal their denial.

You will be sent forms for the appellate process, a hearing date will be scheduled and you will be asked to appear and state why you believe that you should be allowed to collect your unemployment insurance. At that hearing you will have the opportunity to provide evidence and state your case. You may have an attorney present to represent you and to cross-examine the employer's representative.

You should always appeal a denial of claims, as it is not uncommon for an employer to be late, not show up, or to fail to convince the hearing judge that you were fired not laid off.

Once the hearing officer has heard all of the testimony, he or she will take the matter under submission, which means they are thinking about their ruling. The reality is that most times they already made up their minds. They just don't want to make a ruling with the parties present to avoid any ugliness or continued arguing. You will be notified in writing, usually within three weeks of the hearing officer's ruling.

So now you can see why the term "unemployment insurance" is really not what it sounds like, and why you are not likely to receive the monies back that you put in, unless you are laid off, or the job ends naturally.

(David Pizarra is a partner in the Santa Monica law firm of Pizarra & Grist. If you have questions for this column, call (310) 664-9969 or by e-mail at dpizarra@pizarra.com.)

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LOCAL

Bayside supports henna, more social services money

By Daily Press staff

After more than a year of being banned, downtown officials want henna back in Santa Monica.

Board members of the Bayside District Corp., a non-profit organization that manages the downtown in conjunction with the city, agreed Thursday to recommend allowing henna artists to return to downtown.

Henna art — a 5,000-year-old tradition of painting the body with non permanent ink — was popular downtown before it was banned by the Santa Monica City Council in 2001.

Though the city cannot constitutionally ban a form of art, it won't issue business licenses to the artists to work publicly. Policy makers were concerned that henna artists monopolized performance spots and some artists were using a black ink that can cause severe allergic reactions, board members said.

In their recommendation, Bayside board members asked the council to resolve "issues regarding health, concentration (of artists) per block, and liability" before giving the artists the go ahead to perform downtown.

The decision followed a long debate and input from various members of the community.

Henna artist Luke Chanthadara, who has been jailed and fined for practicing henna after it was banned, pleaded with Bayside representatives to help bring it back.

"Santa Monica is a city rich with Jeffersonian ideals," Chanthadara said. "It's important that we not just brush (henna) aside and say, 'It's a different culture, we don't understand it.'"

The City Council is expected to discuss the henna ban in April.

Also at Thursday night's meeting, the Bayside board voted unanimously to write a letter to the City Council voicing its support for increased spending on social services.

"Santa Monica is a city rich with Jeffersonian ideals. It's important that we not just brush (henna) aside and say, 'It's a different culture, we don't understand it.'"

— LUKE CHANTHADARA
Henna artist

More money for social services will result in less homeless people on the street and a better business climate, board members said.

But with Santa Monica's budget deficit growing, board members acknowledged they were facing a cash-strapped City Council.

Still, with private donations down and cuts in both federal and state funding, board members said Santa Monica's social service agencies need local help.

"Even in hard times there are places you must increase the budget," board member Patricia Hoffman said.

"Give 'em the money," added chairman John Warfel. "Cut the budget somewhere else."

Public food lines being challenged in Santa Monica

HOMELESS, from page 1

city's alleys.

Bayside District Corp. board members, many of whom have business interests downtown, appeared relieved by the announcement.

Police said last week that enforcement had not yet begun because the department had to finalize some details with the city attorney's office and the community cultural services department.

But City Attorney Marsha Moutrie said the law — like all amendments adopted by the council — took effect 30 days after being voted into existence last October.

"We contacted the police department (Tuesday) to ask them (if they needed something from us), and see if maybe we were confused," Moutrie said Friday. "We assured them that there was no barrier to enforcement."

The council passed two ordinances in October aimed at appeasing business owners, tourists and residents, who complained downtown Santa Monica had become a magnet for homeless people who panhandle and urinate in public.

The majority of the council voted to make it illegal to sleep in front of downtown businesses' doorways while the second law requires groups who feed the hungry to go through a rigorous government process to get a permit from the city and the Los Angeles County Health Department to provide meals in a public place.

The public feeding law is currently being challenged in a lawsuit brought by the American Civil Liberties Union, and city officials have said that — even barring the lawsuit — enforcement may be delayed so health officials can educate the 30 private groups that regularly host feedings.

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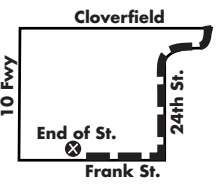
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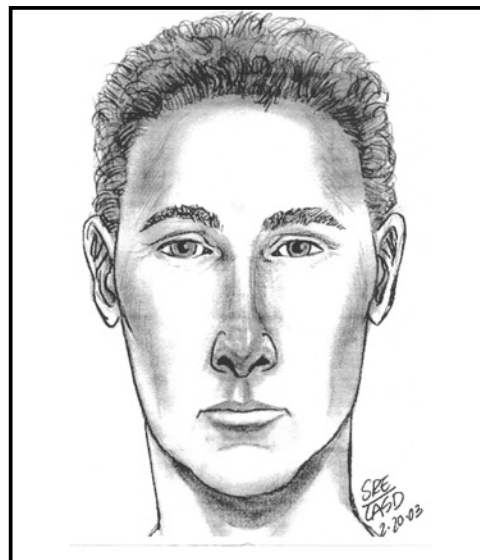
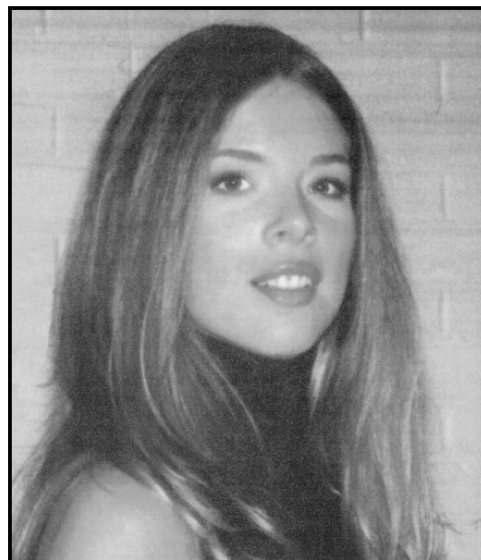
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For further information regarding the survivor's reception and lap, contact survivor chairperson Judy La Patka at (310) 579-7100 or judylapatka@aol.com Tracey Mayer at the American Cancer Society (310) 348-0356 option 3/ext. 246 or tracey.mayer@cancer.org.

