

FREE

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Volume 1, Issue 116

Santa Monica Daily Press

Picked fresh daily. 100% organic news.

Boathouse bobbing in turbulent waters

Boathouse served with notice to vacate by Sunday

BY CAROLYN SACKARIASON
Daily Press Staff Writer

It's official: Santa Monica has torpedoed its own Boathouse.

The Boathouse restaurant, a mainstay on the Santa Monica Pier for the past 50 years, was ordered shut down by authorities Tuesday. After years battling the city and the Pier Restoration Corporation to keep her business, owner Naia Sheffield lost her fight last week when Santa Monica Superior Court Judge Diana Wheatley ruled that the Boathouse owes the city \$25,000 in back rent, plus attorney fees.

A court-ordered notice to vacate the premises was issued by the Los Angeles County Sheriff's Office, mandating that Sheffield close her family's long-time business by Sunday.

The restaurant remains open for business.

Wheatley ruled that the restaurant must leave because its lease was terminated by the PRC. The city commission took the action to make way for the movie-themed restaurant

"The PRC's decision to go with this overly-commercial chain restaurant makes the city seem like a bunch of hypocrites and I'm sickened and embarrassed by it."

— MIKE FEINSTEIN
Santa Monica Mayor

Bubba Gump, part of a chain.

Sheffield and her attorney, Kelly Bixby, argued that the PRC offered the Boathouse a long-term lease more than three years ago but ended up only offering a month-to-month

lease. The city gave the Boathouse until last fall to vacate the premises.

But Sheffield didn't budge, which prompted the city to file a lawsuit seeking to oust her business.

It's widely known that behind-the-scenes political maneuvering has been occurring on the PRC for years, particularly when it comes to the Boathouse — which many officials believe is an eyesore on the pier. They also cite the restaurant's problematic clientele over the years as a reason not to renew its lease.

Many PRC members also wanted a more family-oriented or fine dining establishment to replace the Boathouse.

When the Boathouse made its proposal to remain at its location, it was the last one chosen out of several bids by the PRC, said Ken Genser, a city councilman and the PRC liaison.

A controversial series of non-decisions by which the city refused to honor its own mandate to change the membership of the PRC may loom behind the apparent demise of the

See BOATHOUSE, page 4

Union's newest tactic is to get hotel's rent raised

BY ANDREW H. FIXMER
Daily Press Staff Writer

Organizers attempting to unionize employees at The Doubletree Guest Suites Hotel are asking its landlord to raise its rent.

In an effort to get hotel workers free benefits and higher salaries, union organizers have asked the hotel's landlord, the Santa Monica-Malibu Unified school district, to re-evaluate a lease it has with the luxury hotel, located on Fourth Street, just west of Santa Monica High School.

The tactic has raised some eyebrows in the business community because the union wants the hotel to spend more money on salaries and benefits, but it's also trying to get its rent raised.

They argue if more money is spent on rent, less money would likely be available for higher pay and expanded health insurance.

Several dozen phone calls made to the Doubletree's spokeswoman

Kathy Shepard, the hotel's general manager Francois Khaury, and Darren Vaughn, the director of marketing, were not returned.

Organizers at the Hotel Employees Restaurant Employees union local 814 defend their tactics.

"What we've come to notice is that companies that treat their workers badly treat their other constituents badly too," said Albert Lowe, a union activist.

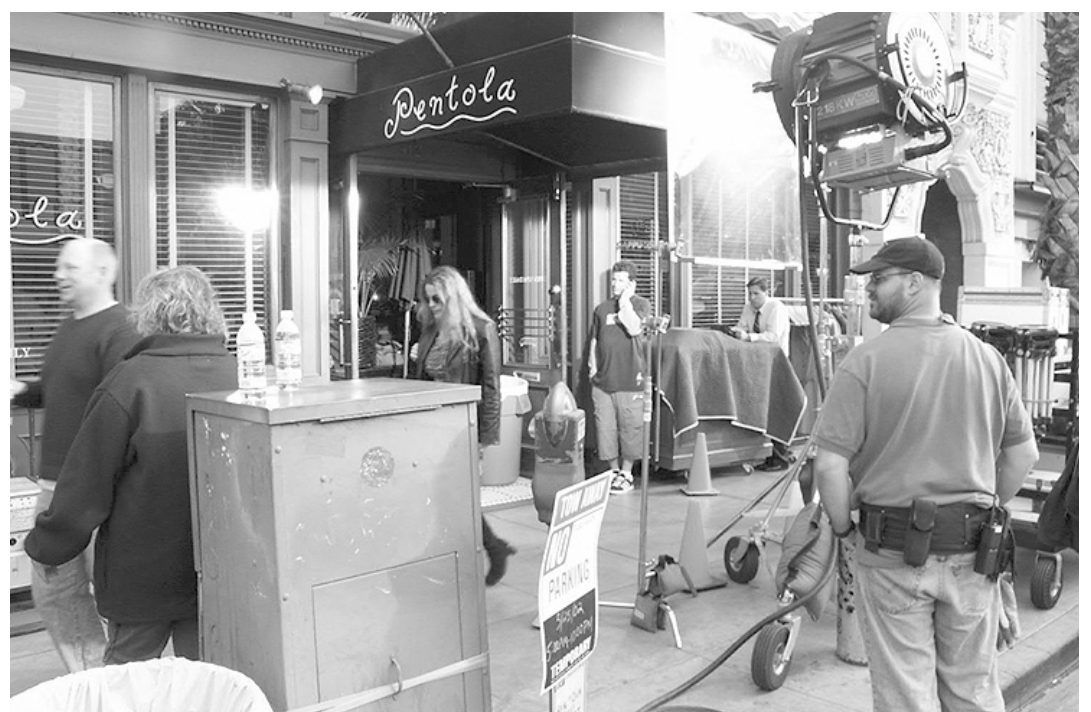
Santa Monica beachfront hotels pay higher rents to the city and still make enough to pay better and provide benefits, Lowe added.

According to a report presented by the union to the school board, the 253-room Doubletree paid \$367,029 annual rent in 1998, 1999, 2000 and 2001. The union compared that to \$468,440 in rent the city of Santa Monica received from the unionized 148-room Pacific Shore Hotel, which is leased under a similar arrangement.

"We think the hotel is a bad

See UNION, page 3

'Roll 'em!'



Carolyn Sackariason/Daily Press
Film crews shoot a TV pilot called 'Georgetown' at Pentola on Wilshire Boulevard this week.

Police investigate homicide

By Daily Press staff

Police are investigating a homicide that occurred Tuesday in a Santa Monica east side neighborhood.

Police responded to call from Los Angeles Police Department officials at 6:15 p.m. who asked authorities to check the status of a resident in the 2300 block of Ocean Park Boulevard.

When officers arrived, they found the body of an unidentified person in an apartment of a single-story building. Police could not confirm whether the victim was a man or woman late Tuesday night.

"We haven't inspected the body or conducted a search of the scene yet," said Lt. Frank

Fabrega, adding police were waiting for the Los Angeles Coroner's Office to arrive on scene shortly after 10 p.m.

