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TUESDAY, MARCH 3, 2009

Volume 8 Issue 101



Santa Monica Daily Press

WARNER ON A GOLD RUSH
SEE PAGE 11

Talk of the town

THE MAKING CUTS ISSUE

Parents rally to preserve house system

BY MELODY HANATANI
Daily Press Staff Writer

SMMUSD HDQTRS A highly-anticipated budget workshop this week is expected to be packed with emotion after parents at Santa Monica High School learned that several principals with the much-celebrated House System could be reassigned.

As the Santa Monica-Malibu Unified School District tries to close a more than $12 million hole in its budget, caused mainly by funding cuts from the state, one area where officials are examining to save money is the houses at Samohi, which were established in 2003 to give students a more intimate educational setting on a large campus.

Under the system, students upon matriculation are randomly assigned to one of the six houses — S, A, M, O, H, and I — where they work with a counselor and principal throughout their four-year-career. While initially met with resistance, the system has over the past few years been praised by parents and students alike. Several students spoke highly of how the House System enriched their educational experience at the high school during the State of Our School's presentation last month.

It's one of the many areas the district is considering changing to save money, including making reductions in central office administration.

A group of parents are planning on attending the budget workshop on Wednesday and the Board of Education meeting the following day in Malibu where district staff could be authorized to begin

SEE HOUSE PAGE 9



TIME TO SHINE

Brandon Wise *brandonw@smdp.com*

Kids sing the hit song 'It's the Hard-Knock Life' from the upcoming theater production 'Annie Jr.' in front of Pastor Camille Nattick (right) and Robert L. Stamps (left) at the First United Methodist Church of Santa Monica on Monday afternoon. The children were auditioning for roles in the musical. All those who attended were guaranteed a spot in the production, organizers said.

Temporary library's home to go

Editor's note: This story is part of an ongoing series that tracks the city's expenditures appearing on upcoming Santa Monica City Council consent agendas. 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 MELODY HANATANI
Daily Press Staff Writer

CITY HALL The one-time location of the Santa Monica Public Library could soon be reduced from a former house of books to pile of rubble.

City officials are looking to demolish the long dormant and deteriorating building at 1324 Fifth St. to create a temporary surface parking lot in its place, alleviating the space crunch in Downtown.

SEE CONSENT PAGE 8

Obama taps governor known for support of abortion as health sec

BY DARLENE SUPERVILLE
Associated Press Writer

WASHINGTON President Barack Obama's choice to lead the Health and Human Services Department has a history of bucking the insurance industry, which faces the biggest hit under Obama's initial health care reform plan.

Kansas Gov. Kathleen Sebelius gets her introduction to the reform debate at a White House summit Obama will convene on Thursday.

Obama introduced Sebelius on Monday as his choice to run HHS, including overseeing Medicare and Medicaid, the twin government health programs for the elderly and the poor. Their spiraling costs threaten to bankrupt the country.

The 60-year-old, second-term governor has cultivated an image as someone who stands up to insurers.

She was state insurance commissioner in 2001 when Indianapolis-based Anthem Insurance Cos. Inc. offered to buy Blue Cross-Blue Shield of Kansas for $190 million as it sought to expand its holdings nationwide. It promised to maintain coverage levels.

Sebelius blocked the deal in February 2002 after concluding that premiums would rise under Anthem's ownership. She prevailed when the state's highest court overturned a lower court ruling that she had

SEE NOMINEE PAGE 8

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Eddie Guerboian
GOLDSMITH DESIGNER

Beach Recreation Instructors Wanted!

The City of Santa Monica is seeking highly motivated and qualified instructors interested in offering innovative recreation classes at the Annenberg Community Beach House, a new five acre public beach facility on Santa Monica State Beach, during the period of May 2009 – June 2010.

Programs proposed should be appropriate to this unique site and its surroundings. Engaging activities might include (but are not limited to) beach tennis, beach soccer, beach fitness, sand sculpture, healing arts, cultural arts, nature or environmental education. Classes may appeal to any segment of the anticipated broad range of users, from children through seniors. (Note: Surfing instruction is not eligible under this Request for Proposals. A separate proposal for surfing instruction at the beach is issued on an annual basis.)

Proposals are due to the City of Santa Monica no later than 5 pm on March 23, 2009. For specific eligibility and submission requirements, please access the Request for Proposals online at http://beachhouse.smgov.net, or call the Community Programs Division at 310-458-8300.

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WHAT'S UP WESTSIDE

OUT AND ABOUT IN SANTA MONICA AND SURROUNDS



Story time for toddlers

Ocean Park Branch Library
2601 Main St., 10 a.m. — 11 a.m.
Join Mr. Jesse for some music, rhymes, stories and puppets for children 24-36 months old with an adult. Registration is free but required. Call (310) 392-3804 for more information.

Rent control

Santa Monica Main Library
601 Santa Monica Blvd., 6:30 p.m. — 9 p.m.
Rent control staff are presenting a seminar for new owners of residential rental property in Santa Monica. Learn the basics of the Santa Monica rent control laws. Ask questions and avoid common pitfalls. All owners and managers are welcome. Call (310) 458-8751 or e-mail rentcontrol@smgov.net for more information.

Wednesday, Mar. 4, 2009

Green living'

Santa Monica Public Library
601 Santa Monica Blvd., 7 p.m. — 8:30 p.m.
Be part of the solution - educate and empower yourself with simple steps that save our environment and save you money. The six-week workshop covers water, energy, waste, chemicals, transportation, travel, shopping and food. Go to www.sustainableworks.eventbrite.com to register for free. Call (310) 458-8600 for more information.

Kicking it with Kiwanis

Santa Monica YMCA
1332 Sixth St., noon — 1:30 p.m.
Come to the Kiwanis club for its weekly luncheon with guest speakers. Call (310) 613-1249 for more information.

Walk the labyrinth

First United Methodist Church of Santa Monica
1008 11th St., 1 p.m. — 2 p.m.
Quiet your mind and nurture your soul as you walk the permanent labyrinth laid in the floor of Simkins Hall at First United Methodist Church in Santa Monica. The Labyrinth is an ancient walking meditation tool. Walking the Labyrinth provides a contemplative time for prayer and meditation, and all are invited to participate. Call (310) 393-8258 or e-mail mary.garbesi@santamonicaumc.org for more information.

Thursday, Mar. 5, 2009

Missed it?

Montana Avenue Branch Library
1704 Montana Ave., 2 p.m. — 3:30 p.m.
Come for a free screening of "Baby Mama" starring Tina Fey and Amy Poehler. Popcorn and beverages will be served. Call (310) 829-7081 for more information.

Prose and poetry

Novel Cafe
212 Pier Ave., 8 p.m. — 10 p.m.
Come read, listen, and enjoy open poetry and prose readings for free every Thursday. Everyone and all genres are welcome with a 1,000 word limit per reader. This weekly event is hosted by Forth Magazine. Call (310) 396-8566 or visit forthmagazine.com/weeklyreadings.php for more information.

For more information on any of the events listed, log on to smdp.com and click the "Events" tab for the given day's calendar.



Feds to hold hearing on deadly train crash

BY DAISY NGUYEN
Associated Press Writer

LOS ANGELES Federal investigators are about to end their silence on what a Metrolink commuter train engineer was texting about before his train collided with a freight last year in Los Angeles, killing 25 people and injuring at least 130 others.

Today they plan to release a transcript of the engineer's messages, dozens of other documents and interviews with witnesses conducted during their investigation of the nation's deadliest rail crash in 15 years.

The disclosures on a National Transportation Safety Board Web site will coincide with the start of a two-day NTSB hearing in Washington, D.C., on the Sept. 12 crash in suburban Chatsworth in the San Fernando Valley.

The crash prompted a federal ban on cell phone use by rail workers and led Congress to pass a law requiring "positive train control" technology that can stop a train if it's headed for a collision.

Investigators determined that Metrolink engineer Robert Sanchez sent and received 57 text messages while on duty that day, including one that he sent 22 seconds before his train slammed head-on into the locomotive of a Union Pacific freight train.

The preliminary investigation found that the commuter train failed to stop at a red light just before the crash.

Sanchez was among the dead. His Metrolink train was carrying 220 passengers.

Survivors, relatives of victims and their lawyers said they'll monitor the hearing closely in hopes of learning more about the crash.

"It's not going to change anything for me. To know what happened might give us some peace, I guess," said Jeff Buckley of Simi Valley, whose father, Alan, was killed in the collision.

The NTSB panel conducting the hearing

SEE CRASH PAGE 8



GO TEAM!

Ray Solano *news@smdp.com*

Zoe Krut, 10, (left) and Jordan Docter, 9, (center) lead their team, the Cheddar Cheese Balls of the Santa Monica Girls Fastpitch Softball league, in a cheer before the start of their first game of the season at Memorial Park on Saturday.

Use of Taser on SoCal boy being investigated

BY THE ASSOCIATED PRESS

HAWTHORNE, Calif. The debate over whether law enforcement officers should be allowed to use stun guns to subdue students has heated up after police said they have opened an investigation into why an officer shocked an autistic 12-year-old boy at a middle school.

The investigation stems from a Sept. 23 incident in which a student grabbed a counselor and punched and kicked a security guard who intervened, police said. The boy, whose name was not released, also threatened to kill staff members, police Lt. Michael Ishii said.

The student continued to behave violently and kicked a responding officer in the groin, Ishii said. The officer fired a Taser gun when the boy ran toward an exit, police said.

"The police did what they thought they needed to do," said Donald Carrington, superintendent of the Hawthorne Unified School District.

SEE TASER PAGE 8

COMMUNITY BRIEF

LOS ANGELES

Boys in blue

City officials say the Los Angeles Police Department has expanded to 9,895 officers, its largest number ever.

That's 43 more officers than the previous high mark recorded in June 1998.