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LOCAL

Police analyzing evidence in missing woman case



Kristine Louise Johnson, left, disappeared Feb. 15 after allegedly going to meet the man in the sketch at right at the Century City Mall.

MISSING, from page 1

Monica. They are asking anyone with conference room space to donate it so they can continue looking for Johnson. Anyone wishing to donate or help in the search effort is asked to call (323) 899-2583.

The search center, which is called the "Kristine Johnson Recovery Center," was organized by some of Johnson's co-workers and her mother, Terry Wark.

People who helped in the search of 7-year-old Danielle van Dam in San Diego last year and are affiliated with the Laura Recovery Center Foundation, a Texas-based missing person's organization, were recruited to set up the command center and train volunteers. The effort is entirely separate from the SMPD's investigation and any information received by the center will be turned over to the police.

Fiona Oberrick, who was heavily involved in the search for van Dam, volunteered her time over the weekend to train Johnson's co-workers on how to head up the continued search. Oberrick gave Johnson's co-workers guidance on how to proceed after she returns home to San Diego. Other volunteers from the Laura Recover Center Foundation plan to return to Santa Monica next weekend to organize more search teams.

A few dozen people showed up to the command center to help post missing person flyers throughout Los Angeles and search for Johnson. Organizers stress that more people are needed and they are looking for any donation — from office supplies to food — to keep the search center operating. Johnson's co-workers say they need more people to physically search and post flyers.

There has been an outpouring of support from the community — Dr. Robert Weinstein, a Santa Monica resident offered his home to Oberrick and search organizers for the weekend, businesses offered food and supplies, and the Ramada Inn donated the conference space for the temporary command center.

Company representatives from Saturn/Ion, who were in Los Angeles from Orlando to cover the LA Marathon, created a search group and used the company blimp to survey areas from the sky to look for Johnson on Saturday.

Johnson's mother, Wark, who flew to Santa Monica this past Wednesday from Los Gatos, Calif., has worked tirelessly in the search for her daughter. She has done dozens of interviews with local, state and national media to get the necessary information about Johnson out to the public. She was at the command center over the

weekend, talking to volunteers and studying search maps.

She returned home on Sunday but is still working with local volunteers and the media to keep the search's momentum going strong.

A composite sketch of the purported photographer was released last week. While police aren't calling him a suspect, Wark and authorities believe Johnson has been abducted.

Police found her car last Monday in the valet parking garage of the St. Regis Hotel in Century City, which had been parked there since Sunday, Feb. 16, the day after she disappeared. Police aren't releasing any information about the vehicle or its contents.

A significant lead in the case came from a concerned woman who told local police on Feb. 20 that she had been approached in late January in the Century City Mall by a man claiming to be a photographer. He was reportedly auditioning women for the same film that Johnson told her roommates she was going to audition for, according to police.

But the woman said when she and her boyfriend went to meet the man at a pre-arranged location in West Hollywood, he tried to forcibly move her to another location, police said.

The woman's boyfriend interceded and searched the man to find his identification, but the supposed photographer was able to free himself and run away, police said.

A valet parking attendant at the St. Regis Hotel confirmed that the man who dropped off Johnson's car strongly resembled the purported photographer's description, according to police.

Police served 10 search warrants at undisclosed locations throughout Los Angeles County last week and detectives are investigating the evidence recovered from the raids.

Johnson is 5'9", 130 lbs., has blonde hair and blue eyes. She was last seen wearing a light blue corduroy outfit, blue jeans and a matching shirt.

The man police are looking for is described as a white male in his early- to mid-30s with a slender to medium build, 6 feet tall and has a clean-shaven face. He was last seen wearing a dark blue suit.

Anyone with information about Johnson's disappearance is encouraged to call the SMPD's tip line at (310) 458-8449.

NATIONAL



FBI recruited and protected violent informants

JEFF DONN

Associated Press Writer

For decades, in cities from coast to coast, FBI agents recruited killers and crime bosses as informants and then looked the other way as they continued to commit violent crimes.

When the practice first came to light in Boston — unleashing an ongoing investigation that has already sent one agent to prison for obstruction of justice — FBI officials in Washington portrayed it as an aberration.

But AP interviews with nine former FBI agents — men with a combined 190 years of experience in more than 25 bureau offices from Texas to Chicago and from Los Angeles to Washington — indicate the practice was widespread during their years of service between the late 1950s and the 1990s.

The former agents, and two federal law enforcement officials who have worked closely with the bureau, said the practice sometimes emboldened informants, leading them to believe they could get away with almost anything.

The degree to which the practice continues today is unclear; current FBI agents and administrators are secretive about the bureau's work with informants. However, a senior FBI official indicated that bureau rules designed to prevent serious crimes by informants may not always be followed by agents in the field.

The nine former FBI agents spoke — on the record — not to criticize the practice of overlooking violent crimes by informants, but rather to defend it as a necessary evil of criminal investigation.

“The bureau has to encourage these guys to be themselves and do what they do,” said Joseph O’Brien, a former FBI informant coordinator in New York City who retired in 1991. “If they stop just because they are working with the FBI, somebody’s going to question them.”