The incident is the city's second homicide of the year. Albert Victor White, also known as Algirdas Brazinskas, was charged in February with one count of murder in the Feb. 5 death of his father, 77-year-old Pranas Brazinskas.

Brazinskas and White, who lived in the 900 block of 21st Street, apparently were involved in a struggle, during which Brazinskas suffered several blows to the head with an unknown object.

In 1970, the father and son hijacked a domestic Soviet jetliner to Turkey, fatally shooting an Aeroflot flight attendant and wounding other crew members.

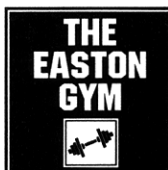
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Shiatsu Massage School of California is hosting Kung Fu classes for advanced students from 4:15 to 5:15 every Wednesday. Suggested donation per class is \$4.00. Free class for first-time visitors. Instructed by: Master Luu Truong. 2309 Main St., (310) 396-4877.

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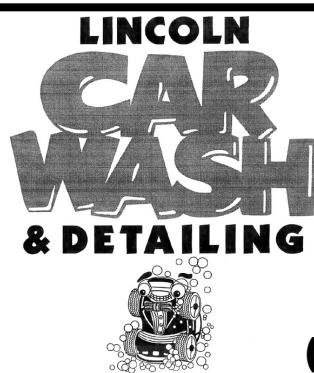
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ARIES (March 21-April 19)

★★★★ Abundance marks an option. You clearly see where you are going, though you might not be sure of yourself. Confusion surrounds work, no matter what you do. Think independently, making firm decisions. Your nerves work overtime. Tonight: Put up your feet.

TAURUS (April 20-May 20)

★★★★★ Your words fall on the right ears. You could make something more important than it really is, though it certainly spells good news. Someone could challenge your creativity and ideas — let him or her. Listen. Tighten up your ideas. Tonight: Focus on a loved one.

GEMINI (May 21-June 20)

★★★ Spending money in a foolish manner will backfire, no matter how good your idea might be. Your nerves are unusually jangled. As a result, you could overreact or make a hasty decision. Slow down. Look at the big picture. Tonight: Soak away stress.

CANCER (June 21-July 22)

★★★★ Speak your mind, but don't be surprised if another has a strong reaction. Listen to someone who easily makes a money expenditure. You might want to shake your head and say "no." Responsibilities challenge the frivolity. Tonight: Slow down.

LEO (July 23-Aug. 22)

★★★ Financial pressure could make you uncomfortable. You have so much to do and so much you would like to do. Ask another, who seems able to do nearly everything he or she wants, for advice. You can learn a lot from this person. Tonight: Your treat.

VIRGO (Aug. 23-Sept. 22)

★★★★★ The power of your personality impacts not only those in your immediate circle, but also a close associate. Brainstorm with others, and you'll come up with remarkable ideas. Allow someone to understand more of what motivates you. Tonight: Let the other party make the call.

LIBRA (Sept. 23-Oct. 22)

★★★ Carefully listen to another who sometimes makes you ill at ease. This person might be in your day-to-day life or someone you know from work. Brainstorm with bosses, discussing many potential options. You don't always need to run with the ball. Tonight: Get a good night's sleep.

SCORPIO (Oct. 23-Nov. 21)

★★★★ You might understand what is happening. Aim for more of what you want. Your nerves could become frayed when dealing with a child or loved one. News from a distance comes your way, impacting your work choices. Slow down, please. Tonight: Follow the gang.

SAGITTARIUS (Nov. 22-Dec. 21)

★★★ Recognize another for all that he or she offers. Abundance and good will lead you in a new direction. Don't allow a skeptic in your life to color your thoughts. Good news follows those who are open and work with opposing facts. Tonight: Talk to an associate.

CAPRICORN (Dec. 22-Jan. 19)

★★★★ Reach out for more information, especially in the face of conflicting opinions. You might not be sure of someone's logic. In fact, ask more questions and you'll get better answers. Confusion might be the result of too much information, too fast. Tonight: Take in a movie.

AQUARIUS (Jan. 20-Feb. 18)

★★★★★ Reach out for another at a distance. Though you might be surprised at his or her reaction, you find out what ails this person. Meanwhile, keep a stern eye on your spending. Excess can only get you into trouble right now. Play it conservative. Tonight: Allow your sweetie to have more of what he or she wants.

PISCES (Feb. 19-March 20)

★★★★ Others might not hear what you say as clearly as you would like. You might be asked to clarify yourself a few times, don't lose your patience. Use your diplomatic style, touched with creativity. Your message gets through. Tonight: Let someone other than you dominate.



QUOTE of the DAY

"I hate to advocate drugs, alcohol, violence, or insanity to anyone, but they've always worked for me."

— Hunter S. Thompson

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LOCAL



Local YWCA names 'women of the year'

BY ANDREW H. FIXMER
Daily Press Staff Writer

Four westside women shared the honor of being named "Women of the Year" by the local YWCA.

The annual fundraising dinner was held last week at the Loews Santa Monica Beach Hotel to raise money for the organization's many programs for women and children.

Also, the organization expanded its name by changing it to the YWCA of Santa Monica/Westside to reflect its broad membership base.

Members of the local YWCA live and work in 10 westside cities ranging from El Segundo to Malibu and from Hollywood to Inglewood.

"Our scope has always been at-large," said YWCA Executive Director Sally Young. "And now our name has changed to reflect that."

While this year's honorees reflect the wide geographic region that the YWCA covers, they also are leaders in their communities.

Sister Margaret Mary "Peg" Dolan

Sister Margaret Mary "Peg" Dolan, who is a religious of the Sacred Heart of Mary which is dedicated to the education and support of young women and children, spearheaded several programs at Loyola Marymount University that take students, alumni and friends into the community to help people and institutions in need.

More than 1,000 people in cities around the nation have volunteered over the past six years to paint and repair homes and schools in economically depressed neighborhoods. Recently she helped in an effort to raise funds for St. Columbkille's school in South Central

Los Angeles, which was closing classrooms due to a lack of funds.

Nancy Zacharias Freedman

Nancy Zacharias Freedman responded to a newspaper article about the decrepit state of her local fire station by founding "Adopt Fire Station 19," a non-profit organization that raised money to help repair the fire station and improve the lives of the firemen.

The program was so successful that it is being copied as a Los Angeles program to help underfunded fire departments citywide.

Freedman also was highly involved in the Veterans Park Conservatory's renovating the national cemetery and placing flags in perpetuity along Wilshire Boulevard from Veteran Boulevard to Federal Avenue.

Ann Lederer

Ann Lederer, senior vice president, as well as general counsel and corporate secretary for First Federal Bank of California which is headquartered in Santa Monica, was honored for volunteering at a large number of organizations serving the community.

She provides free legal services for Alliance for Children and for Public Counsel Children's Rights projects to help families protect their legal rights. She also extends her legal expertise to Operation Hope, which operates inner-city empowerment programs.