The size of the police force has been a long-running concern in the nation's second-largest city, which has one of the smallest officer-to-resident ratios of any major city.

Mayor Antonio Villaraigosa announced the milestone Monday on the eve of elections in which he is seeking another term. Villaraigosa has a goal of reaching 10,000 officers by year's end. ASSOCIATED PRESS

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LETTERS TO THE EDITOR

Send comments to editor@smdp.com

Don't cut the arts

Editor:

Ninety-three percent of Americans consider the arts to be vital to providing a well-rounded education. Parents and teachers know that the arts help students succeed. Studies demonstrate that access to arts education increases student engagement in learning, decreases truancy and drop-out rates, and helps students develop skills such as effective communication, critical and innovative thinking, cooperation and flexibility. These are essential to California's economic future, as one in five jobs in the state will soon be related to the creative industries.

As of January 2006, 11,464 people were employed in 1,634 arts-related businesses in Santa Monica. According to an August 2006 phone survey, 43 percent of Santa Monica residents said that they work in the arts for part or all of their living.

Our local officials have many difficult choices ahead of them. Santa Monica-Malibu Unified School District school board meetings on March 4 in Santa Monica and March 5 in Malibu may well decide the future of arts education in our district. If you support arts education, tell your school district leaders to provide a complete and well-rounded education for every child – an education which includes access to a quality education in the arts.

Zina Josephs
Santa Monica

Lone ranger

Editor:

Bill Bauer may be the only person in Santa Monica to want the Expo Line on a concrete freeway bridge 25 feet above the Olympic Boulevard median from Cloverfield to Fourth Street, instead of pedestrian-scaled tracks in the median of Colorado Avenue, with convenient ground-level stations, as recommended by the Planning Commission.

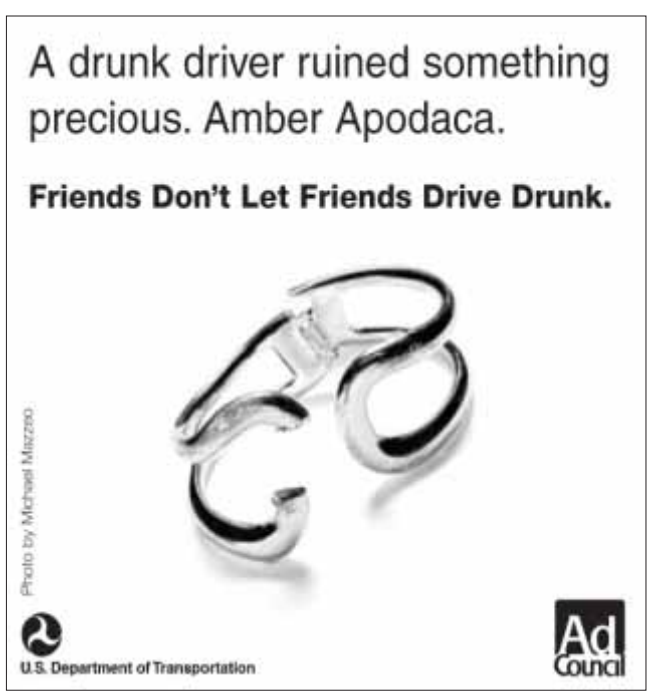
Even longer than the Expo Authority's Olympic proposal to go aerial west of 14th Street, Bauer's would also wipe out all the coral trees west of Cloverfield.

He should understand that mostly-ground-level light rail is the safe standard in many U.S. cities, including Los Angeles' newest, the Pasadena Gold Line. Trains along Colorado will follow traffic signals like other vehicles, with lights timed so the trains would usually receive greens, but little change for cross traffic.

And although Olympic is a block closer to Santa Monica College, Colorado better serves mid-city's hospitals and other jobs and residents.

We applaud the design vision of the city's consultants, and look forward to finally having a fast, comfortable alternative to horrible traffic! See our Web site friends4expo.org for current information and images.

Darrell Clarke
Co-chair, Friends 4 Expo Transit
Santa Monica



Your column here

Dinah Minot

Send comments to editor@smdp.com

A dog and pony show

DESPITE THE FACT THAT I APPLIED FOR the vacant City Council seat appointed last Tuesday, I didn't expect to get it. But I didn't expect it to be a scam either. Following the appointment of Gleam Davis, there is hardly any mention of the farce. Here's what happened from an applicant's point of view.

Six council members had the task of appointing a new member to fill Herb Katz' seat, a veteran of the council who passed away in January. All registered residents were invited to apply, but without a majority vote, a special election would be called. I tried not to be cynical, that it was just some pro forma gesture.

Instead, I imagined all the amazing go-getter types, especially the Santa Monica moms who constantly network, brainstorm and effectively manage 10 things at once. I started talking to la crème de la crémé and encouraged them to go for it. But I usually got the same response.

The appointment is a done deal. The council runs like the Mafia. All they want is a Santa Monicans for Renters' Rights (SMRR) majority .

It was the process that intrigued me most. I knew I wouldn't be appointed, but I was inspired by Obama's call to service.

I had my own agenda for proposing some projects to the council down the road, but I was curious how the council would handle this "open" invitation. I wanted to look into the heart of the council. If the intent were to convey an open mind, surely they'd put themselves more at risk for exposing the contrary.

They could have easily posted expectations or criteria for consideration: must be known to a majority of the council members, must have proven political experience and must have demonstrated community support from residents. Easy to follow bold print would have made sense, and most of all, it would result in a manageable applicant pool, maybe five or six, allowing for personal interviews and intelligent screening.

Bobby Shriver, who appears to still be taking his integrity vitamins, convincingly spewed passion and appreciation for the election process.

He described his own invaluable experience: campaigning door to door, the rewards of winning, owning that win, and having to be accountable. It made sense. Everyone in the room believes in democracy. But when he motioned for a special election, Richard Bloom struck it down.

Whispers filled the room. Ted Winterer, a Parks and Recreation commissioner, all-round good guy, who did mighty fine as a newcomer on the November ballot with over 12,000 votes, came in fifth to the four re-elected incumbents. He was the obvious people's choice.

Winterer was also the SMRR enemy, the co-author of the Prop. T citizen's initiative to put a cap on development. Squelched by an SMRR-backed "No on T" campaign with major money from big time developers, the proposition lost by only 11 percent.

The voting began. After the first round, Winterer received three votes, with two going to Patricia Hoffman and one for Gleam Davis. All three contenders had been on the City Council ballot, Winterer in 2008, Davis in 2006 and Hoffman in 2004. A half-dozen more rounds came up short of a majority. Then, former Mayor Nat Trives, not even registered in the applicant pool, was nominated by another former mayor, Holbrook. But never mind that. The clerk didn't notice either. Bloom and Pam O'Connor practically held up SMRR banners.

BOBBY SHRIVER, WHO APPEARS TO STILL BE TAKING HIS INTEGRITY VITAMINS, CONVINCINGLY SPEWED PASSION AND APPRECIATION FOR THE ELECTION PROCESS.

The room reeked of a sham. I began to feel badly for some of the new applicants who may have believed they were actually being considered.

I noticed one well-groomed woman with a fresh hairdo wearing a tiny sparkling pin on her blazer, and another gentleman reviewing his notes, sweating slightly under his new Lands' End sweater that neatly revealed the Brooks Brothers' collar of his buttoned-down shirt. Many were sincere in their efforts and actually had faith that they would be considered. Sad really. That's the core issue here. It's about the mock open invitation.

Even though it was entertaining, but really quite terrible, the council finally resumed with the task at hand until the deal was sealed for Gleam Davis, co-chair of SMRR! She fit the unpublished criteria: well-known to council members, politically experienced, and recognized by the Santa Monica community. After the oath taking, the council members resumed business, remarkably uninspired, as if they had welcomed back a friend after the weekend.

Although drama trickles through the roots of the City Council (collectively serving 75 years), eventually the mud will dry up. And sooner than later, one, maybe two, or hopefully, three or four of the current council members will recognize that change is not a bad thing. It happens from the bottom up so let's encourage new blood and maybe even a voice from the 30-something or 40-year-old set.

Case closed until 2010.

DINAH MINOT is a documentary filmmaker and recent City Council applicant.

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What's the Point?

David Pisarra
Send comments to editor@smdp.com

Gearing up for a big day in court

IN 1994, "STRAIGHT FROM THE HEART: A Love Story" was published. Written by two male bodybuilders who had fallen in love, the book chronicled their relationship. Thanks to the efforts of the National Enquirer their marriage became a national sensation. The early '90s being what they were, it really was a commitment ceremony in their eyes and those of their friends and family.

"Rod and I wanted to get married because in our culture that's the highest level of public and private commitment we could make to one another. We wanted to get married in a church before God — whatever God is — because we both have deep spiritual beliefs. And we wanted to get married in front of our friends because we wanted them there to witness us making an important statement of commitment." — Bob Paris, co-author, "Straight from the Heart."

Now what is telling in this book is the fact that then superstar Arnold Schwarzenegger was invited, along with many other bodybuilders, to the wedding. In the book, Paris and his partner Rod Jackson say that the other bodybuilders looked to Arnold for direction on whether to go or not. He is alleged to have said that if they liked Bob and Rod, and they wanted to go, they should. On the one hand this is a leadership statement that people should do what they want and support the people they believe in.

On the other hand, he didn't go to the wedding. It could have been a scheduling problem, but I think it is more likely a window into his soul.

The governor has a history of using the gay community to get what he needs. For example, in 1977 when he was a young and presumably cash-strapped young man, he posed naked for the gay magazine After Dark. Later he was a model who was photographed by the well known Robert Mapplethorpe.

He has been quoted as saying, "Gay people are fighting the same kind of stereotyping that bodybuilders are: People have certain misconceptions about them just as they do about us. Well, I have absolutely no hang-ups about the fag business." I'll let his politically distasteful use of the word "fag" slide, but it does show his patent disrespect for others.