Gary Penrith, who retired in 1992 after a career that included serving as the bureau's deputy assistant director of intelligence, added: “Every one of the good ones are outlaws.”

The former agents said it makes sense to overlook an informant's involvement in robberies or beatings if the information he is providing helps solve or prevent worse crimes. But sometimes, they added, even murders were ignored.

Several said they would never protect known killers, but others said it was defensible in some circumstances.

“You have to weigh the odds of whether the killing one or two people is better than killing a whole planeload,” said Wesley Swearingen, whose service as an agent from 1959 to 1977 included tours in Los Angeles and Chicago.

For example, he said, agents ignored the murder of a small-time mobster by an FBI informant in Chicago in the 1960s because “the information that the FBI was getting was more important. Somebody in the mob is going

to kill that person anyway.”

The former agents interviewed were generally more forthcoming about their FBI experiences than the bureau might like. Four have written books that sometimes diverge from the official line, and O’Brien resigned from the agency in a dispute over his book's contents.

However, the former agents remained faithful to the bureau's policy of protecting informant identities, declining to name even those who had committed murder.

An AP review of court cases and published accounts identified 11 informants who are known to have killed while working with the agency or to have been shielded by their bureau handlers from prosecution for murders committed before they were recruited.

“The bureau has to encourage these guys to be themselves and do what they do. If they stop just because they are working with the FBI, somebody’s going to question them.”

— JOSEPH O’BRIEN

Former FBI informant coordinator

Those 11 including three mobsters involved in the Boston scandal, are believed to have killed at least 52 people between the 1960s and the mid-1990s.

Previously, these cases had been reported as isolated incidents, but in the light of the interviews with former agents, they appear to be a part of a wider pattern.

Clifford Zimmerman, a Northwestern University law professor who studies informant practices, says it is immoral, and perhaps illegal, for agents to shrug off violent crimes.

“They’re doing their own little cost-benefit analysis and really not taking into account, in my opinion, the damage to society that these people are causing,” he said. “Is a federal official entitled to make that decision — that one person’s life is more valuable than another’s?”

Sometimes it amounts to that, former agents acknowledge.

“What it comes down to is: Who’s got the best information,” said Robert Fitzpatrick, assistant director of the Boston field office when he retired in 1986. Informants who provided valuable information in major mob investigations “generally would be savable” even if they

killed, he said.

Several former agents expressed sympathy for John Connolly, the former Boston agent sentenced in September to 10 years in prison for his role in protecting two organized crime kingpins, James “Whitey” Bulger and Stephen “The Rifleman” Flemmi. The two are now accused in 18 murders, including 11 committed while they were serving as FBI informants.

The bureau's rules for handling informants specifically ban what Connolly did. The rules, in effect for the last 26 years, forbid informants from participating in violent crimes. Officially, informants are allowed only nonviolent crimes, and these only when authorized as necessary to keep the informants in a position to supply information.

Connolly is by no means the only agent who has bent or broken these rules, the retired agents said.

“I’d be the first to tell you that agents who were doing this (handling informants) every day pushed the envelope,” said Dennis O’Callaghan, a former chief of the organized crime unit who retired from the bureau in 1991.

Joseph R. Lewis, currently a deputy assistant FBI director in charge of criminal investigations and intelligence, said he is “fairly confident” that most field agents follow the rules. However, he added in a recent interview at FBI headquarters, “it probably happens” that some agents shut their eyes to unauthorized crimes committed by valued informants.

Informants can be difficult to control, Lewis said. “The good ones are con artists, and they’re going to try to get something over on you.”

Consider the case of Gregory Scarpa Sr. In the 1990s, while informing on the mob for the FBI, he also participated in gang warfare for control of New York City’s Colombo crime family, killing as many as 13 rivals.

Senior FBI officials knew that Scarpa was suspected of murder but let him keep working as an informant, Lindley DeVecchio, Scarpa’s bureau handler, later testified in court.

Scarpa subsequently admitted to a role in three of the killings and pleaded guilty to murder in 1993. In prison, he died of AIDS contracted from a blood transfusion.

Murder provided Scarpa with a great cover for his work with the FBI, said Alan S. Futerfas, a lawyer who defended some of the mobsters he informed on. “People thought there was no way in the world that the FBI would let this guy run around killing people.”

Most of those Scarpa had informed on were his gangland enemies. Informants commonly inform to eliminate rivals or settle grudges, the retired agents said. Just as the FBI uses them, they use the FBI, former agents said.

“Do agents know they’re not telling them everything? Absolutely!” said O’Callaghan, the former head of the bureau’s organized crime unit. He called it a “don’t ask, don’t tell situation.”

Agents avoid asking — and if possible avoid hearing — anything that would incriminate their informants in violent crimes, several agents said.

“You don’t really want to know,” O’Brien said, because if you don’t know, you aren’t breaking the rules.

William Turner, who worked in five field offices before retiring from the FBI in 1961, said he “kind of intimated” to his informants that they should keep their unauthorized crimes to themselves.

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Students like facility, despite problems

BUILDING, from page 1

sure you don’t get hit by ice,” said Adam Searl, a junior at Case Western’s Weatherhead School of Management. “Maybe they should have thought about it before they had built the building. It’s Cleveland. We get ice. We get snow. We get rain.”

Jim Glymph, a senior partner with Santa Monica-based Gehry Partners who worked on the project, said winter weather was considered in the design. But he added, “You’ve had a really, really unusual winter.”

The building is about five stories high. Instead of walls on the south side, it has a curving roof, made of 20,000 stainless-steel shingles, that seemingly tumbles to the ground.

On a sunny day, the building produces a shimmering glare, with patches of concentrated heat. In Cleveland’s winter, though, sun glare isn’t the problem. The city has had more than 86 inches of snow this season, and is on a pace to break the 1995-96 record of 101 inches.