And for the last nine years she has tutored children as a part of a mentor program at Roosevelt Elementary School.

Rachel Tarses

Rachel Tarses was awarded the bronze star for her work with the Red Cross helping troops in Saudi Arabia during Operation Desert Storm. She has served as coordinator of disaster volunteers for the Los Angeles chapter of the Red Cross and chairwoman of the Southern California Disaster Institute, a national training group for disasters.

She was a member of the national Red Cross board that created a mental health program that serves victims of stress-related disasters such as the World Trade Center tragedy. Since 1987 until the present, Tarses has been a staffing officer for national disaster operations throughout the country.

Organizers want Santa Monica to be a 'union town'

UNION, from page 1

neighbor to the Santa Monica community," Lowe said. "They are treating their workers badly, they are treating parents badly and they are treating students badly."

Rent the school district receives from the Doubletree is based on a complex equation involving a base rent that fluctuates with the hotel's room occupancy levels, its profit margins and with inflation.

School superintendent John Deasy said he instructed the school district legal department six weeks ago to begin auditing the Doubletree's books to ensure it is paying the correct rent.

"But we're not asserting they have violated the lease," Deasy said. "We're just making sure they are in compliance by asking for an audit, which is well within our right."

And Deasy said assertions by the union that the hotel is "cheating" the school district out of rent aren't accurate.

"Other hotels pay higher rent because those leases were negotiated much better than ours," he said. "But ours was also one of the first arrangements of its kind, and it was with one of the first hotels that went up."

Deasy would not comment on the union's rally at the school board meeting, but he did say employers need to be responsible to the community's needs.

"And those concerns raised (by Doubletree employees) are those of every member in the community and I share them," he said.

Critics, who wished to remain anonymous for fear of being labeled anti-union, said by forcing the rents of Santa Monica hotels to go up, they would be forced to raise their room rates which would make them less competitive with Los Angeles hotels.

They added that the Pacific Shore Hotel is under renovation and hasn't opened as a unionized hotel yet. It hasn't been determined if the hotel can remain profitable and competitive, they said.

However, union activists argue that Santa Monica's other unionized hotel, the Fairmont Miramar, has been able to remain profitable and competitive.

Lowe said there are efforts by the union to organize all the large hotels in Santa Monica, but he would only confirm active efforts at Loews Santa Monica Beach Hotel and at the Doubletree.

"But we do have a goal to make Santa Monica a union town," Lowe said.

Pam Brady named 'woman of the year' by Pavley

By Daily Press staff

Assemblymember Fran Pavley has named Malibu resident and school district board member Pam Brady as the 41st Assembly District "Woman of the Year."

Brady was recognized during a special commemoration at the State Capitol last week.

"She has an extraordinary combination of compassion and competence that she brings to her role as a widely respected and proven educational advocate. She has truly made a difference in the lives of the children in the cities of Malibu and Santa Monica," Pavley said.

Brady is a native Californian raised in Santa Monica and Malibu. She graduated from Santa Monica High School as did her father.

Brady is well known as an educational advocate with more than 20 years of experience at the local, state and national levels.

Brady was originally elected in 1990 to the Board of Education for the Santa Monica-Malibu Unified School District, and is currently serving her 12th year.

She has served as Santa Monica-Malibu PTA Council president, as the 33rd District PTA President, as well as California State PTA Education Advocate, representing more than 1.2 million members and is currently serving as the California State PTA Vice President of Education.

Brady has served as president of the Los Angeles County's School Trustees Association, a member of Delegate Assembly and the Board of Directors of the California School Boards Association. She also served as President of the YWCA, an advisory member of the Santa Monica and Malibu Chambers of Commerce and a member of the Santa Monica Youth Task Force.



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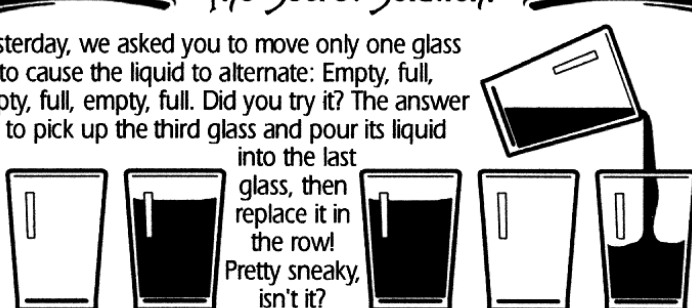
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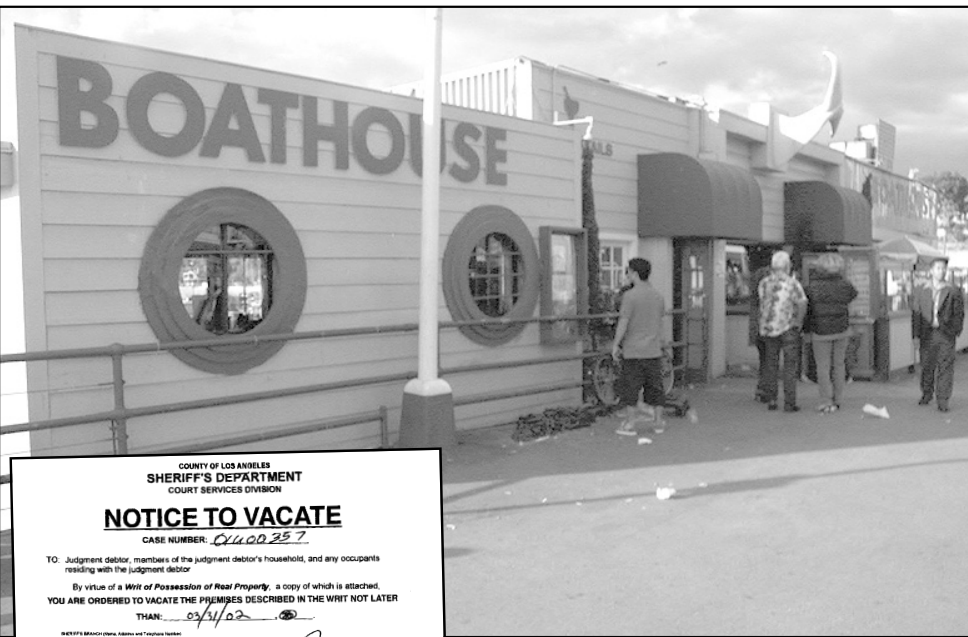
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 Date: 03/26/02
 NOTICE TO VACATE

File photo
 The Los Angeles County Sheriff's Department has notified the Santa Monica Pier's Boathouse to leave the premises by Sunday.

Some claim Boathouse given boot over politics

BOATHOUSE, from page 1

Boathouse.

Sheffield filed a lawsuit in U.S. District Court claiming breach of contract, violation of her right to due process and unlawful takings. She also alleged that the PRC violated the state's open meetings law and that the city intentionally misrepresented the lease agreement.

A federal judge dismissed the suit earlier this month.