The governor has been walking a fine line in this whole gay marriage debate, much as he did in the Paris/Jackson contretemps in the late '80s. He's a shrewd man who wants to avoid stepping in anything messy if he can avoid it. His position for the past few years has been that the Legislature, the people and/or the courts should decide the matter. Which covers all the bases and gets him off the hook since there is no one else for him to pass the buck to.

In an ABC News/Washington Post poll, the public was asked who should decide the rules of marriage. Surprisingly enough it was 45 percent for the state legislatures, 40 percent for the courts and 11 percent for both. When our state Legislature passed a gay marriage bill, the governor wouldn't sign it. He wanted the courts to decide. They did, and then along came Proposition 8. The governor was decidedly quiet for a very long time in the campaign on that one.

The Legislature isn't supportive of Prop. 8. Both the Assembly and Senate judiciary committees have passed resolutions against Prop. 8. Effectively telling the religious fundamentalists who want to take over the regulation of morality in our society, they are out of line.

Historically, the vote of the people has never been the deciding factor in determining what is a valid marriage. That is a role that is left to legislators and judges. For Americans who intermarried in the '60s, it was decided by the United States Supreme Court in the case of Loving v. Virginia. That case stood for the proposition that laws banning interracial marriage were a violation of the Equal Protection Clause. The logic of that ruling is exactly parallel to that of last year's In Re Marriage Cases, and I expect that it will be repeated this Thursday when the California Supreme court will hear oral arguments on the validity of Prop. 8, and its eventual downfall.

History has shown that standing up for what is right, even though politically unpopular, will guarantee a person a place in history that is well regarded, and failing to do so will guarantee a place in obscurity, or worse, in the hall of cowards.

I know where I want to be.

DAVID PISARRA is a family law attorney focusing on father's rights and men's Issues in the Santa Monica firm of Pisarra & Grist. He can be reached at dpisarra@pisarra.com or (310) 664-9969.

The Q Line

Council's new face

The City Council last Tuesday appointed Santa Monicans for Renters' Rights co-chair Gleam Davis to fulfill the remainder of the late Herb Katz' term.

So this week's Q-Line question asks:

Do you believe the council made the right choice and why?

Call (310) 285-8106 before Friday at 5 p.m. and we'll print your answers in the weekend edition of the Daily Press. Please limit responses to a minute or less.

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The Quackers

Phyllis Chavez
Send comments to editor@smdp.com

The song stops here

Editor's Note: The Quackers are three awesome ducks from the canals of Venice who are on a mission to educate the community about the dangers of global warming and the importance of practicing sustainability, all while surfing the most gnarly waves possible.

IT HAS BEEN SO COLD IN THE MORNING we decided to skip "dawn patrol" for a while. We tried wearing wetsuits. They just don't work for us. Frankly, they are not designed for our unique body type and wearing them creates way too much commotion. People freak out. They think we are some new, weird species of seal with duck lips and wild yellow hair that they discovered. It's too weird.

With dawn patrol on hold for a few days, we took our time with breakfast and reading the newspaper. With so much bad news lately we are still debating if that is a good thing or a bad thing. Personally, I think braving the cold might be the better choice.

When we divide up the paper, Rusty must have the comics first. This is not surprising. He also tries to convince us that dessert should be eaten before the main course. He says reading the comics first prepares him for the rest of the news. He is still working on a plausible reason to eat dessert first.

Rustling newspaper pages and Rusty's occasional giggles over the comics were the only sounds breaking the early morning quiet. That was until I read the headline, "Climate Change A Threat To Birds," out loud. Rusty furrowed his brow, narrowed his eyes and started grumbling and asked, "Couldn't we have one day without more bad news involving global warming? What now?"

I cringed as I read it. It said more than a third of native California birds could vanish by the end of the 21st century. As if that wasn't bad enough, it also stated that more than 100 species from California had already moved significantly north.

Rusty and Richard put down the paper and looked at me with alarm. Richard shook his head sadly as I continued to read. The article said winters had been getting warmer for several years and this was having a negative affect on many birds, not just those in California. They were leaving their usual wintering habitat for more hospitable areas to the north.

WHEN WE DIVIDE UP THE PAPER, RUSTY MUST HAVE THE COMICS FIRST. THIS IS NOT SURPRISING. HE ALSO TRIES TO CONVINCE US THAT DESSERT SHOULD BE EATEN BEFORE THE MAIN COURSE. HE SAYS READING THE COMICS FIRST PREPARES HIM FOR THE REST OF THE NEWS. HE IS STILL WORKING ON A PLAUSIBLE REASON TO EAT DESSERT FIRST.

Richard shook his head and said, "Adding the warmer winters to habitat loss and the continued use of pesticides, I would say our bird populations are being seriously threatened."

We waited quietly as Richard stared out the window. He was deep in thought, watching the hummingbirds and the finches at his feeders. Finally he said, "Birds are a necessity. They are our 'canaries in the coal mine.' Their northern movement is sending us an urgent message. They are warning us not just of critical threats to themselves, but also to habitats and systems that affect all life on earth.

Tears came to Rusty's eyes while Richard talked. Imagining a world without birds had made him incredibly sad. He hoped Richard had an answer.

Richard's face lit up with a plan. "There are two ways we can help," he said. "First, we need to call or write our elected representatives and urge them to address the problem of climate change now, today. The second way is closer to home. We could all create bird-friendly habitats where we live.

He thought the timing was excellent. February is National Bird Feeding Month. The plan was falling into place.

Richard was excited about the prospect of all our friends and neighbors creating bird-friendly habitats. It would be easy. Birds need the same things we do: food, shelter (cover), water and a place to raise their young. It could start with something as simple as hanging a bird feeder in a safe location and setting out a shallow pan as a water source. In many places, existing trees and shrubs might already be providing shelter and a place to raise young. This could work!

I typed up a flyer to pass out in the neighborhood telling everyone about National Bird Feeding Month and how they could help, complete with Richard's suggestions for a bird-friendly habitat.

The three of us believe that caring for birds will help us protect ourselves and the future of the world we share with them and all other living things. We can't change the whole world today but we can make changes to our part of it. If everyone started making changes to their part today, in no time it would equal the whole world. We feel it is our duty to help wildlife and ecosystems adapt to changing conditions while we work to curb and reduce climate change itself.

For ideas and help creating a certified wildlife habitat and related info go to:

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National Audubon Society — www.audubon.org

PHYLLIS and the Quackers can be reached at phyllis@phyllischavez.com

Ban on a type of prayer in school allowed to stand

BY JESSE J. HOLLAND
Associated Press Writer

WASHINGTON Coach Marcus Borden used to bow his head and drop to one knee when his football team prayed. But the Supreme Court on Monday ended the practice when it refused to hear the high school coach's appeal of a school district ban on employees joining a student-led prayer.

The decision on the case from New Jersey could add another restriction on prayer in schools, advocates said.

"We've become so politically correct in terms of how we deal with religion that it's being pretty severely limited in schools right now, and individuals suffer," said John W. Whitehead, president of The Rutherford Institute, a civil liberties organization that focuses on First Amendment and religious freedom issues.

But Barry W. Lynn, executive director of Americans United for Separation of Church and State, said some parents had complained about Borden leading prayers before the East Brunswick, N.J., school district ordered him to stop and banned all staff members from joining in student-led prayer.

"The bottom line is people in positions of authority, like a coach, have to be extremely careful about trying to promote their ideas, or implying that if you don't pray, you may not play," Lynn said.

The high court without comment refused to reconsider the 3rd U.S. Circuit Court of Appeals' decision upholding the ban.

The district established the ban in 2005 after parents complained about Borden, coach at East Brunswick High School since 1983, sometimes leading prayers at the Friday afternoon team pasta dinner or in the locker room before games. Borden said he wanted to show respect for the students engaged in prayer by bowing his head silently and dropping to one knee.

The district, Borden argued, was violating his free-speech rights by ordering him to stop action he called secular signs of respect. After the ban, the coach stood at attention for the remainder of the season while the students prayed.

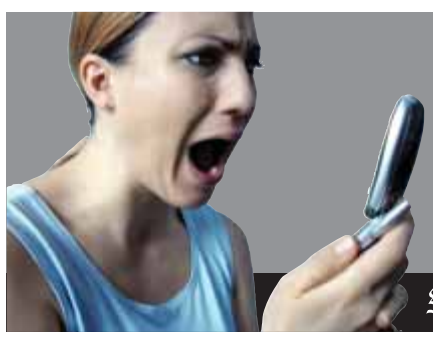
Judge D. Michael Fisher, writing for the Philadelphia appeals court, said Borden's past action of leading the prayers made his head-bowing seem inappropriate.

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Ask George

George Valverde

Send comments to editor@smdp.com

Preparing to cast off

Q: WHEN DO I HAVE TO RENEW MY boat registration?

A: You must renew your boat registration by Dec. 31 of every odd-numbered year (i.e., 2003, 2005, etc.) regardless of use. DMV mails a renewal notice approximately 60 days prior to the expiration date.

The department issues a Certificate of Number (registration certificate) and registration stickers to identify a boat as currently registered. These stickers must be securely affixed to each side of the boat three inches after and directly in line with the registration numbers and must be clearly visible at all times. Do not place any numbers, letters, or devices in the proximity of the registration sticker. For a visual guide on how to affix the stickers to your boat, please visit www.dmv.ca.gov.

Q: Is everyone eligible to get special interest license plates?

A: Anyone who has a currently registered California auto, truck, trailer, or motorcycle may order these license plates. Special Interest License Plates have a special graphic design depicting an image relative to the organization's interest, and require extra fees that are used to support programs pertinent to each organization's interest. They are available with configurations of numbers, letters, or both, which have been personally chosen by the applicant (personalized) or are standard issue configurations (sequential). Motorcycle plates are not yet available for all special interest plate programs.