The university ordered barricades erected on the sidewalk to keep pedestrians away after the first big snow of the season produced something like an avalanche off the roof, said J.B. Silvers, associate dean for resource management and planning.

No one has been hurt, he said, but “I asked for the sidewalk barricades so we wouldn’t have people getting snow inadvertently dumped on their heads.”

The sidewalk will soon be eliminated and replaced with landscaping, and a new walkway will be created.

Gene Matthews, director for plant services for the campus, said the university is working closely with Gehry’s firm to fix the problem without detracting from the building’s character.

Silvers said the harsh winter has given the university an excellent opportunity to test the new building and see how it stands up to the elements.

“If I had to pick a set of conditions, I would pick exactly the conditions from this winter, so we could find out any issues with the building, and then we can deal with it,” Silvers said. “This is a shakedown period, like with any new structure. I figure it’s going to take a year to figure what works and what doesn’t work.”

Lewis, an art collector and the billionaire chairman of Progressive Insurance, gave Case \$37 million toward construction of the building, which opened in the fall. Lewis later announced he would stop making donations because he was unhappy with the school’s board of trustees.

He did not return a call requesting comment.

Some of Case Western’s 9,500 students brave the sidewalk anyway, stepping around the barricades. Most stay clear.

Rosalyn Foster, a graduate student at the Weatherhead, said the sidewalk barricades and falling snow and ice are easy to live with, considering the modern facilities inside.

“It’s a great facility, it really is. It accommodates everyone who works here, as well as the students,” Foster said.



INTERNATIONAL

Kuwait, Bahrain back call for Saddam to step down

BY ANWAR FARUQI

Associated Press Writer

DUBAI, United Arab Emirates — The United Arab Emirates won support Sunday from several Persian Gulf nations in its call for Saddam Hussein to quit power to avert a war, while Iraq poured scorn on the Emirates, calling it a tool of Israel.

The king of Bahrain said he backs the call for Saddam to go, according to the Emirates state news agency. Kuwait's Cabinet also backed the measure, the official Kuwaiti news agency said.

Kuwait has allowed tens of thousands of U.S. troops to deploy in its territory ahead of a possible invasion of neighboring Iraq. The tiny Gulf island of Bahrain also is a key U.S. ally, hosting the base of the American 5th Fleet.

The Emirates' proposal — first made Saturday at an Arab summit — further highlighted the deep divisions in the Arab world over how to deal with the Iraq crisis and U.S. threats of war.

Arab leaders Saturday refused to discuss the proposal, which was the first

open call by an Arab nation for Saddam to go into exile.

The Emirates on Sunday sought backing among its fellow Gulf nations, the most receptive audience in the Arab world for the Iraqi leader's removal. Other Arab nations, however, have rejected the idea of pressuring Saddam to quit, saying they cannot interfere in Iraq's domestic affairs.

Several nations, led by Egypt and Saudi Arabia, want to press Iraq to comply with U.N. disarmament demands; another bloc, led by Syria, wants to express staunch support for Iraq and reject any war.

The Emirates insisted Sunday that pressuring Saddam to leave Iraq was the only way to avert military action.

"Rejecting these ideas put forward by the U.A.E. is acceptance of the remaining option, which is war," Sheikh Abdullah bin Zayed Al Nahyan, the Emirates information minister, told The Associated Press.

The Bahraini king, Sheikh Hamad bin Isa Al Khalifa, met Sunday with the Emirates president in Abu Dhabi.

The Emirates proposal "is the only Arab way out to protect Iraq and spare its

people and the whole region the threats" of war, the Emirati agency quoted Sheikh Hamad as saying.

Bahraini officials were not immediately available for comment.

Kuwait's Cabinet said the Emirates proposal aims to "spare the region a destructive war that would destabilize peace and security," the Kuwaiti news agency said.

The Emirates submitted its proposal at a ministerial meeting of the Gulf Cooperation Council in Doha, Qatar, on Sunday. It also plans to propose it at Wednesday's gathering of the Organization of the Islamic Conference, also in Doha.

Iraq — which has repeatedly said Saddam will not step down — derided the Emirates.

Iraqi Foreign Minister Naji Sabri said Sheikh Zayed's proposal must have originated from Israeli leader Ariel Sharon.

The proposal "found its way quickly to the garbage pail," Sabri said Saturday. "There's not one honest Arab who will accept a mes-

sage from Sharon to the summit."

In a front-page editorial Sunday, Baghdad's popular daily newspaper Babil, run by Saddam's eldest son, Odai, accused Sheikh Abdullah of having "a Satanic U.S. heart and tongue."

At the Sharm el-Sheik summit, Arab leaders rejected a war on Iraq and decided to send diplomats to the United Nations and to Baghdad to lay out the Arab position.

Arab League Secretary-General Amr Moussa said Sunday he was working to settle the makeup of those delegations, which will leave "within days." But diplomats said questions still remained over what message the delegates would take to Baghdad.

Arab diplomats said the delegation first would go to New York. The Baghdad mission will be more difficult, the diplomats said, speaking on condition of anonymity. The Arabs were divided over the purpose of a Baghdad visit or even whether to make one.

Rio Carnival festivities go on under tight security

BY MICHAEL ASTOR

Associated Press Writer

RIO DE JANEIRO, Brazil — Army tanks, 3,000 troops and 35,000 police officers patrolled Rio's streets Sunday for the start of the city's glittering Carnival parades.

Security was tight after four people were killed and dozens of cars and buses torched last week in violence blamed on drug gangs.

But there have been few reports of violence involving the revelers themselves. One exception was an American tourist shot in the leg Sunday in a traffic dispute. He was not killed.