Bixby said he's turning to the Santa Monica City Council for help in keeping the Boathouse afloat. He told the Daily Press Tuesday that he filed a resolution with City Attorney Marsha Moutrie Monday that would seek to resolve the matter. However, he wouldn't go into specifics about what the resolution seeks and whether Sheffield will appeal the court's decision.

"This is an opportunity with the city council to resolve the issue," Bixby said. "We are just attempting to get harmony."

"They want to throw us out but my client is not willing to walk away from this," he continued.

Moutrie was unavailable for comment. It is unclear whether the city council can even intervene in the Boathouse's plight.

Boathouse representatives say the restaurant attempted to pay the city its monthly rent, but the city sent the checks back — a claim city officials say is true.

The Santa Monica City Council voted this past summer to enter into a contract with Bubba Gump after the PRC considered several bids — including the Boathouse — to occupy the 4,500-square-foot building located on the beach.

The chain is expected to open its restaurant here next spring after it renovates the building.

The PRC's leasing guidelines, passed last year, prefer locally-owned businesses on the pier. The guidelines even say chain restaurants are not wanted.

"The combined scope of commercial development and casual recreation ambiance are important factors in defining the unique character of Santa Monica Pier," the guidelines state. "Leasing and licensing of city-owned buildings and pier deck area will be subject to a preference for local independent, non-formula businesses and activities that are financially

and operationally capable of providing the preferred uses. A formula business is that which requires by contractual or other arrangement the maintenance of standardized services, decor, uniforms, facility design and format substantially identical to another operation."

Bubba Gump has opened several successful restaurants throughout the country, including one on San Francisco's Pier 39.

Genser said the guidelines are not set in stone.

"It's a preference, not an absolute," he said.

But some officials wonder why a local preference statement is even part of the PRC's guidelines if it is going to be ignored.

"With all of our discussion about promoting local community-owned and serving businesses on the Promenade and other business districts, the PRC's decision to go with this overly-commercial chain restaurant makes the city seem like a bunch of hypocrites and I'm sickened and embarrassed by it," said Santa Monica Mayor Mike Feinstein.

He added that the PRC's meetings go widely unnoticed by the public so much of the lease negotiating and selection process of the new tenant went without community debate.

"This was a decision made largely out of the light of public inspection and is a decision I believe that is out of step with an overwhelmingly large part of the community," Feinstein said.

Until last year, the majority of the PRC's 11-member board had been serving since the mid 1980s. The city council approved a plan in 2000 that would rotate out members who have served the longest and be replaced with new people.

However, some city council members delayed the new appointments last summer, saying that unfinished business needed to be cleared before the old members were removed, Feinstein said.

"The old members were kept on long enough to put it through," he added.

During the time of the delays, the PRC signed a lease with Bubba Gump with little public input.

"A very significant public policy was rushed in order to get Bubba Gump in there," Feinstein said. "This direction had nothing to do with this community's political reality today."

STATE



‘Magic’ could be player in 2005 mayor’s race

BY SANDY YANG
Associated Press Writer

LOS ANGELES — Former basketball star Earvin “Magic” Johnson says he could be a player in the 2005 mayor’s race.

While he endorsed Mayor James K. Hahn’s candidacy last year, Johnson said Hahn’s opposition to another term for police Chief Bernard C. Parks was a huge mistake and cannot go unchallenged. The NBA all-star said he will run in 2005 if there isn’t change.

“I think that’s a decision that’s six months to a year out,” Johnson said during Tuesday’s grand opening of his Starbucks coffee shop in south Los Angeles. “Basically what’s going on now, the people want me to run, not myself.”

Earlier, the Los Angeles Lakers star said: “I’m not just going to run because Mayor Hahn is not doing a good job. I’m going to run because the city needs a new voice, a new vision, and I think that I could do the job.”

The overwhelming support of black voters was key to Hahn’s victory last year, but the mayor’s opposition to the black police chief’s second term has angered many in the community.

Parks stood alongside Johnson during the Starbucks opening festivities.

“I think that Magic has made it clear that he’s not just interested in being in the city as a business person,” Parks said. “He’s interested in making sure the city’s running well.”

On Monday, Johnson endorsed Gov. Gray Davis in his bid for re-election in November.

Production designer Richard Sylbert dies at 72

By The Associated Press

LOS ANGELES — Production designer Richard Sylbert, who won two Oscars for helping to create the unique look of the films “Who’s Afraid of Virginia Woolf?” and 1990’s “Dick Tracy,” has died. He was 73.

Sylbert, who had been suffering from cancer, died Saturday in Woodland Hills at the Motion Picture & Television Fund hospital, which provides care for people in the entertainment industry, hospital spokeswoman Carla White said.

His career spanned nearly 40 years and included work on more than 50 movies. His identical twin brother, Paul, also is an Oscar-winning production designer, for 1978’s “Heaven Can Wait.”

Richard Sylbert was considered an innovator in his field, renowned for an artistic approach that creating visual styles that reflected the metaphors and themes found in the films on which he worked.

Sylbert’s work on 1966’s “Who’s Afraid of Virginia Woolf?” earned the film one of its five Oscar awards and teamed him with then-freshman filmmaker Mike Nichols. The two worked together several more times on such films as “The Graduate,” “Catch-22,” “Carnal Knowledge” and “The Fortune.”

He frequently worked with other famed filmmakers such as Sidney Lumet, on the movies “Long Day’s Journey into Night” and “The Pawnbroker,” Roman Polanski, on “Rosemary’s Baby” and “Chinatown,” and Brian De Palma, on “The Bonfire of the Vanities” and “Carlito’s Way.”

Sylbert is credited with an innovative design element in director John Frankenheimer’s 1962 assassination thriller “The Manchurian Candidate” that allowed parts of a set to be changed during a 360-degree camera rotation to supply perspective of both reality and a character’s hallucination.

In 1975, Sylbert replaced Robert Evans as vice president in charge of production at Paramount Pictures and during his three years helped shepherd a number of films, including the unlikely hit “Looking for Mr. Goodbar” (1977).

Craving a return to design, he left that job in 1978 and subsequently worked on the films “Reds” and “The Cotton Club.”

He is last credited for work on “Who Shot Victor Fox,” starring Kathy Bates and Rupert Everett, which has not yet been released.

In addition to his brother Paul, Sylbert is survived by his wife, Sharmagne, two daughters, three sons and one grandchild.

Jet fly-by practice for Dodgers opener gives LA the ‘jitters’

By The Associated Press

LOS ANGELES — The roar of jet aircraft practicing a fly-by for opening day at Dodger Stadium shook up downtown workers Tuesday.

The roar of low-flying aircraft shattered a quiet midafternoon, echoing among office buildings. People ran out of office buildings and stared up into the sky.

“They were practicing flybys over Dodger Stadium in preparation for opening day,” said Jerry Snyder, a spokesman for the Federal Aviation Administration.

Snyder did not know what type of aircraft were involved in the fly-by or where they came from. There was no immediate comment from the Dodgers.

“I figured it was one of those fighter planes buzzing around to keep another plane from these tall buildings,” said Mike Melton, 34, a construction worker. “I thought it must be the military, and they must be up there for a reason.”