Environmental License Plates are the standard California plates, which do not have graphics, and are only available with personalized configurations. The fees are used to support environmental programs.

To view the various options for special interest license plates, please visit www.dmv.ca.gov, click on More Online Services and then the tab labeled Order Special Interest and Personalized Plates.

Q: What fees are included in my registration payment?

A: Your annual vehicle registration payment consists of various fees that apply to your vehicle. Your annual renewal notice and registration card itemize these fees.

The following is a list of the various fees that may be included in your annual vehicle registration payment:

- Registration Fee
- Vehicle License Fee (This is the fee that may be an income tax deduction)
- Weight Fee
- Smog Abatement Fee (This fee is charged to vehicles exempt from biennial smog inspections)
- Special Interest/Environmental Plate Fees
- County/District Fees
- Motorcycle Safety Fee (charged to motorcycles only)
- Owner Responsibility Fee

GEORGE VALVERDE is the director of the California Department of Motor Vehicles.

Obama chief of staff criticizes ailing U.S. automakers

BY THE ASSOCIATED PRESS

WASHINGTON The president's chief of staff is criticizing U.S. car companies for relying too long and gas guzzlers and not investing enough in alternative energy vehicles.

Rahm Emanuel also says the automakers have an outdated health care cost structure. He says the companies are making the kind of changes now that many people long had told them to make.

President Barack Obama's auto industry task force is trying to restructure General Motors and Chrysler by a March 31 deadline.

If the Obama administration fails to approve their turnaround plans, earlier loans could be called back and the companies could be forced into bankruptcy.

GM and Chrysler have received $17.4 billion in loans, and are seeking an additional $21.6 billion in aid.

Emanuel spoke on CBS' "Face the Nation."

Deteriorating economy cuts off oil market rally

BY DIRK LAMMERS
Associated Press Writer

SIOUX FALLS, S.D. Oil prices plummeted more than 10 percent Monday with little to suggest energy demand will recover in the deteriorating global economy.

Benchmark crude for April delivery fell $4.61 to settle at $40.15 a barrel on the New York Mercantile Exchange. In London, the price for Brent crude fell nearly 9 percent, or $4.14, to settle at $42.21 on the ICE Futures exchange. Oil prices dipped below $40 per barrel for the first time since a three-day rally last week. Prices began to fall Friday and the sell-off continued Monday.

Michael Lynch, president of Strategic Energy & Economic Research, said the relentless influx of grim headlines is keeping downward pressure on the market.

"We had the run-up last week, but now people are looking at weaker demand signals and that's making them think we're going to need another round of cuts from OPEC," Lynch said.

OPEC has already slashed more than 4 million barrels a day from daily production, according to most estimates.

Pessimism in the energy markets grows stronger every time the government must step in to prop up a major U.S. corporation and the market is getting more of the same this week. On Monday, American International Group Inc. reported losses of $61.7 billion in the fourth quarter, the largest quarterly loss in U.S. corporate history.



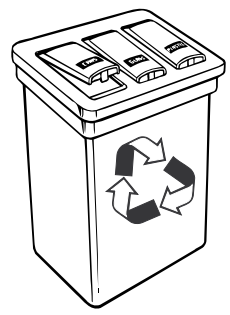
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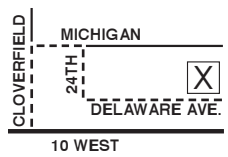


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No more reservation fee for beach house

FROM **CONSENT** PAGE 1

The City Council is expected to consider the proposal tonight as part of its consent calendar, which also includes a roughly $931,000 spending package.

Its approval will allow city staff to begin seeking bids to take down a structure that served as the interim library from March 2003 to December 2005 while a new facility was being constructed just around the corner. The temporary facility has remained vacant since.

Demolition was just one of several options that city officials considered, including leasing spaces for commercial use but ultimately nixing the idea after concluding it would not be cost effective.

Not only would rehabilitation cost an estimated $400,000 — covering carpeting, flooring, painting and removing mold — but maintenance would also add on another $100,000 a year, all for a piece of property that could be needed for new construction within five years, a city staff report stated, adding that City Hall would not recoup the investment for more than four years.

Demolition and resurfacing is estimated to cost $400,000.

Approximately 24 parking spaces will result from the building's demolition, adding to the existing 108 spots available in the adjacent city-owned lot on the corner of Fifth Street and Arizona Avenue, which operates as a temporary skating rink during the winter.

The lot could also soften the impact from the loss of spaces at Parking Structures 1, 3, and 6 on Second and Fourth streets when they undergo reconstruction starting in 2011.

City Hall owns several buildings along the 1300 block of Fifth Street and have recently moved forward with purchasing a two-story commercial structure at 1334, giving it a cumulative 67,500 square feet in the area. That building, which currently houses a florist and communications firm, could be reconstructed into a parking structure.

The council will also be asked to increase an existing contract with KPFF Consulting Engineers by more than $50,000. The firm is providing design services for an upgrade project at Parking Structure 2.

KPFF has been called upon to provide more services because of unforeseen conditions related to the existing building materials.

NEW AND IMPROVED BUS STOPS

Along the many changes the Big Blue Bus is expected to undergo the next several years, including the opening of a state-of-the-art facility, is a series of revamped transit shelters.

Upon receiving a $659,890 contract with City Hall, Culver City-based Lorcan O'Herlihy Architects will be responsible for developing three unique designs for bus stops in the city, designing waiting areas that seek to improve the public's image of public transit travel, promote the BBB brand, and provide real-time arrival information.

"Bus stop amenities that easily identify transit entry points, offer customer comforts, provide transit information and improve the cityscape are important elements of a successful transit system," a staff report stated.

The consultant is expected to investigate existing bus stops that have both high and medium volume usage, and provide different designs for bus shelters depending on their traffic levels.

Stops that have the highest volumes will receive a full shelter that will include everything from a no-smoking sign to real-time bus travel information, the latter of which would lack in an area with a lower traffic number. Locations that are under consideration to receive a full shelter include the stop at Fourth Street and Santa Monica Boulevard.

City Hall is also expected to sign a one-year, $145,488 contract with Project Partners to provide inspection services for the BBB facility expansion project on Colorado Avenue.

The consultant will be responsible for monitoring the progress of construction, scheduling inspections and making sure that work is being performed according to plans.

ESTABLISHING FEE RATES FOR BEACH HOUSE

With about a month left before the Annenberg Community Beach House opens, city staff is ready to set the price to use the newest public facility.

After hearing concerns from residents about the proposed fees during a workshop late last year, City Hall has eliminated a $5 reservation fee that would have been required to save a spot at the pool. A "Dollar Days" program that would allow access for $1 during certain hours has also been added since the public meeting.

Parking is estimated to cost $10 while the one-day pool pass will cost adults $10, seniors $5, and children $4. A family pass, which covers two adults and two children, will run $24.

The beachside property was once the site of a 110-room mansion where silent film star Marion Davies lived and has been featured on television numerous times, including Beverly Hills 90210.

HVAC PROJECT ON HOLD

Falling short of construction funding to complete the project, officials are planning on postponing the replacement of the HVAC (heating and ventillation/air conditiong) system at City Hall.

Its funding will instead be used to enhance the City Hall seismic retrofit construction budget.

The council will be asked to add more than $76,300 to a contract with Black and Veatch, which in addition to the seismic retrofit project had also been working on the HVAC replacement, providing design services.

City Hall had anticipated saving money by moving forward with both projects at the same time but realized after completion of the HVAC system design that the combined undertakings would exceed original estimates.

Moving the funds would allow more retrofitting and help the project meet Federal Emergency Management Agency requirements, the staff report stated.

melodyh@smdp.com

Text sent seconds before crash

FROM **CRASH** PAGE 3

will focus on cell phone use by train crew members; the operation of trackside signals designed to prevent collisions; and oversight and compliance with safety procedures.

The conductor of the Metrolink train, Robert Heldenbrand, contends the signal light was actually green when the train left a station about a mile from the crash site.

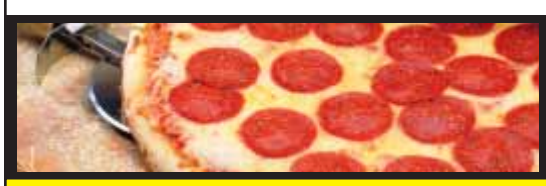
Heldenbrand also told investigators he had warned a supervisor months before the deadly crash about Sanchez's on-duty cell phone use, and had followed up with the same supervisor two days before the collision.

His contention is the basis of dozens of negligence lawsuits that allege Connex Railroad LLC, the contractor that provides engineers who run Metrolink trains, knew about the cell phone use but did nothing about it.

Connex is a subsidiary of Veolia Transportation, a private operator of bus, rail, shuttle and other transportation services throughout North America.

"How far up the Veolia/Connex chain had the complaints gone before the accident? We hope to find out about that, and a number of other things," said attorney Ed Pfiester, who represents 24 people suing the companies.

Connex and Metrolink said they have strict policies prohibiting use of cell phones by on-duty employees.

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Case brings into question use of tasers

FROM **TASER** PAGE 3

Ishii said the boy was not hurt but that his family complained, prompting the department to launch its investigation. The probe is examining whether the officer should have used an alternative method to detain the boy.

The incident and others have brought to light if use of electroshock weapons should be banned when involving children.

Taser proponents believe the weapons give officers the ability to safely detain unruly students without resorting to batons or other physical force. But critics argue there hasn't been enough research done on the medical effects of shocking children and that using Tasers on minors is inappropriate.

"This is a question of common sense. …You don't discharge a Taser at a child, absent the most extreme circumstances," said Michael Gennaco, a former federal prosecutor who now monitors internal discipline of deputies for the Los Angeles County Sheriff's Department.