Brazilians were making last touches on their sumptuous floats and sewing the last sequins onto skimpy bikinis as the first seven of 14 top samba "schools" prepared to parade down the famous Sambadrome stadium Sunday evening.

The schools are actually neighborhood

groups, mainly from poor communities, that have spent the year preparing for their moment of glory. Each features 4,000 or more dancers, luxurious floats and 300-piece percussion sections.

This year's themes touch on some of the more serious issues in Brazilian society including social inequality and the environment, but the Carnival parades could not forget the success of a record fifth soccer World Cup won in 2002, and the Tradicao school will tell of Brazil's unequalled successes in that sport.

The parade continues Monday night with the last seven schools. They'll be judged on best music, costumes, originality, floats, percussion and enthusiasm and the winner earns bragging rights until next year.

Many nations celebrate Carnival, especially in Latin America. But Rio's parades are the most famous. The city's tourism authorities expect 400,000 out-of-town visitors for this year's Carnival.



Peter Dejong/Associated Press

U.S. soldiers walk towards a bus, right, as a Humvee passes a convoy, rear, waiting to leave the staging area in the harbor of Iskenderun, Turkey, on Sunday. Turkish and U.S. officials reached an agreement on military cooperation on opening Turkey's bases for any U.S.-led war against Iraq, but the deployment of tens of thousands of U.S. combat troops ahead of a possible war in Iraq is put on hold as the agreement did not meet the required majority vote in Turkey's parliament.

Key developments in the impending war against Iraq

By The Associated Press

Developments in the Iraq crisis on Sunday:

■ A top member of Turkey's governing party rejected a quick new vote on letting U.S. troops use the country to open a northern front against Iraq — a second harsh blow to U.S. war planners in as many days after Turkey's parliament rejected the U.S. deployment.

■ Turkey's prime minister said parliament's failure to approve the deployment shouldn't jeopardize the relationship between Ankara and Washington, and warned Iraq not to try to capitalize on the vote.

■ Iraq destroyed six more Al Samoud 2 missiles Sunday but warned it may suspend the destruction program, ordered by the United Nations, if Washington indicates it will go to war anyway.

■ Inspectors take samples of materials inside eight bombs recovered by Iraq at al-Aziziya, an abandoned helicopter airfield 60 miles southeast of Baghdad where Iraq says it destroyed R-400 bombs filled with biological weapons in 1991.

■ An Iraqi scientist refused to give an interview with weapons inspectors, who spoke to a biological expert a day earlier. Two other scientists on Saturday refused to be interviewed without a tape recorder or witness.

■ The United Arab Emirates pressed ahead with its proposal that Arab countries persuade Saddam Hussein to step down to avert war. It submitted the proposal to a forum of Persian Gulf nations, seeking their backing.

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SPORTS



Kenya's Mark Yatch wins LA Marathon by 2 seconds

BY LOUINN LOTA

Associated Press Writer

LOS ANGELES — Mark Yatch surged past two-time defending champion Stephen Ndungu in the final feet Sunday to win the 18th Los Angeles Marathon by just two seconds.

Tatyana Pozdnyakova, a 47-year-old

Ukrainian, won the women's division, becoming the oldest woman ever to win a major city marathon. Saul Mendoza of Mexico set a wheelchair race record with his sixth win.

Yatch's official time was two hours, nine minutes and 52 seconds, missing the 1999 Los Angeles Marathon record set by fellow Kenyan Simon Bor by 27 seconds.

Yatch, 30, finished second in Los Angeles in 2000.

"I was going for position, not for time," said Yatch, who began running marathons three years ago. Los Angeles was his first marathon win.

"Those are a bunch of tough guys," he said of his opponents.

Pozdnyakova finished in 2:29:40.

Ndungu, the winner in Los Angeles in 2002 and 2001, looked as if he would "three-peat," but he is not a sprinter and had no kick for the final. The 35-year-old father of three from Kenya had said he had a mild flu and trained by himself while his teammates prepared for races other than Los Angeles.

Ndungu led for most of the second half and finished in 2:09:54.

"I have no disappointment," Ndungu said. "We have to accept defeat if we accept the win. I think I've attained my (peak) so I think it was a good race."

Kenyan Benson Mbithi, who won Los Angeles in 2000, was third with a time of 2:11:12. Japanese elite Takashi Horiguchi, making his Los Angeles Marathon debut, stayed with the pacesetters through half the race before falling back. The 22-year-old Horiguchi finished fifth with a time of 2:12:06.

Finishing fourth was Kenyan Charles Seronei in 2:11:23.

The race was run under terror alert orange, the nation's second highest alert level, even though U.S. officials on Thursday dropped the level to yellow. Marathon organizers had prepared for the higher alert level and decided not to change their plans.

About 220 uniformed police officers and an undisclosed number of plain-clothes officers and private security

guards were stationed along the route, said marathon president Bill Burke. Security was increased at the start of the race and in the "corral" areas closest to the runners. No problems were reported.

Russian Lioudmila Kortchaguina, 31, finished second in the women's division at 2:30:18 after leading in the final miles.

Zivile Balciunaite, 23, of Lithuania, finished third in 2:33:22. The women stayed bunched together most of the race, elbowing out non-elite men.

Pozdnyakova was concentrating so much on her win that she veered to one side and did not break the finish line tape. She went back and crossed through it after officials instructed her to, mainly so photographs could be taken. Her official time was logged from the first time she crossed.

"Running is the best way to stay young," Pozdnyakova said afterward.

"Tatyana is a stronger runner than I and I tried to run faster but I couldn't catch Tatyana," Kortchaguina said. "I know that Tatyana gets stronger and stronger every year. Tatyana is so strong, she's great."

Mendoza, who lives in Texas, set a wheelchair race record of 1:27:07, besting the 1996 record set by Heinz Frei of Switzerland by three seconds.