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STATE □ NATIONAL

Flight 93 captain remembered



Associated Press
Joan Raymundo, sister of the late Jason Dahl, one of the pilots of United Airlines Flight 93, which crashed in Shanksville, Pa., on Sept. 11, 2001, gets a hug from a woman outside Hillsdale Elementary in San Jose, Calif., following a renaming ceremony. The school will be known as the Capt. Jason M. Dahl Elementary School in honor of the former student.

Workers find surge of human remains at World Trade Center

BY SARA KUGLER
Associated Press Writer

NEW YORK — Recovery crews searching through the last mountains of World Trade Center debris have found more human remains in the past three weeks than in any comparable period since October.

Nearly 3,000 body parts have been discovered since March 1, when workers began concentrating on the last heaps of rubble, including the footprint of the south tower, the first skyscraper to collapse.

Until this month, a large mountain of debris where the south tower stood was largely untouched because it was used to support a road for trucks hauling broken concrete and steel. But a metal ramp has since been installed, enabling workers to begin taking the pile apart.

Workers are also picking through a smaller pile of rubble where the north tower once stood.

During the round-the-clock operation, firefighters who comb through the debris with rakes and shovels stop frequently to stow remains into red biohazard bags. Bags are placed onto stretchers and draped with American flags. Rescue workers salute as the stretchers are carried out of the site and into ambulances.

The remains of 166 firefighters have been located, nearly 20 in the past three weeks. But that is still less than half of the 343 killed.

The remains of Assistant Chief Donald Burns, 61, one of the fire department's highest-ranking victims killed in the attack, were found last week. Burns, cited for valor five times during his 39-year career, was setting up a command post

when the south tower collapsed.

The remains of Officer Moira Smith, the only city policewoman killed in the attack, also were found last week.

Ellen Borakove, spokeswoman for the city medical examiner, said 18,252 body parts have been found so far. Up to 2,830 people are believed to have died at the trade center. The remains of as many as 2,000 of them have not been identified.

Mary Ellen Salamone is still waiting for workers to find her husband, John, who worked for the bond firm Cantor Fitzgerald. Her reaction is mixed when she hears that workers have found another pocket of human remains.

"Any time there's a report that more remains are found, there's always hope that this time it's going to be your loved one," Salamone said. "Every time they find more, it also sends concern that they're in a rush to complete the cleanup."

Officials expect the last of the debris to be cleared away by the end of May. As of Monday, 1,460,980 tons of debris had been removed in 99,715 truckloads. The city estimates the total debris will exceed 1.5 million tons.

The fire department is using satellite technology to record the precise locations of human remains and personal possessions. Each body part and object is cataloged by firefighters with handheld units that fix locations through satellite.

The map of body parts and belongings, from identification cards to laptop computers, should help engineers understand how the towers collapsed, said Deputy Fire Commissioner Thomas Fitzpatrick.

Families have been eager, too, to learn exactly where their loved ones were found, he said.

NATIONAL



Officers indicted for alleged beating of homeless man

By The Associated Press

HYATTSVILLE, Md. — Two police officers have been indicted for allegedly beating a homeless man and unleashing a dog on him when they arrested him for breaking into a gas station.

All but one of the charges against homeless man Hector Millan were dropped, police said.

Cpl. James C. Partenza and Cpl. Mark Elie are charged with first-degree assault, second-degree assault, reckless endangerment and misconduct in office.

Millan, 28, pleaded guilty Monday to a misdemeanor burglary charge and was granted probation before judgment, leaving no conviction on his record for the Jan. 20 incident.

"He's been convicted of nothing," said Terrell N. Roberts III, Millan's attorney.

Documents filed after Millan's arrest alleged that he threatened to kill a gas station attendant and pushed Partenza when the officer tried to arrest him.

However, an investigation was started after a third officer at the scene, Cpl. Joseph Diaz, told his supervisors he believed Partenza and Elie used force without justification.

Indictments against the officers were announced Friday. The FBI and a federal grand jury also are investigating.

Prince George's County State's Attorney Jack B. Johnson said that when the two officers found Millan hiding inside the station, Millan raised his hand to surrender but Partenza hit him with his baton and Elie unleashed his dog.

Millan said the dog bit his ankle and one arm, and showed a scar on his head that he said was caused by the officer's baton.

Officials in Tenn. welcome Tyson-Lewis title bout

By The Associated Press

MEMPHIS, Tenn. — Officials welcomed the Mike Tyson-Lennox Lewis fight for the dollars and publicity it is expected to generate.

"It certainly will be a boost to Memphis' economy. I'm hearing that some hotels are already sold out. I commend all those folks who were persistent in staying on this and making it happen," said State Sen. Roscoe Dixon, D-Memphis.

John Wade, Tennessee's tourism commissioner, said the bout should mean global exposure for the state.

"Memphis already is a tremendous tourist mecca for Tennessee and this will create more excitement and worldwide attention. It certainly will boost the tourism awareness for that city," Wade said.

Pay-per-view for the fight might reach 1.5 million buys.

Said Memphis mayor W.W. Herenton, "Memphis is elated to be the host city of this great sporting event."

Tourism already is a major business in Tennessee, where more than 40 million people visit annually. Elvis Presley's Graceland residence is one of the major attractions in Memphis. Another is the Beale Street entertainment district downtown, where blues music got its start. Thirty miles south of Memphis, there are 10 riverboat casinos in Tunica, Miss.

The Pyramid, where the fight will be

held June 8, is a 32-story structure with about 21,000 seats. It is the home of the Memphis Grizzlies and the University of Memphis men's basketball team.

"It certainly will be a boost to Memphis' economy. I'm hearing that some hotels are already sold out."

— ROSCOE DIXON
State senator

The fight could raise the city's sports profile another notch. Last year Memphis got the Grizzlies, who relocated from Vancouver.

That move came after 30 years of disappointment because the city was never able to obtain an NFL team, although the old Houston Oilers franchise played in Memphis during the 1997 season while waiting for a stadium to be finished in Nashville where they became the Tennessee Titans.

It will be the second heavyweight championship fight ever in Tennessee. Mike Weaver won the WBA title with a 15th-round knockout of John Tate on March 31, 1980, at Knoxville.

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BUSINESS

Consumer confidence rises to highest level in 7 months

BY HOPE YEN
AP Business Writer

NEW YORK — Consumer confidence surged in March to its highest level in seven months, bolstered by growing optimism about the economy and the job market.

The New York-based Conference Board said Tuesday that its Consumer Confidence Index rose to 110.2 this month from a revised 95.0 in February. Analysts were expecting a reading of 98.

The index, based on a monthly survey of some 5,000 U.S. households, is closely watched because consumer confidence drives consumer spending, which accounts for about two-thirds of the nation's economic activity.

"The latest gains are striking," said Lynn Franco, director of the Conference Board's research center. "This new boom in confidence should translate into increased consumer spending and stronger economic growth ahead."