Tasers have become increasingly common in police arsenals, winning praise from law enforcement officials who say they help subdue combative suspects and prevent more serious injuries.

Some civil rights groups have criticized the devices, with Amnesty International estimating that since June 2001, more than 334 people in the U.S. died after being Tasered.

"The risks of using a Taser on a child are just not understood well enough at this point to justify their use," said Hector Villagra, director of the Orange County office of the American Civil Liberties Union of Southern California.

Some law enforcement agencies, including those in New York City and Las Vegas, have restricted the use of the weapons on minors. Los Angeles Unified School District police officers do not carry Tasers.

Anti-abortion groups vow to fight HSS pick

FROM **NOMINEE** PAGE 1

exceeded her authority by rejecting the offer.

Later that year, Sebelius made her decision against the merger a central component of her campaign for governor, using it to help craft her image as a staunch consumer advocate who would stand up to powerful special interests.

As the nation's health secretary, Sebelius likely will face a similar, but bigger fight; pushing through the changes Obama outlined in the 2010 budget he released last week. It calls for setting aside $634 billion over 10 years as a down payment on health care overhaul.

About half the sum would come from spending cuts in government health programs, such as Medicare and Medicaid.

A Roman Catholic who supports abortion rights, Sebelius' nomination prompted angry reactions from anti-abortion groups outraged by her ties to Dr. George Tiller, a late-term abortion provider in Wichita, Kan. Groups including Operation Rescue and Concerned Women for America vowed to mobilize against her.



NEW JERSEY

Fabian Lewkowicz *Fabian@FabianLewkowicz.com*

Santa Monica Sister City Association President Joseph E. Deering (left) gives a David Beckham Galaxy jersey to Santa Monica College President Dr. Chui Tsang during the International Youth Soccer Tournament's Kick-Off Reception at the Santa Monica Family YMCA on Sunday. The tournament, which will be held July 28-31 at SMC, will bring together teams from Santa Monica sister cities in Mexico, Germany, Japan and Italy and will provide opportunities for youth to exchange friendship through soccer games.

School board to discuss potential layoffs this week

FROM **HOUSE** PAGE 1

issuing letters to select employees that their jobs could be cut or reassigned in the next few months. The deadline to send the notifications is March 15.

While parents are sensitive to the dire economic conditions facing the district, they would like to see the cuts taken farthest from the classroom, said Elizabeth Stearns, the PTA president for Samohi.

"We are not coming into this saying don't touch us," Stearns said. "We realize Samohi as well as all schools are going to be impacted by the budget cuts.

"What we are asking is that prudent cuts be made to preserve the integrity of the high school that so many people have worked hard to maintain."

House principals were not available for comment and instead referred inquiries to Mike Matthews, the assistant superintendent for human resources.

The district has yet to come up with a potential recommendation regarding the house system, which could result in a savings of up to $550,000, Matthews said.

"We've barely begun discussion about this," Matthews said. "It won't be decided for months."

Samohi Principal Hugo Pedroza has reportedly devised a proposal that would keep the House System intact while drawing savings from elsewhere at the high school. The proposal has not yet been made public. Pedroza did not return phone calls for comment.

Notifying employees of their possible fate will give the district flexibility as it comes up with a final decision before the budget is approved in June, officials said.

"The district is fully committed to the house system," Matthews said. "We believe it's working, we believe it's a great thing for the Samohi community, and we want to find ways to make it work continually very well."

Other recommendations that officials have made include reducing two full time equivalent positions in nursing, three in intervention counseling services and two in elementary music, saving more than $500,000. The proposal was met with opposition from parents and the Santa Monica-Malibu Classroom Teachers Association, some defending the benefits of having a music program at the elementary level, others defending nurses, which have seen an increase in student visits over the past few years.

The board withheld making a decision on the recommendations, feeling it needed a fuller discussion on the issue, which led to the workshop being scheduled.

Ralph Mechur, the board president, said that there are several possible options, including reducing the number of principals but keeping all six houses. Another option could be to reduce the number of houses, he said.

"We ought to be able to look at the next couple of months whether the system we have in place is the correct system or whether we can make changes while providing the same quality of education to our students but reducing expenses," Mechur said.

Some parents have in the meantime expressed support for Pedroza's proposal.

"We understand what a very difficult time it is for everyone involved and we're trying to come up with strategies and support strategies that we think will have the least impact on learning at the high school," Stearns said.

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Obama releases secret Bush memos

BY DEVLIN BARRETT AND MATT APUZZO
Associated Press Writers

WASHINGTON The Obama administration threw open the curtain on years of Bush-era secrets Monday, revealing anti-terror memos that claimed exceptional search-and-seizure powers and divulging that the CIA destroyed nearly 100 videotapes of interrogations and other treatment of terror suspects.

The Justice Department released nine legal opinions showing that, following the Sept. 11, 2001, terrorist attacks, the Bush administration determined that certain constitutional rights would not apply during the coming fight. Within two weeks, government lawyers were already discussing ways to wiretap U.S. conversations without warrants.

The Bush administration eventually abandoned many of the legal conclusions, but the documents themselves had been closely held. By releasing them, President Barack Obama continued a house-cleaning of the previous administration's most contentious policies.

"Too often over the past decade, the fight against terrorism has been viewed as a zero-sum battle with our civil liberties," Attorney General Eric Holder said in a speech a few hours before the documents were released. "Not only is that school of thought misguided, I fear that in actuality it does more harm than good."

The Obama administration also acknowledged in court documents Monday that the CIA destroyed 92 videos involving terror suspects, including interrogations — far more than had been known. Congressional Democrats and other critics have charged that some of the harsh interrogation techniques amounted to torture, a contention President George W. Bush and other Bush officials rejected.

The new administration pledged on Monday to begin turning over documents related to the videos to a federal judge and to make as much information public as possible.

The legal memos written by the Bush administration's Office of Legal Counsel show a government grappling with how to wage war on terrorism in a fast-changing world. The conclusion, reiterated in page after page of documents, was that the president had broad authority to set aside constitutional rights.

Fourth Amendment protections against unwarranted search and seizure, for instance, did not apply in the United States as long as the president was combatting terrorism, the Justice Department said in an Oct. 23, 2001, memo.

"First Amendment speech and press rights may also be subordinated to the overriding need to wage war successfully," Deputy Assistant Attorney General John Yoo wrote, adding later: "The current campaign against terrorism may require even broader exercises of federal power domestically."

On Sept. 25, 2001, Yoo discussed possible changes to the laws governing wiretaps for intelligence gathering. In that memo, he said the government's interest in keeping the nation safe following the terrorist attacks might justify warrantless searches.

That memo did not specifically attempt to justify the government's warrantless wiretapping program, but it provided part of the foundation.

Yoo, now a professor at the University of California at Berkeley School of Law, did not return messages seeking comment.

The memos reflected a belief within the Bush administration that the president had broad powers that could not be checked by Congress or the courts. That stance, in one form or another, became the foundation for many policies: holding detainees at Guantanamo Bay, eavesdropping on U.S. citizens without warrants, using tough new CIA interrogation tactics and locking U.S. citizens in military brigs without charges.

Obama has pledged to close the Guantanamo Bay prison within a year. He halted the CIA's intensive interrogation program. And last week, prosecutors moved the terrorism case against U.S. resident Ali Al-Marri, a suspected al-Qaida sleeper agent held in a military brig, to a civilian courthouse.

A criminal prosecutor is wrapping up an investigation of the destruction of the tapes of interrogations.

Monday's acknowledgment of videotape destruction, however, involved a civil lawsuit filed in New York by the American Civil Liberties Union.

"The CIA can now identify the number of videotapes that were destroyed," said the letter submitted in that case by Acting U.S. Attorney Lev Dassin. "Ninety-two videotapes were destroyed."

ot clear what exactly was on the recordings. The government's letter cites interrogation videos, but the lawsuit against the Defense Department also seeks records related to treatment of detainees, any deaths of detainees and the CIA's sending of suspects overseas, known as "extraordinary rendition."

At the White House, press secretary Robert Gibbs told reporters he hadn't spoken to the president about the report, but he called the news about the videotapes "sad" and said Obama was committed to ending torture while also protecting American values.

ACLU attorney Amrit Singh said the CIA should be held in contempt of court for holding back the information for so long.

"The large number of videotapes destroyed confirms that the agency engaged in a systematic attempt to hide evidence of its illegal interrogations and to evade the court's order," Singh said.

CIA spokesman George Little said the agency "has certainly cooperated with the Department of Justice investigation. If anyone thinks it's agency policy to impede the enforcement of American law, they simply don't know the facts."

The details of interrogations of terror suspects, and the existence of tapes documenting those sessions, have become the subject of long fights in a number of different court cases. In the trial of Sept. 11 conspirator Zacarias Moussaoui, prosecutors initially claimed no such recordings existed, then acknowledged after the trial was over that two videotapes and one audiotape had been made.

The Dassin letter, dated March 2 to Judge Alvin Hellerstein, says the CIA is now gathering more details for the lawsuit, including a list of the destroyed records, any secondary accounts that describe the destroyed contents and the identities of those who may have viewed or possessed the recordings before they were destroyed.

But the lawyers also note that some of that information may be classified, such as the names of CIA personnel who viewed the tapes.

The separate criminal investigation includes interrogations of al-Qaida lieutenant Abu Zubaydah and another top al-Qaida leader. Tapes of those interrogations were destroyed, in part, the Bush administration said, to protect the identities of the government questioners at a time the Justice Department was debating whether or not the tactics used during the interrogations were legal.

Former CIA director Michael Hayden acknowledged that waterboarding — simulated drowning — was used on three suspects, including the two whose interrogations were recorded.

John Durham, a senior career prosecutor in Connecticut, is leading the criminal investigation, out of Virginia, and had asked that he be given until the end of February to wrap up his work before requests for information in the civil lawsuit were dealt with.