"The beginning pace was too fast for me," Mendoza said. "I was really dying, but I stayed with the pack and that helped me to the finish."

The temperature was a comfortable 57 degrees at the 8:30 a.m. PST race start but was a warm 70 degrees by race finish.

Yatch said he felt fine, but Pozdnyakova said it bothered her.

"For the Kenyans it was good, for me it was hot," she said.

There were 22,437 people registered for the marathon.

Picking his line



Lenny Ignelzi/Associated Press

Tiger Woods lines up a putt during his finals match against David Toms in the Accenture Match Play Championship at La Costa Resort in Carlsbad, Calif. on Sunday.

Sailors win the big prize for landlocked Switzerland

BY BERNIE WILSON

AP Sports Writer

AUCKLAND, New Zealand — So Switzerland just won a world-famous race, huh? Must be the Swiss bobsledders or skiers at it again.

Guess again. This win goes to the sailors.

Would you believe that Switzerland, a country without an ocean, owns the America's Cup, the biggest prize in sailing and the oldest trophy in international sports?

Hold the lederhosen jokes. This is for real.

"Switzerland — who would have thought, the America's Cup?" 37-year-old biotech billionaire Ernesto Bertarelli said after his sailing crew, including seven New Zealanders, completed the historic five-race sweep of Team New Zealand, the two-time defending champion.

Alinghi became the first European team to win the America's Cup in 152 years. The Swiss overwhelmed the Kiwis, clinching the best-of-nine series with a 45-second victory Sunday on the Hauraki Gulf.

At the cup's new home, the Geneva Nautical Society on Lake Geneva, Swiss sailing enthusiasts ditched their country's reputation for reserve by screaming and cheering while watching the race on TV in the early morning hours.

"It's a really great achievement," said Severine Gaillard, dancing on the quayside following the victory. "But I believed in it right from the beginning."

Swiss President Pascal Couchepin and Sports Minister Samuel Schmid telephoned Bertarelli to congratulate him and his team "for their unprecedented achievement."

It was a remarkable job by a team that started from scratch in 2000, with Bertarelli's money and Kiwi talent.

"For me, the fact that Switzerland wins the America's Cup is a sign of hope for a lot of people," Bertarelli said. "It really says to the world that the impossible doesn't exist."

It seemed like it took 152 years to get this regatta finished. There were seven delays due to uncooperative weather on the Hauraki Gulf, taking 16 days to get in five races.

Alinghi was near-perfect, with a fast boat and unflap-

pable crew led by Russell Coutts. The 41-year-old New Zealander became the most dominant skipper in America's Cup history, sailing unbeaten through his third straight America's Cup match, for two different countries.

"For me, the fact that Switzerland wins the America's Cup is a sign of hope for a lot of people."

— ERNESTO BERTARELLI

Biotech billionaire

Coutts has won a record 14 straight races in the cup match. It would be 15, but after staking Team New Zealand to a 4-0 lead over Italy's Prada Challenge in 2000 he handed the wheel to understudy Dean Barker and watched the clinching win from a chase boat.

Coutts's 14 wins are the most in America's Cup races, one more than Dennis Conner had in four cup matches.

Five of Coutts' Kiwi mates on Alinghi are 15-0 in three cup matches, including tactician Brad Butterworth. They won their first in 1995, leading Team New Zealand to a 5-0 win over Conner off San Diego.

Bertarelli, a Harvard MBA, built his syndicate the same way he turned his family business, the Sero Group, into Europe's leading biotech company.

"People make the difference," said Bertarelli, who served as Alinghi's navigator. "It's all about having the best people you can and trusting them and giving them space to do their work."

Bertarelli poached the best talent Team New Zealand had following its successful cup defense in 2000. The Kiwis lost one-third of their sailors and designers to three major overseas syndicates, leading to an undercurrent of bitterness in this regatta.

Coutts and Butterworth plan to remain with Alinghi.

"I am a New Zealander. Make no bones about that," Coutts said. "But I am immensely proud of what we've achieved at Alinghi."

The Swiss victory brings the antiquated cup into a new era, with big changes expected. It goes from a remote country that is half a world away from almost any other place, to a continent with major population areas.

Since the Swiss have no coastline, they'll have to defend the cup at a port on the Mediterranean or Atlantic, probably in 2007. It will definitely be in southern Europe, "because I like the sun," Bertarelli said.

Alinghi plans to announce some plans for the next cup Tuesday.

Bertarelli will team with American software billionaire Larry Ellison to set the rules for the next cup. San Francisco's Golden Gate Yacht Club, which backed Ellison in this regatta, issued the first challenge for the next cup and will be Challenger of Record, representing all eventual challengers.

Bertarelli and Ellison are known to want to modernize and professionalize the cup, including scrapping nationality rules. Angered by the way the Royal New Zealand Yacht Squadron ran this cup, Bertarelli complained that there should be an independent race committee.

With costs expected to be much higher in Europe, Team New Zealand's future is uncertain.

Many people think the Kiwis' biggest mistake was letting Coutts and Butterworth leave after the 2000 defense. And after coming up with breakthrough boat designs in 1995 and 2000, they missed badly with NZL-82. The boat had two spectacular breakdowns, the biggest in Race 4 when its 110-foot mast snapped in two and came crashing down.