The number of consumers who rated the present economic outlook as good had the sharpest gain in 25 years, while those with upbeat expectations for the next six months had the largest increase in nearly a decade, Franco said.

The index compares results to its base year, 1985, when it stood at 100. The March figure puts consumer confidence at

the highest since August, when the reading stood at 114.

Economists said consumers' brightening jobs outlook keyed the surge in confidence. Earlier this month, the Labor Department reported that February's jobless rate dropped to 5.5 percent after businesses added 66,000 jobs. It was the largest employment increase since February 2001.

"More than any other factor, the improving outlook for jobs is boosting consumer spirits," said Oscar Gonzalez, economist with John Hancock. "Nothing inspires confidence like having a job or knowing you can get one."

The Commerce Department reported that orders to U.S. factories for big-ticket goods rose 1.5 percent in February, the third straight monthly increase, offering additional evidence that the economy is on the mend.

On Wall Street, key stock indexes were higher on the news. The Dow Jones average rose 102 points to 10,383 and the Nasdaq composite index rose 17 points to 1,829.

After slashing short-term interest rates 11 times last year, the Federal Reserve decided to leave rates unchanged last week, just as it did in January. Economists believe the Fed is preparing Americans for the possibility of higher rates this year.

American Skiing and Vail cut deal on Heavenly resort

BY COLLEEN SLEVIN
Associated Press Writer

DENVER — American Skiing Co. backed out of a deal to sell the Steamboat Ski Area on Tuesday and agreed instead to sell Lake Tahoe's Heavenly Ski Resort to Vail Resorts for \$102 million.

The developments were confirmed by representatives of Vail Resorts and Tim and Diane Mueller of the Okemo Mountain Resort in Ludlow, Vt., who head a group that had expected to buy the ski area in Steamboat Springs.

A spokesman for American Skiing, based in Newry, Maine, did not return a telephone message seeking comment.

Tim Mueller learned about the change in plans when he went to New York City to close the deal Tuesday. "They never

had an inkling that the agreement was going to be breached," Okemo spokeswoman Pam Cruickshank said.

Vail Resorts said the purchase of Heavenly is expected to close in 30 to 90 days for cash consideration of \$102 million, including about \$3 million in assumed debt. The sale price will be reduced by as much as \$6 million depending on the closing date, the company said in a news release.

Heavenly operates 29 lifts, including six high-speed lifts and a new \$25 million, eight-passenger gondola that operates year-round.

Heavenly will become Vail's fifth resort, but its first outside Colorado. Vail also owns and operates Vail, Beaver Creek, Breckenridge and Keystone.

Judge mandate: Turn over label documents to Napster

BY RON HARRIS
Associated Press Writer

SAN FRANCISCO — Napster will get a close look at major record label documents that reveal the underpinnings of their business agreements in forming two online music ventures, a federal judge ordered Tuesday.

The song-swapping network is looking for evidence of copyright misuse to bolster its legal defense and limit damages in the record labels' copyright infringement suit against it.

The Big Five major labels, Sony, Warner, Universal, EMI and BMG, will have to forward more than 500,000 pages

of documents to Napster that also have been provided to the federal government.

The Justice Department has been investigating possible antitrust issues at the labels for their formation of two online joint ventures, MusicNet and pressplay. Those ventures, each launched within the last six months, offer subscription music downloads for a monthly fee.

Napster has alleged that the labels suing it are not entitled to extensive damages if they misused their recorded music copyrights in attempting to leverage them into greater monopoly rights.

The documents were expected to be turned over to Napster over the next month.

INTERNATIONAL



Arafat decides not to go to summit; citing 'blackmail'

BY STEVE WEIZMAN
Associated Press Writer

JERUSALEM — Yasser Arafat decided Tuesday not to attend a key Arab summit, and his Cabinet accused Israel of trying to "blackmail" the Palestinian leader with tough conditions for letting him go. Arafat's absence could undermine Arab support for a Saudi peace overture being presented in Beirut.

Despite calls by the United States that he let Arafat go to the summit, Sharon said "conditions are not ripe" to do so. He insisted the Palestinian leader call a cease-fire first and that Washington back any Israeli decision to bar Arafat from returning home if there is violence during his absence.

State Department spokesman Richard Boucher insisted Israel grant a "round trip" for Arafat to and from the summit, which opens in the Lebanese capital on Wednesday.

Underscoring the incendiary situation on the ground, two observers from an international force in the West Bank were shot and killed. The Israeli military said Palestinians opened fire on their car on a road used mostly by Jewish settlers north of Hebron, where the force is stationed.

The two observers — from Turkey and Switzerland — were the first members of the force to be killed. The monitoring group was created in 1994 as part of an agreement dividing Hebron into Palestinian and Israeli-controlled zones.

Also, two Palestinians from a militia linked to Arafat's Fatah movement drove a bomb-laden car toward Jerusalem's largest mall Tuesday morning, blowing themselves up when they were stopped by police. No Israelis were hurt.

U.S. mediator Anthony Zinni made some progress in his efforts to broker a

cease-fire deal. Israel grudgingly accepted new compromise proposals, while the Palestinians expressed some reservations.

Still, Sharon said Arafat must "in his own voice, to his people" declare a halt to violence before being allowed to leave the West Bank town of Ramallah, where the Palestinian leader has been trapped by Israeli troops for months.

"Unfortunately, the conditions are not ripe for allowing Arafat to go to Beirut," Sharon said on Israel TV's Arabic-language news, held after Al-Jazeera, the Arab world's leading satellite broadcaster, canceled a planned live interview with him.

Then, in a new condition, Sharon said, "If it is said to Israel by the United States that (Israel) can refuse to allow him to return if there are terror attacks, it will be easier for me to allow him to leave."

Several hours later, the Palestinian Cabinet announced Arafat's decision to stay home, saying Arafat "won't be blackmailed or accept Israeli conditions and won't take the risk of putting conditions on his return."

Egyptian President Hosni Mubarak also decided not to attend after his government accused Israel of "playing games" and imposing "unacceptable conditions" on Arafat's travel.

That left the gathering without two key voices that support the Saudi plan, which calls for Israel to pull out of all the territories it captured in 1967 in exchange for an end to the Israel-Arab conflict.

Palestinian shooting and bombing attacks have killed more than a dozen Israelis over the past week, setting back the U.S. effort to hammer out a formula for implementing a truce plan which was worked out last year by CIA director George Tenet and accepted in principle by both sides.



Jerome Delay/Associated Press

An Israeli soldier shouts at waiting Palestinians to stay back as they wait in freezing rain at the Kalandia checkpoint between Ramallah and Jerusalem on Tuesday. Palestinians have to cross the checkpoint one at a time. Israeli forces remain on high alert on the eve of the Passover holiday, fearing Palestinian bombing attacks.

After Zinni presented bridging proposals that conceded some points to each side, Israeli Defense Minister Binyamin Ben-Eliezer said Tuesday that the government accepted them, but without enthusiasm. "There are parts where we have to grit our teeth," he told Israel Army Radio, referring to Zinni's ideas.