Associated Press Writers Pamela Hess and Philip Elliott contributed to this report.

FAA settles with Southwest Airlines for $7.5 million

BY JOAN LOWY
Associated Press Writer

WASHINGTON Southwest Airlines will pay a fine of $7.5 million for flying planes that had missed critical safety checks — $2.7 million less than government regulators initially ordered.

The agreement announced Monday by the Federal Aviation Administration also gives the Dallas-based airline nearly two years to pay the fine in three installments of $2.5 million each. The first installment is due in 10 business days from the signing of the agreement.

Last year FAA ordered Southwest to pay $10.2 million, which would have been the largest fine in the agency's history. The airline protested the fine and had been in negotiations with FAA for the past year.

The largest fine against an airline by FAA remains a $9.5 million penalty against Eastern Airlines in 1987 that wasn't fully paid because the airline went bankrupt. The $7.5 million settlement agreement with Southwest marks the next largest, FAA spokeswoman Laura Brown said.

The airline was fined for flying 46 Boeing 737s on 59,791 flights without performing mandatory inspections for fuselage cracks. An estimated 145,000 passengers flew on the unchecked planes on 1,451 flights over an eight-day period in the spring of 2007 after the FAA had notified the airline of the inspection problem.

Federal investigators charged FAA's cozy regulatory climate with airlines led to the suppression of whistle-blower complaints against Southwest. After the allegations were made public, FAA announced stepped-up inspection efforts of all carriers' maintenance records, leading to hundreds of planes being grounded in early 2008.

The settlement agreement also requires Southwest to pay an additional $7.5 million if it does not accomplish 13 safety-related steps, including:

• Increasing by eight the number of onsite technical representatives the airline has at companies that perform major maintenance on its airplanes.

• Allowing FAA inspectors improved access to information used for tracking maintenance and engineering activities.



NFL

Search narrows for NFL players off Fla. Gulf Coast

BY CHRISTINE ARMARIO AND MITCH STACY
Associated Press Writers

CLEARWATER, Fla. The Coast Guard on Monday narrowed the search area for two NFL players and a third man missing since a weekend fishing trip off the Florida Gulf Coast after crews rescued a fourth man clinging to their capsized boat.

Survivor Nick Schuyler, a former University of South Florida player, told rescuers that the boat the four friends were aboard was anchored when it flipped Saturday evening in rough seas, said Coast Guard Capt. Timothy M. Close. Since then, Schuyler, who was wearing a life vest, had been hanging onto the boat found by a Coast Guard cutter 35 miles off Clearwater.

Schuyler said the other three men got separated from the boat. The 21-footer belongs to Oakland Raiders linebacker Marquis Cooper, who, along with free-agent defensive lineman Corey Smith and former South Florida player William Bleakley, remained missing.

Schuyler was conscious but appeared weak as he was being taken off a helicopter at Tampa General Hospital and placed on a stretcher. His father said his son was in serious but stable condition and that he "looks OK."

"He's got some cuts and bruises. He's dehydrated," said Stuart Schuyler.

Schuyler's mother, Marsha Schuyler, said her son told her that he survived by thinking about how he didn't want her to go to his funeral.

The family's joy at him being found alive was tempered by the search for his friends.

"We still have three men missing, and we're not going to talk too much until we find these guys," said his father, Stuart Schuyler. "We're all praying for them. These guys are all very close friends."

Coast Guard photos showed Schuyler wearing a yellow jacket and orange life vest and sitting on the hull of the capsized boat as a rescue cutter approached. A helicopter lowered a basket to haul him aboard. The search area is now "substantially smaller," based on where they found the boat and Schuyler, Close said. Searchers had previously covered 16,000 square miles of ocean.

Smith's family planned to drive to Florida from Richmond, Va., Tuesday, after the snowy weather in the East made getting a flight impossible, said Yolanda Newbill, one of Smith's sisters. She said they have been in contact with the Coast Guard every few hours since the search began.

"We have never lost hope," Newbill said. "We have total faith that (he) will be coming home."

Ray Sanchez of Tampa, a cousin of Cooper, said he was told the men were together "for a good period of time" after the boat flipped. He said the family was confident the Coast Guard would find them.

"My cousin's a powerful swimmer," he said.

The water temperature in the area was 68 degrees. After 18 hours in 64-degree water, hypothermia will set in, said Coast Guard Petty Officer 2nd Class James Harless. How long someone can survive depends on how big the person is, he said. Cooper is 6-foot-3, 230 pounds, and Smith, 6-foot-2, 250 pounds.

NFL

Kurt Warner visits 49ers headquarters

BY GREG BEACHAM
Associated Press Writer

SANTA CLARA, Calif. Kurt Warner is being courted by an eager division rival of the Arizona Cardinals.

The San Francisco 49ers sent a private jet Monday for the two-time MVP quarterback, who traveled from Phoenix to the team's training complex for a physical exam and a meeting with top brass.

Warner led the Cardinals to the Super Bowl last season, but became a free agent when he didn't re-sign with the club. Arizona has offered a two-year, $20 million contract to Warner, who will be 38 years old when training camp opens.

But Warner is seeking a deal worth at least $14 million per season, and the former St. Louis Rams star seems willing to leave Arizona for the right offer.

NFC West rival San Francisco, which finished two games behind the Cardinals in second place last season, has enough salary cap room to accommodate his salary wishes. With no established starting quarterback on the 49ers' roster, the club has rolled out its red-and-gold carpet to entice Warner.

After flying into Silicon Valley, Warner arrived at the 49ers' training complex by limousine shortly before lunchtime with his wife, Brenda. He was scheduled for a typical free-agent examination and a lunch meeting with general manager Scot McCloughan, coach Mike Singletary and likely owner Jed York before flying home Monday night.

Singletary has been unwilling to designate veteran Shaun Hill as his starter for next season even after Hill led San Francisco to five wins in its final seven games and a 7-9 record that knocked the interim tag off Singletary's title.

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Surf Conditions **Water Temp:** 57°

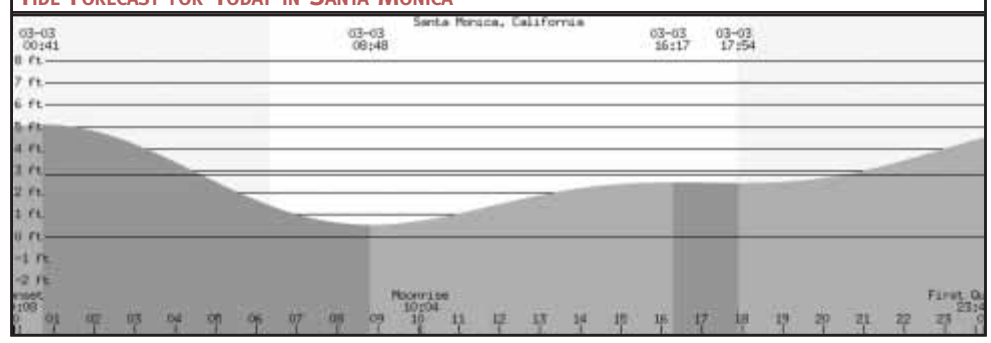
Swell Forecast (1-1 FT)

We should see WNW wind swell increase west facing breaks towards chest high, but with peaky conditions likely. Winds should be light for a good part of the day, but with a slight onshore effect.

Long Range Synopsis

Wednesday the 4th is when the peak of the NW swell is expected. Most of this would come in from about 300 degrees, making it tough for many breaks to pull in.

Tide Forecast for Today in Santa Monica



BEACH REPORT CARD

NORTH LOS ANGELES COUNTY

Grades for this report are based on monitoring data from the previous four weeks up to the ending date of **February 24, 2009**

HEAL THE BAY - 1444 9th Street, Santa Monica, CA 90401 - www.healthebay.org - brc@healthebay.org - 800 HEAL BAY

QUICK STATS (for the last 28 days)
- Number of sewage spills -- 0
- Number of beach closures due to a sewage spill -- 0
- Number of wet days -- 18
- Number of A grades for dry/wet weather -- 40 / 5
- Number of (C,D,F) grades for dry/wet weather -- 7 / 36

The Beach Report Card is made possible by simplehuman, Goldhirsh Foundation, the James Irvine Foundation, Ford

Heal the Bay reminds you not to swim or surf within 100 yards of any flowing storm drain or for 3 days after a rainstorm. After a rain, indicator bacteria counts at beaches throughout California usually far exceed health criteria in the state's Beach Closure and Health Warning Protocol.