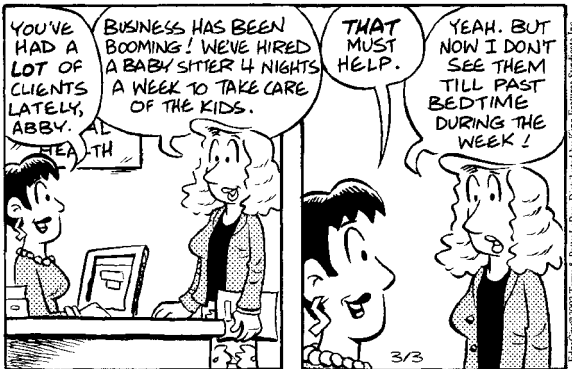


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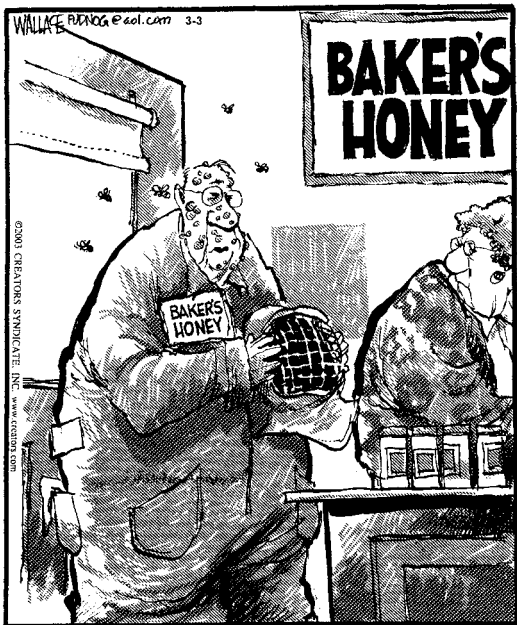
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 - 22 St. Louis landmark
 - 23 Frumpish
 - 27 Repeater's phrase
 - 29 Verdi creation
 - 30 Became nearly depleted
 - 32 At any time
 - 33 Relaxes, in a way
 - 35 Prohibit
 - 38 Singer Horne
 - 39 Excuse
 - 41 City of Spain
 - 45 Bottled spirit
 - 46 Last
 - 47 High-landers
 - 48 Custom
- DOWN
- 2 Artist Yoko
 - 3 Cavalry sites: Abbr.
 - 4 "Take Me As I Am" singer
 - 5 First name in TV talk
 - 6 Awakens
 - 7 French friend
 - 8 Story
 - 9 Enjoy some gum
 - 10 Tortoise's rival
 - 16 Greek letters
 - 18 Locks
 - 19 — Major
 - 20 Do a checkout chore
 - 21 "About Schmidt" actress
 - 24 "Whip It" band
 - 25 Got larger
 - 26 Knitting need
 - 28 Lace items
 - 31 Tiny
 - 34 Mix-up

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Saturday's answer

- 21 "About Schmidt" actress
- 24 "Whip It" band
- 25 Got larger
- 26 Knitting need
- 28 Lace items
- 31 Tiny
- 34 Mix-up
- 35 Sacks
- 36 Actor Guinness
- 37 Tijuana tot
- 40 Smidgen
- 42 Words with pickle, stew or jam
- 43 Fall behind
- 44 Pub order

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SANTA MONICA SCENE °CALENDAR EDITION

MONDAY, MARCH 3, 2003

TODAY

Blue 7 presents 'Near and Far - Photographic Images of Nature.' The featured photographers are Scott Connell, Michael Gordon and Gavin Lauchenauer. Exhibit ends April 5th. Blue 7, 3129 Pico Blvd. (310)449-1444

Toddler Time, 10 a.m. Barnes & Noble at the Promenade and Wilshire. (310)260-9110.

Santa Monica Strutters, a FREE program sponsored by UCLA Healthcare's 50-Plus Program! Walking programs for adults 50 or older looking for safe, low-impact exercise in a comfortable environment. The Santa Monica Strutters meet Mondays, Wednesdays, and Fridays, from 8 a.m. To 10 a.m., at Santa Monica Place, Fourth St. and Broadway Ave. in Santa Monica.

Harvelle's Blues Club present Sports Happy

Hour, 5pm to 8pm. 100 inch movie screen with high definition LCD projector, JBL surround sound, drink specials, \$3.00 Happy Hour Buffet. 1432 4th Street. Between Broadway and Santa Monica Blvd. (310)395-1676

Unurban Coffee House presents Hot Topics Night hosted by Ali every Monday evening. Signup is at 8pm. Open panel discussion and open forum. 3301 Pico Blvd. (310)315-0056

TODAY

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.

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.

MOVIE °GUIDE

LOEWS CINIPLEX BROADWAY CINEMA

1441 Third St. at Broadway
About Schmidt (R) 12:30, 3:30, 6:30, 9:30. The Hours (PG-13) 1:30, 4:15, 7:00, 9:45. Poolhall Jinkies (R) 12:00, 2:30, 5:00, 7:30, 10:00. Gods and Generals (PG-13) 1:00, 7:15.

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, 7:15, 7:45, 10:15, 10:35. The Recruit (PG-13) 1:00, 4:00, 7:10, 10:10. Gangs of New York (R) 11:30, 3:15, 7:00, 10:30. Old School (R) 11:15, 12:00, 1:45, 2:30, 4:15, 5:00, 7:00, 7:30, 9:30, 10:15.

AMC THEATRE SM 7

1310 3rd Street
Jungle Book 2 (G) 1:45, 3:30, 5:10, 7:00. Shanghai Knights (PG-13) 1:50, 4:30, 7:10, 9:50. Chicago (PG-13) 2:00, 4:45, 7:30, 10:10. Daredevil (PG-13) 1:30, 2:25, 5:15, 7:50, 10:10. Dark Blue (R) 4:10, 7:05, 9:55. The Life of David Gale (PG-13) 1:25, 4:20, 7:20, 10:15. Cradle 2 the Grave (R) 1:35, 4:00, 7:00, 9:00, 9:45.

LANDMARK NU-WILSHIRE

1314 Wilshire Blvd.
The Pianist (R) 12:30, 3:45, 7:00, 10:15. Bowling for Columbine (R) 12:00, 4:30, 7:30. Lost in La Mancha (R) 2:30, 10:30.