At a meeting with Zinni in Jerusalem on Tuesday, Palestinian security and political officials raised objections of their own. Abed Rabbo has said the Palestinians seek to link the cease-fire to a plan for peace talks and reopening Palestinian institutions in Jerusalem.

Palestinian officials said Zinni accepted Israel's position that its closures of the Palestinian areas would be removed only gradually and not immediately, as the

Palestinians demanded; but the troop pull-back to positions held before the fighting began in September 2000 must be completed within five weeks, they said.

In a nod to the Palestinians, Zinni did not back Israel's demand that many militants suspected of terrorist activities during the 18 months of fighting be arrested, said the officials, who spoke on condition of anonymity. According to Israel's Yediot Ahronot newspaper, Israel has a list of 105 such militants.

Zinni agreed the Palestinians could arrest only so-called "ticking bombs" and anyone carrying out attacks from the moment the cease-fire is signed, they said.

Israeli and U.S. officials said another round of trilateral talks could take place Wednesday.

Indian Parliament in joint session passes anti-terrorism bill

BY LAURINDA KEYS
Associated Press Writer

NEW DELHI, India — Lawmakers in India approved an anti-terrorism bill Tuesday after a day of heated debate in a highly unusual joint session of Parliament, only the third since the country's independence.

The government said the legislation is crucial after the Sept. 11 attacks in the United States and a Dec. 13 attack on the Indian Parliament.

"We cannot score a decisive victory against terrorism unless a special law of this kind is enacted," interior minister Lal Krishna Advani said as he presented the bill.

Opponents denounced the bill as an draconian curtailment of civil rights and voiced fears the Hindu nationalist-led government would use the law selectively against Muslims and political rivals.

The Prevention of Terrorism bill allows police to detain suspects for questioning for three months without bringing charges against them and an additional three months with approval from a special court. The bill also allows anyone suspected of giving money, shelter, transportation or other support to terrorists to be tried on terrorism charges.

It provides punishments ranging from a minimum five years in prison to death.

The government says the law will be effective against Islamic separatists in Jammu-Kashmir, India's only Muslim majority state. India blames the militants for the attack on Parliament and says they were aided by Pakistan. The tension has led to a perilous military standoff between the two nuclear rivals.

The bill was rejected last week by the upper house, dominated by the opposition Congress party. To break the deadlock, Prime Minister Atal Bihari Vajpayee called the joint session, the first since 1978 and only the third since independence in 1947. The Hindu nationalist-led government has a majority in the lower house.

After nine hours of debate, the bill passed 425-296,

with 60 of the 781 Parliament members absent or abstaining. The figurehead president, Kocheil Narayanan, was expected to sign it within a week, the last step before it becomes law.

Sonia Gandhi, leader of the Congress party, said the law violates individual rights.

"This government has revealed its true intentions by using every device to arm itself with ... menacing powers."

Opposition leaders said people who unwittingly rent a room or car to a suspected terrorist or engage in a financial transaction with them could be detained for up to six months without trial and have their home or business seized.

The bill changes Indian law to admit confessions made to police as evidence. Current law prohibits such confessions unless they are made voluntarily in court.

U.S. warship barred from Hong Kong

BY ELAINE KURTENBACH
Associated Press Writer

HONG KONG — Signaling its anger over U.S. dealings with Taiwan, China has blocked a port call by a U.S. warship to Hong Kong and refused Tuesday to say whether Vice President Hu Jintao would go ahead with plans for a U.S. visit.

The U.S. Consulate said Tuesday that Beijing had rejected a request for an April 5-9 visit by the USS Curtis Wilbur, a guided missile destroyer belonging to the U.S. Seventh Fleet based in Yokosuka, Japan.

"No reason was given for the disapproval," said Barbara Zigli, a U.S. Consulate spokeswoman. She declined to speculate on China's motives.

The March 18 rejection came a day before the Chinese government accused Washington of committing a "series of erroneous acts" and spoiling the aura of good relations set during a February visit to Beijing by President Bush.

As often happens, the spat is over Taiwan. Beijing objected to a U.S. decision to let Taiwan's defense minister, Tang Yiau-ming, attend a private defense convention this month in St. Petersburg, Fla.

Since this former British colony reverted to Chinese rule in 1997, Beijing has occasionally protested U.S.

actions by barring U.S. warships from visiting Hong Kong, long a popular port of call.

Foreign Ministry spokeswoman Zhang Qiyue said Tuesday that port calls by foreign warships and aircraft are approved on a "case-by-case basis."

Zhang declined to say whether Vice President Hu Jintao, heir apparent to President and Communist Party leader Jiang Zemin, would go ahead with a visit expected for April or May.

Instead, she demanded that Washington "cease interfering in China's internal affairs by using Taiwan issues and undermining bilateral ties."

Meeting Tuesday with visiting U.S. senators, Chinese Premier Zhu Rongji cited Tang's trip to Florida as one in "a series of actions that violated" China-U.S. communique, the state-run Xinhua News Agency reported.

China and Taiwan split amid a civil war on the mainland in 1949. Beijing says it will attack Taiwan if the island declares formal independence or delays too long in talks over uniting with the mainland. It has sought to isolate Taiwan diplomatically.

America severed formal ties with Taiwan in 1979 when Washington recognized China. Since then, high-level exchanges and meetings between U.S. and Taiwanese officials have been rare.

COMICS

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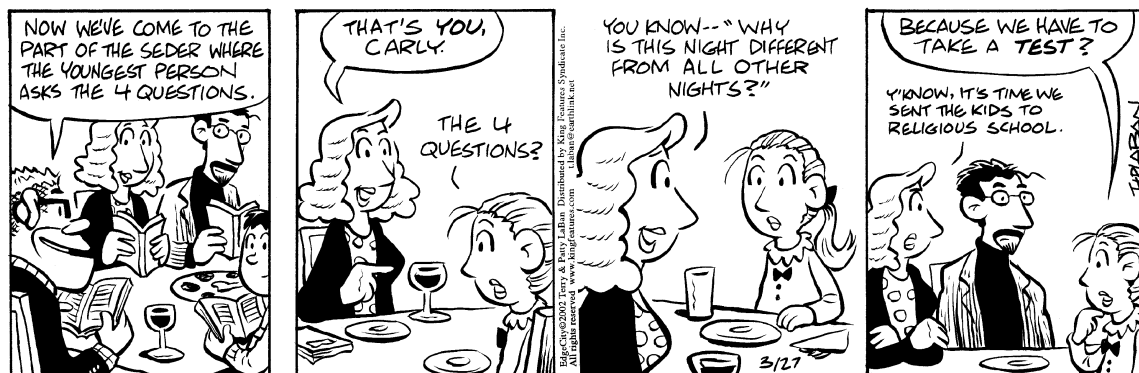


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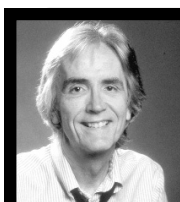
- 19 "What did you say?"
20 Opera feature
21 Favorites
22 Greet the villain
23 Scope
25 Pack animal?
29 Protection, of a sort
- 30 Shark feature
33 Cat's hangout
34 Petruchio's pursuit
36 Chum
37 Under-world river
38 "— a girl!"
39 Soak up
40 Fish eggs
41 Court

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3-27

STUMPED?