LOCATION	DRY	WET
Los Carrillo Beach, at Arroyo Sequit Creek mouth	A+	B
Nicholas Beach at San Nicholas Canyon Creek mouth	A+	A
El Pescador State Beach, between Lechusa and Las Alisos creeks	A+	A+
Encinal Canyon at El Matador State Beach	A+	A+
Broad Beach at Trancas Creek mouth	A+	F
Zuma Beach at Zuma Creek mouth	A+	F
Walnut Creek, projection of Wildlife Rd. (private)	A+	D
Paradise Cove Pier at Ramirez Canyon Creek mouth	A+	B
Escondido Creek, just east of Escondido State Beach	A+	F
Latigo Canyon Creek mouth	A	F
Solstice Canyon at Don Blocker County Beach	A+	D
Puerco State Beach at creek mouth	A+	F
Marie Canyon storm drain at Puerco Beach, at 24572 Malibu Rd.	A+	D
Surfrider Beach at Malibu Colony fence	A+	F
Surfrider Beach (breach location)- daily	F	F
Malibu Pier - 50 yards east	A+	D
Carbon Beach at Sweetwater Canyon	A+	D
Las Flores State Beach at Las Flores Creek (point zero)	A+	F
Big Rock Beach at 19948 PCH stairs	A	B
Pena Creek at Las Tunas County Beach	A+	B
Tuna Canyon	A+	A+
Topanga State Beach at creek mouth	D	F
Castlerock Storm Drain at Castle Rock Beach	F	F
Santa Ynez Storm Drain at Castle Rock Beach	A+	C
Will Rogers State Beach at 17200 PCH (1/4 mile east of Sunset drain)	A+	F
Will Rogers State Beach at Bel Air Bay Club drain near fence	A+	F
Will Rogers State Beach at Pulga Canyon storm drain	A+	D
Will Rogers State Beach at Temescal Canyon drain	A+	F
Will Rogers State Beach at Santa Monica Canyon drain (Chautauqua)	F	F
Santa Monica Beach at Montana Ave. drain	A+	F
Santa Monica Beach at Wilshire Blvd. drain	A+	F
Santa Monica Municipal Pier	F	F
Santa Monica Beach at Pico/Kenter storm drain	B	F
Santa Monica Beach at Strand St. (in front of the restrooms)	A+	F
Ocean Park Beach at Ashland Ave. drain	A+	B
Venice City Beach, at the Rose Ave. storm drain	A+	F
Venice Beach at Brooks Ave. drain	A+	F
Venice Beach at Windward Ave. drain	A+	A
Venice Fishing Pier - 50 yards south	A+	F
Venice Beach- projection of Topsail St.	A+	F
Marina del Rey, Mothers' Beach- lifeguard tower	A	B
Dockweiler State Beach at Ballona Creek mouth	C	F
Dockweiler State Beach at Culver Blvd. drain	A+	B
North Westchester Storm Drain at Dockweiler State Beach	A+	F
Dockweiler State Beach at World Way (south of D&W jetty)	A+	F
Dockweiler State Beach at Imperial Hwy drain	A+	D
Dockweiler Beach- opposite Hyperion Treatment Plant	C	F
Dockweiler State Beach at Grand Ave. drain	A+	D

LEGEND
DRY -- each location is graded on an A – F scale based on bacterial pollution levels present in the surf zone
WET -- grades for days of recorded rainfall and the following 3 days
ns -- no sample taken

Heal the Bay is a non-profit environmental organization dedicated to making Santa Monica Bay and Southern California coastal waters safe and healthy for people and marine life.

Heal the Bay

Heal the Bay's Beach Report Card® is based on weekly water quality monitoring data provided by the City of Los Angeles' Environmental Monitoring Division and the Los Angeles County Department of Health Services. Data is analyzed as soon as it is made available to us by the public agencies. Beaches are graded on an A–F scale based on the risk of ocean users becoming ill. Samples are analyzed for bacteria—enterococcus, total and fecal coliforms—that indicate biological pollution. A fact sheet detailing the exact methodology used in determining grades for each location is available from the office or on our web site. The report is not designed to measure the amount of trash or toxins found at local beaches.

The Beach Report Card is an indication of past water quality and is not a warranty of the current safety of those areas surveyed. Our lawyers are happy.

MOVIE TIMES

Aero Theatre
1328 Montana Ave.
(323) 466-FILM

Call theater for information.

AMC Loews Broadway 4
1441 Third Street Promenade
(310) 458-1506

Echelon Conspiracy (R) 1hr 46min
1:40, 4:25, 7:15, 9:55

Fuel (NR) 1hr 55min
1:45, 4:30, 7:20, 10:00

Milk (R) 2hrs 08min
1:30, 4:20, 7:10, 10:05

Street Fighter: The Legend of Chun-Li (PG-13) 1hr 36min
2:00, 4:40, 7:05, 9:25

AMC 7 Santa Monica
1310 Third St.
(310) 289-4262

Confessions of a Shopaholic (PG) 1hr 52min
1:30, 4:15, 7:10, 9:55

Fired Up (PG-13) 1hr 30min
2:30, 4:50, 7:15, 9:30

Coraline 3D (PG) 1hr 40min
1:45, 4:25, 7:00, 9:25

Frost/Nixon (R) 2hrs 02min
1:20, 4:10, 7:05, 9:50

Push (PG-13) 1hr 51min
5:00, 10:00

Friday the 13th (2009) (R) 1hr 35min
2:45, 5:20, 7:45, 10:05

The Pink Panther 2 (PG) 1hr 32min
2:00, 7:40

Jonas Brothers: The 3D Concert Experience (G) 1hr 16min
12:45, 3:00, 5:15, 7:30, 9:45

Laemmle's Monica Fourplex
1332 Second St.
(310) 394-9741

Doubt (PG-13) 1hr 44min
1:50, 7:20

Waltz With Bashir (R) 1hr 30min
4:30, 9:50

Slumdog Millionaire (R) 2hr 1min
1:10, 4:10, 7:10, 10:00

The Wrestler (R) 1hr 45min
1:30, 4:20, 7:00, 9:40

Class (Entre les murs), The (PG-13) 2hrs 08min
1:00, 4:00, 7:00, 10:00

Mann's Criterion Theatre
1313 Third St.
(310) 395-1599

The International (R) 1hr 58min
1:10, 4:20, 7:10, 10:20

Gran Torino (R)
11:50am, 2:30, 5:10, 7:50, 10:30

Taken (PG-13) 1hr 33min
12:10, 2:40, 5:00, 7:30, 10:00

Tyler Perry's Madea Goes to Jail (PG-13) 1hr 43min
11:40am, 2:10, 4:50, 7:20, 9:50

He's Just Not That Into You (PG-13) 2hrs 09min
12:50, 4:05, 7:00, 10:10

The Reader (R) 2hrs 02min
1:00, 3:50, 6:50, 9:40

For more information, e-mail news@smdp.com

Know your role, Leo

ARIES (March 21-April 19)
★★★★ The time has come to defer to others, making sure we can have what we need happen. If you remain upbeat and positive, with a touch of practically, you will go long and far. Think positively only. Stay in touch with your budget. Tonight: In the game of life.

TAURUS (April 20-May 20)
★★★ Keep smiling, as you seem to be about to make a difference that allows greater ebb and flow from others. Your sense of humor goes far when dealing with the many people who pop into your life. Live it up as if there is no tomorrow. Tonight: In the thick of things.

GEMINI (May 21-June 20)
★★ Take your time making a decision and pushing forward. How you deal with someone and the choices you make could be a bit overwhelming. Lie back, knowing the right answers will come forward. Understanding grows. Tonight: As you like it.

CANCER (June 21-July 22)
★★★★ Knowledge and cooperation mix nicely together, making nearly anything possible. Your ability to tune in and make strong decisions marks your style. Others naturally conform to what needs to happen. Tonight: In the thick of life.

LEO (July 23-Aug. 22)
★★★★★ Recognize your role as leader of the gang — you love being on stage. Others look to you for answers and direction. Listen to news that heads your way but could be controversial. Take off as soon as you can. Tonight. You are top cat.

VIRGO (Aug. 23-Sept. 22)
★★★★★ Know when to look beyond the obvious, and you'll accomplish much more than in the past. If you are single and direct, you could meet someone quite exotic and full of depth. Learn more about other points of view. Tonight: Reach for something different. Relax to music.

LIBRA (Sept. 23-Oct. 22)
★★★★★ Reach out for someone you care about deeply. If you have problems communicating, you can get past them if you relax and give up expectations. Investigate an opportunity with openness and deliberation. Think positively. Tonight: Let your mind venture out.

SCORPIO (Oct. 23-Nov. 21)
★★★★★ Togetherness feels like an appropriate theme. If you need to move into another situation, work with a key person. With understanding and time, you might be shocked by the possibilities. Tonight: Be a duo.

SAGITTARIUS (Nov. 22-Dec. 21)
★★★★ Defer to others, if you know what is good for you and what works. Your ability to get through problems emerges, but sometimes it is more important for other people to figure out their problems on their own. You will come up with unusual solutions. Tonight: Sort through invitations.

CAPRICORN (Dec. 22-Jan. 19)
★★★★ Your effectiveness makes an extreme difference in the end results. Realize your limits through experience, not mentally deciding what is enough and what is not. You could be surprised by what comes up for you. Tonight: Make it an early night.

AQUARIUS (Jan. 20-Feb. 18)
★★★ Take a stand and know what needs to happen between you and another person. You could be very busy and feel overwhelmed. The true test of your mettle is your ability to handle "too much." Tonight: In the thick of things.

PISCES (Feb. 19-March 20)
★★★ Keep communication flowing despite an innate desire to clam up and say little. Keeping your own counsel could make all the difference in the world. Don't underestimate your impact on others. Tonight: Your home is your castle.

JACQUELINE BIGAR'S STARS
The stars show the kind of day you'll have:
★★★★★ Dynamic ★★ So-So
★★★★ Positive ★ Difficult
★★★ Average

Happy birthday

Often you think you have great ideas this year, only to have them fall flat. You might wonder what is the best thing to do. Learn to listen to others' ideas and clothe your thoughts more in their words. Sometimes being able to reframe things allows much healing, for you as well as others. If you meet someone this year, check this person out, especially if you feel very comfortable with him or her. If you are attached, the two of you need more time alone together. Then the warmth of the past comes forward. GEMINI can be touchy!