LAEMMLE MONICA

1332 2nd St.
Till Human Voices Wake Us (R) 4:25, 9:45. The Quiet American (R) 1:45, 4:20, 7:20, 9:55. All the Real Girls (R) 1:45, 7:00. City of God (R) 1:15, 4:15, 7:10, 10:05. Spider (R) 12:30, 2:55, 5:20, 7:45, 10:10.



BACK PAGE

Love endures: Elderly man's slaying dashes couple's dreams

BY REBECCA COOK

Associated Press Writer

CENTRALIA, Wash. — This is not a happy love story. It begins with an old man begging on the street, and ends with his life ebbing away on a lonely country road.

Still, it is a love story. Between the hardship of his life and the brutality of his last moments, the old man also knew sweetness, hope, and a love that lives on, even after death.

Until his beaten body was discovered on a roadside the day after Christmas, most people in this small town knew 90-year-old Nick Alvarado simply as a beggar who constantly pestered them for money.

But 83-year-old Minnie Fenn knew him as her sweetheart, a tender and thoughtful man who promised to take care of her forever.

What almost no one knew is that for years Nick Alvarado saved some of the crumpled bills and spare change he panhandled, paying bit by bit for a set of gold wedding rings for himself and his Minnie.

He carried those rings the day he died, police believe — but now they're gone. Finding them might be the key to solving the mystery of who killed Minnie Fenn's love.

Minnie can't always remember details. Her soft voice shaking, she says she might be 103 years old, or 203.

But she does remember one thing, always. "I loved him very much," she said, huddled under a blanket in an easy chair next to Nick's picture. "I miss him so bad."

Nick and Minnie met eight years ago at their nursing home. He came by her room and they started talking, and she told him he could stay for a while. He did, and they soon moved together into their own 265-square-foot apartment with cracked linoleum floors in Centralia, a town of 15,000 between Seattle and Portland, Ore.

Nick brought Minnie glasses of milk and read her passages from his dog-eared Bible. His favorite was John 3:16: "For God so loved the world, that he gave his only begotten Son, that whosoever believeth in him should not perish, but have everlasting life."

At night, they would fall asleep holding hands.

"It was a relationship you don't see very much of any more. He waited on her hand and foot."

— CATHY JOHNSON
Neighbor

"He did everything for her, and I mean everything," neighbor Cathy Johnson said. Nick was spry, while Minnie is frail and uses a walker. He got her out of bed in the mornings, cooked for her and helped her dress.

"It was a relationship you don't see very much of any more," Johnson said. "He waited on her hand and foot."

They quarreled sometimes, though. Nick liked to walk around town for hours, and Minnie hated to be alone. On Christmas night, she cried and begged him not to leave when he decided to walk a few blocks and get coffee.

Details about Nick's life before he met Minnie are sketchy. Notes scrawled in his Bible indicate he was born on Dec. 12, 1912, in Los Angeles. He told people he was raised in a mission, and he spoke Spanish fluently.

Nick made his way north to Oregon, and then Washington, in the early 1960s. He worked as a painter and in a junkyard, and told people he had once been a boxer. He married in 1974, but his wife died about 10 years later.

Minnie has two children in Oregon and Colorado who sometimes visit. If Nick had any other family, no one ever knew of them.

In the late 1980s he began the daily routine that made him familiar around town — walking for hours, collecting cans and asking for change.

Not everyone in Centralia thought Nick was a sweet old man. He was the resident panhandler, and he rarely took no for an answer.

"He'd been thrown out of a lot of places," said Centralia detective Jim Barrett, who is investigating Nick's death.

The Rev. Bill Pinneo of the Praise and Worship Center, where Nick's funeral was held, said he first met Nick when the old man pounded on his back door late one night and asked for money.

"He wouldn't take food. He just wanted money," Pinneo recalled. "He didn't have no friends except for Minnie."

During the day Nick would stake out the bank parking lot or the grocery store, begging money to supplement the couple's monthly Social Security checks. He would even knock on car windows. He was a regular at The Hub Tavern, where he would drink coffee, gamble on pull-tabs, bum cigarettes and sit for hours.

"I felt sorry for him," said owner Jim Francis. "People were sometimes not kind to him."

But coffee wasn't the only thing Nick bought. In the summer of 1999 he picked out a set of rings from Harry Ritchie's Jewelers in the Lewis County Mall, and started paying for them on layaway.

"He would literally bring in a bag of money, a brown paper bag," Barrett said. He paid small, odd amounts, \$5 or \$7 at a time, then would go panhandle in the mall.

Eventually, he paid off the rings, which totaled about \$1,000: a 14-carat gold man's wedding ring with three small diamonds, and a woman's two-part engagement and wedding ring, with one primary diamond and several smaller ones.

But he didn't give them to Minnie, not yet.

"He said he had something for me, but he didn't tell me what it was," Minnie said. Police believe Nick carried the rings with him when he went out for coffee on Christmas night. He had shown them to a friend earlier that day.

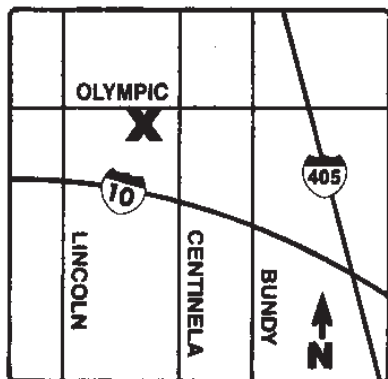
His body was found early the next morning, battered, bleeding and suffering from exposure, beside a road about a mile from town. His rings and wallet were missing. He died later that day.

Police say finding the rings is their best shot at finding whoever left Nick there to die. Barrett said he has several leads related to the rings, but no suspects.

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