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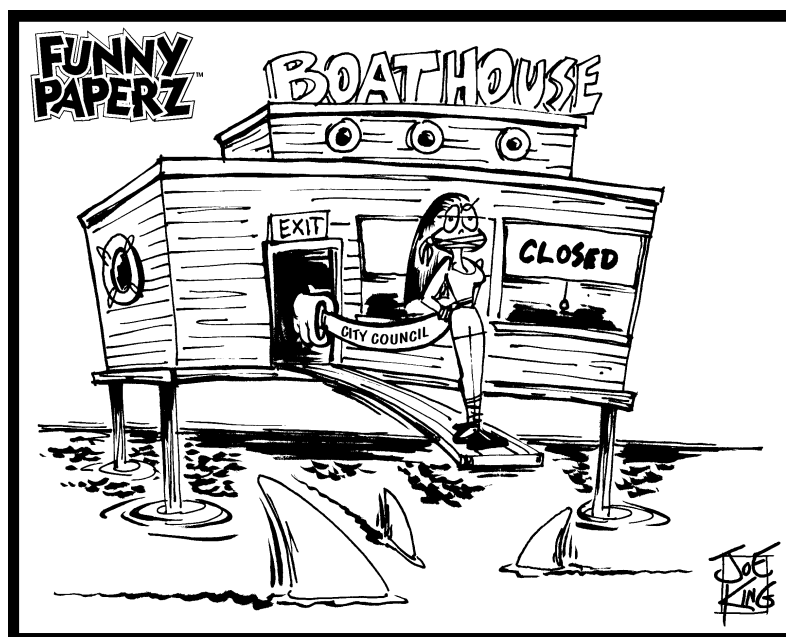


NEWS OF THE WEIRD

by Chuck Shepard

Man accused of sitting on \$2.5 million

H. Beatty Chadwick, 65, has served more than 6 1/2 years in jail in suburban Philadelphia for contempt of court for not being able to produce \$2.5 million that he was supposed to split with his divorced wife. He was scheduled to be released in February, but a federal appeals court blocked that order. (The U.S. record for contempt is believed to be held by a Chicago man who was released in 1997 after staying in jail for 10 years in order not to reveal the whereabouts of his daughter.) Chadwick said he lost the money in a bad investment, but his ex-wife believes that the money was not lost and that Chadwick is willingly sitting in jail in order to protect its now-multiplied value.



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BACK PAGE

ODDS & ENDS

Yard work in the buff has its price

By The Associated Press

HARRISBURG, Pa. — Pennsylvania's indecent exposure law apparently doesn't cover nude gardeners.

A three-judge panel of the state Superior Court has thrown out a central Pennsylvania man's indecent exposure conviction stemming from his penchant for doing yard work in the buff.

Charles Stitzer, 63, was charged with indecent exposure and disorderly conduct in September 2000 for wearing only shoes and a watch while gardening in his back yard in Pleasant Gap on a summer night.

Stitzer, a retired mechanical draftsman, said he often shed clothes to do yard work and beat the summer heat in the town of 1,700 about eight miles north of State College.

A neighbor, Pam Watkins, and her 15-year-old daughter reported him to police when they saw him gardening without clothes. Stitzer said he wanted to persuade Watkins to dim her outdoor floodlights that shone on his property.

Stitzer was sentenced to two years of probation on the charges.

The Superior Court last week ruled that Stitzer's situation wasn't covered by the state's indecent exposure law because his backyard is private and his offended neighbor lived too far away, 65 yards.

Save the date for this family

By The Associated Press

MINDEN, La. — Birthdays will be easy to remember in Steven Lowery's family.

Lowery and his twin sister Stacy Lowery Cox were born Feb. 17. So were their children, three years apart.

"We plan to have a big birthday party for the kids, and my brother and I will continue to have a birthday dinner together like we always have," Cox said.

Both babies originally had due dates of Feb. 24 — Paige Lowery in 1999, Connor Lowery Cox this year.

When Paige was born, Cox recalls, "everyone was so excited about my niece being born on his birthday, everyone told him happy birthday, but forgot all about me."

Cox said that when her doctor told her that her first baby was due Feb. 24, she joked to her brother that she'd give birth on their birthday "so I could get my revenge on him."

The joke turned real.

"I think that this is so special," Cox said.

Mother fakes son's genius test

By The Associated Press

DENVER — He was proclaimed the "greatest genius to ever grace the Earth." With a purported IQ of 298, he was taking college classes when most children his age were starting grade school.

But 8-year-old Justin Chapman's genius is in doubt after his mother admitted faking some of his test results. The boy has been put in foster care after what was thought to be a suicide attempt. And his mother is now fighting for custody of her son.

Elizabeth Chapman, 29, is hoping social workers will recommend at a hearing April 12 that custody be returned to her. Her parents and the father who has not seen Justin since he was 2 are also believed to be seeking custody.

The boy has been a celebrity since age 3. Things began to fall apart last month after reporters examined his purported accomplishments and the role of his mother.

Chapman admitted she fabricated most if not all of her son's top achievements: a perfect 800 on the math

section of the SAT, a genius score at age 3 on the Wechsler Intelligence Scale test and an IQ score of 298-plus on the Stanford-Binet Intelligence Scale at age 6.

"I just got caught up in it," she told the Rocky Mountain News, which broke the story along with The New York Times. "I wanted to be a good mom and give him opportunities I didn't have. I don't do anything halfway. It was wrong. I made some poor choices."

Laura Brody of Johns Hopkins University's Center for Talented Youth said Justin's mother sent his SAT scores in 2000. She believed the scores mostly because his two IQ scores were high.

"I find it difficult to understand how a mother can think this helps her child," Brody said.

Chapman, 29, avoided trial on abuse and neglect charges by admitting she created an "injurious environment" for Justin.

What that might mean is not clear, since Chapman and her attorney refused to comment. Hospital workers who treated Justin after his mother feared he took too many Motrin pain reliever pills in November said he hid under furniture when he could not answer some of their questions. (The boy told investigators he took only one Motrin.)

University of Colorado psychology professor Don Weatherley said Chapman may be a "stage mother," or someone who projects her identity onto her children and does not accept the youngster for who he really is.

"He may be subject to some major disillusionment and disappointment," Weatherley said of the boy.

Last summer, Chapman and her son moved to a rented house in a middle-class subdivision in suburban Broomfield so Justin could be treated for a hearing problem in Denver. Chapman was a gymnastics teacher until she broke her arm, and it is not clear how she is supporting herself now.

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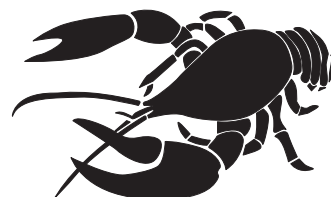
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