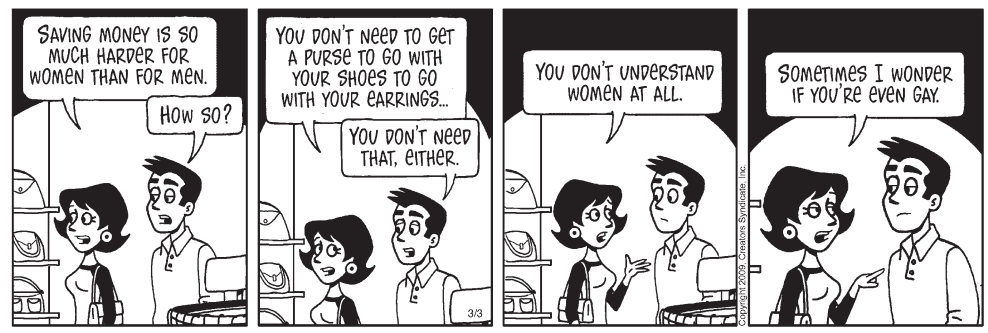
Girls and Sports

By Justin Borus and Andrew Feinstein



The Meaning of Lila

By John Forgetta & L.A. Rose



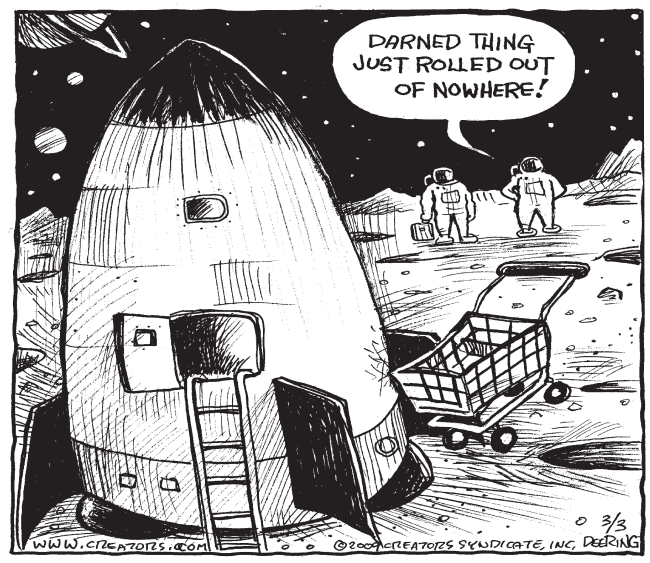
Garfield

By Jim Davis



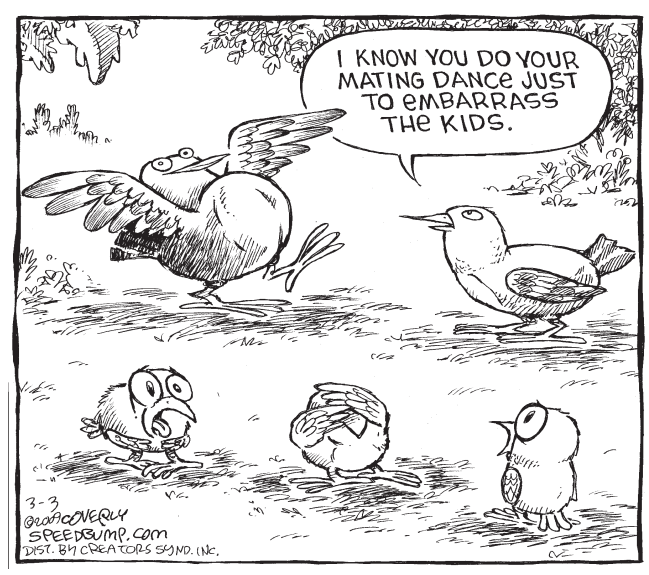
Strange Brew

By John Deering



Speed Bump

By Dave Coverly



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Sudoku

Fill in the blank cells using numbers 1 to 9. Each number can appear only once in each row, column, and 3x3 block. Use logic and process of elimination to solve the puzzle. The difficulty level ranges from ★ (easiest) to ★★★★★ (hardest).

Difficulty Level ★★

8			4	7		5	6	
9		1				8		
5			9					
		2					3	
	1						4	
	5					7		
					2			4
		5				9		7
	7	9		1	3			2

King Features Syndicate

GETTING STARTED

There are many strategies to solving Sudoku. One way to begin is to examine each 3x3 grid and figure out which numbers are missing. Then, based on the other numbers in the row and column of each blank cell, find which of the missing numbers will work. Eliminating numbers will eventually lead you to the answer.

SOLUTIONS TO YESTERDAY'S PUZZLE

5	9	4	6	1	2	8	7	3
2	6	8	7	4	3	9	5	1
1	7	3	5	9	8	4	2	6
8	5	6	2	3	1	7	4	9
7	4	2	8	6	9	3	1	5
9	3	1	4	5	7	2	6	8
6	8	5	9	7	4	1	3	2
4	1	9	3	2	6	5	8	7
3	2	7	1	8	5	6	9	4

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MYSTERY PHOTO

Rachel Dardashti *news@smdp.com*

The first person who can correctly identify where this image was captured gets a pat on the back from the Santa Monica Daily Press. Send answers to *editor@smdp.com*.

CROSSWORD

By THOMAS JOSEPH

ACROSS

1 Errand runner
6 Port setting
11 Limber
12 "Tomorrow" singer
13 Slushie-drinking pain
15 Filming site
16 Soaking spot
17 Marry
18 Evita's last name
20 Gourmet
23 Explosive stuff
27 Pride member
28 Well-behaved
29 Former French coin
31 Ring up
32 Marina sight
34 Lend a hand
37 Postal oath word
38 Play division
41 Puzzle
44 Role for Phil Silvers
45 Tolerate
46 So far
47 Writer Ken

DOWN

1 Yaks it up
2 Storybook monster
3 Decree
4 Yale student
5 Flat occupant
6 Diamond makeup
7 Wallet bill
8 Fresh
9 Shoebox number
10 Started a hole
14 Stole material
18 Bit of change
19 Sleep time
20 North Pole worker
21 Melody
22 Generous — fault
24 Also
25 Director Howard
26 Exalted poem
30 Is unable to
31 Phone system hacker
33 Barracks bed
34 "Mamma Mia" group
35 Eye part
36 Emmy-winner Tyne
38 Tag-sale label
39 Relinquish
40 Deuce beater
42 Presidential nickname
43 Presidential nickname

■	P	A	N	E	■	B	R	E	R	■
A	L	V	I	N	■	R	I	V	A	L
R	A	I	N	Y	■	A	B	O	V	E
I	N	A	J	A	M	■	■	K	E	G
E	T	T	A	■	A	S	P	E	N	S
S	S	E	■	D	R	O	I	D	S	■
■	■	■	P	I	Q	U	E	■	■	■
■	C	H	A	T	U	P	■	S	A	C
B	R	O	N	Z	E	■	P	E	S	O
E	A	T	■	■	E	L	I	X	I	R
E	N	D	O	W	■	O	X	I	D	E
F	I	O	N	A	■	W	I	S	E	R
■	A	G	E	D	■	S	E	T	S	■

Yesterday's answer

NEW CROSSWORD BOOK! Send $4.75 (check/m.o.) to Thomas Joseph Book 2, P.O. Box 536475, Orlando, FL 32853-6475

1	2	3	4	5	■	6	7	8	9	10
11					■	12				
13					14					
15			■	16			■	17		
■	■	■	18				19	■	■	■
20	21	22			■	23		24	25	26
27				■	■	■	28			
29				30	■	31				
■	■	■	32		33			■	■	■
34	35	36	■	37			■	38	39	40
41			42				43			
44					■	45				
46					■	47				

3-3

DAILY LOTTERY

MEGA MILLIONS: 24 37 44 50 56
Meganumber: 35
Jackpot: $212M

SUPER LOTTO PLUS: 8 16 21 28 29
Meganumber: 1
Jackpot: $14M

FANTASY 5: 4 13 15 24 39

DAILY 3: MIDDAY: 6 3 6
EVENING: 2 3 9

DAILY DERBY:
1st: 11 Money Bags
2nd: 01 Gold Rush
3rd: 08 Gorgeous George
RACE TIME: 1.45.34

Although every effort is made to ensure the accuracy of the winning number information, mistakes can occur. In the event of any discrepancies, California State laws and California Lottery regulations will prevail. Complete game information and prize claiming instructions are available at California Lottery retailers. Visit the California State Lottery web site at http://www.calottery.com

NEWS OF THE WEIRD
BY CHUCK SHEPARD

■ Ironies: (1) The $500,000 top prize in Alaska's January statewide lottery, to benefit the organization Standing Together Against Rape, for victims of sexual assault, was won by Alec Ahsoak, 53, who coincidentally is a twice-convicted sex offender. (2) Sweden's Hallands Nyheter newspaper reported in January that a police officer had endured four operations at a private clinic in Gothenburg to correct a birth condition that made one leg shorter than the other, but operations on the longer leg cut off too much, so it is now shorter than the leg that used to be the shorter one.

■ Oops!: In January, assistant coaches Scott Coy and Darren DeMeio, of the Westminister College (New Wilmington, Pa.) football team, who were in Nashville, Tenn., for a coaches' convention, were seriously injured during 4 a.m. horseplay-wrestling at their hotel. The men, who weigh a combined 525 lbs., crashed through the double-paned window in their fourth-floor room and fell to the ground in their underwear.

TODAY IN HISTORY

1931 President Herbert Hoover signed a measure making "The Star-Spangled Banner" the national anthem of the United States.

1991 motorist Rodney King was severely beaten by Los Angeles police officers in a scene captured on amateur video. Twenty-five people were killed when a United Airlines Boeing 737-200 crashed while approaching the Colorado Springs, Colo., airport.

WORD UP!

sanguine \SANG-gwin\, *adjective, noun*;
Also used as a noun, red iron-oxide crayon used in making drawings:
1. cheerfully optimistic, hopeful, or confident
2. reddish; ruddy
3. (in old physiology) having blood as the predominating humor and consequently being ruddy-faced, cheerful, etc.
4. blood-red; red
5. Heraldry. a reddish-purple tincture.

adjective:
1. a red iron-oxide crayon used in making drawings

Santa Monica Daily Press

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North of Montana	$3,395,000	$1,485,000
Between Wilshire & Montana	$1,995,000	$819,250
South of Wilshire	$1,010,000	$759,000
Sunset Park	$1,137,500	$737,000
Ocean Park	$1,550,000	$895,000

Statistics Updated Every Monday

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