

Santa Monica Daily Press

A newspaper with issues

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DAILY 3

Daytime: 6 6 1
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DAILY DERBY

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RACE TIME: 1.47.05

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NEWS OF THE WEIRD BY CHUCK SHEPARD

Former major league baseball all-star Darren Daulton, 44, told the Philadelphia Daily News in February that in retirement, he understands dimensions of reality that few of his fellow Earthlings know. He first experienced his extraordinary power after delivering a game-winning hit in the 1990s and breaking into tears after the game, discovering that "I didn't hit that ball. Something happened, but it wasn't me." Later, Daulton said, he was "awakened" to realms beyond those covered by the five senses. Things will become clearer on Dec. 12, 2012, at 11:11 a.m. Greenwich Mean Time, he said, because that's when the world will end.

TODAY IN HISTORY

Today is the 96th day of 2006.
There are 269 days left in the year.

On April 6, 1909, explorers Robert E. Peary and Matthew A. Henson became the first men to reach the North Pole. (The claim, disputed by skeptics, was upheld in 1989 by the Navigation Foundation.)

QUOTE OF THE DAY

"Men are not against you;
they are merely for themselves."

GENE FOWLER

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Weller's day in court approaches

BY CAROLYN SACKARIASON

Daily Press Staff Writer

The elderly Santa Monica man responsible for killing 10 people and injuring dozens more is scheduled to go on trial July 10, nearly three years after he drove his car through a busy Farmers Market on Arizona Avenue.

The criminal and civil cases against Russell Weller, now 89 years old, have been delayed numerous times for a variety of reasons. The 36 civil lawsuits that

See FARMERS MARKET, page 10



Fabian Lewkowicz/Daily Press

The scene of a crowded Farmers' Market on Wednesday (above left) conjures up memories of the tragic scene nearly three years ago in which Russell Weller (above right) accidentally drove his car through the closed-off portion of Arizona Avenue, killing 10 and injuring 63 people.



File photo

Officials not eager to take a 'giant step'

BY KEVIN HERRERA

Daily Press Staff Writer

CITYWIDE — Elected officials here are urging county supervisors to look elsewhere as they decide which locations would be best suited to host homeless stabilization centers, where the down and out could receive temporary shelter and social services.

It's not that officials here are against the creation of the five regional centers, each with the ability to house 40 people. On the contrary, many hailed the idea as a "giant step forward" in getting other municipalities to do their fair share to eradicate homelessness.

However, because Santa Monica already provides many of the same services that would be offered at the center, it would be

See HOMELESS, page 8

Such a blow hard



Fabian Lewkowicz/Daily Press

A skate surfer catches some wind along the beach bike path on Wednesday.

LOCAL

Schools are expected to create special post

BY KEVIN HERRERA

Daily Press Staff Writer

SMMUSD HDQTRS — Some of the school district's neediest students are about to get a helping hand.

The Santa Monica-Malibu Unified school board is expected tonight to create a new position that would be solely responsible for evaluating and designing special education programs for the district's approximately 1,400 students with disabilities.

The new position is "teacher specialist: assistive technology."

"When you talk about assistive technology, most people automatically think of computers, but actually assistive technology is anything that helps you to benefit from or access curriculum," said Tim Walker, assistant superintendent for

See SPECIAL ED, page 11

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HOROSCOPES

Pay bills tonight, Cancer

Santa Monica Daily Press

JACQUELINE BIGAR'S STARS

The stars show the kind of day you'll Have:
★★★★-Dynamic ★★★★★-Positive ★★★-Average ★★-So-so ★-Difficult

ARIES (March 21-April 19)
★★★★ You might need to be stopped in your tracks, especially if you are eyeing an investment of a sort. Stop and take a hard look at what types of losses you can handle. Be easy on yourself. Know your limits, and don't cause yourself a hassle. Tonight: Loosen up; think "weekend."

TAURUS (April 20-May 20)
★★★★ A family member could be hard on you. Quite possibly, you also might be very critical of yourself, bringing your mood down. If you won't indulge yourself, others won't either. Take your time making positive decisions. Tonight: At home.

GEMINI (May 21-June 20)
★★★★ Your words could be very hard on someone you care about. Know when to say no and proceed in a different direction. A positive attitude goes a very long way, if you let it. Trust yourself and your decisions. Tonight: Hang with a friend.

CANCER (June 21-July 22)
★★★★ You might want to say "enough," especially if someone has been difficult or has taken a financial agreement for granted. Rethink a situation carefully, and you will gain. Act on the fact that you are tired of a problem. Tonight: Pay bills.

LEO (July 23-Aug. 22)
★★★★ You might be restricting yourself more than you realize. Know when to say no. Know when to say enough. Your ability to walk away from a problem could define the success of your day. Remain confident. Tonight: Easy does it.

VIRGO (Aug. 23-Sept. 22)
★★ You could be inordinately depressed and off. Know when to pull back and let events tumble in whichever direction they need to. Cocoon and make this period special for you. No one else will if you don't! Tonight: Get some extra sleep.

LIBRA (Sept. 23-Oct. 22)
★★★★ You might not be able to set a trend or change a situation. Still, your positive outlook might make all the difference. Emphasize the possibilities rather than let negativity filter into your life. You don't want that -- do you? Tonight: Where the gang is.

SCORPIO (Oct. 23-Nov. 21)
★★★★ You might want to rethink a decision, especially if others in power might be reacting unusually negatively. Know when to put a halt to a problem and when to go ahead even if the path is rocky. Use your intuitive sense. Tonight: Could be late.

SAGITTARIUS (Nov. 22-Dec. 21)
★★★★ You might want to proceed with caution, especially financially. Too much pressure could make you uncomfortable and leave you wondering whether you can continue. Detach and make new decisions around new desires. Tonight: Hop on the computer or talk to an expert.

CAPRICORN (Dec. 22-Jan. 19)
★★★ You could be raining on someone's parade without even knowing it. Be careful that your demands aren't too heavy on a very important person. Listen well to someone's complaints. You key into important news. Tonight: Togetherness.

AQUARIUS (Jan. 20-Feb. 18)
★★★★ Your ideas might fall flat on another's ears because he or she doesn't have the imagination that you do. You might need to cater more to this person in order to get him or her to visualize what you do. Tonight: Easy does it.

PISCES (Feb. 19-March 20)
★★★★ You might want to rethink a work or daily life situation that is nothing less than a drag. Get past a problem and loosen up. You don't have to tolerate negativity in your life. Start living more openly. Tonight: Unwind and relax.

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LOCAL



COMMUNITY BRIEFS



Photo Courtesy

OOH LA LA: The women of the Santa Monica Chorus won a regional competition for the mid-sized division at the Sweet Adelines International Regional Competition in March.

Santa Monica chorus group places first

By Daily Press staff

The Santa Monica Chapter of Sweet Adelines International recently belloved their hearts out, earning first place in a regional competition.

The chorus won the mid-sized chorus division at the organization’s regional competition held in Bakersfield, Calif., from March 24 to 25. Several members of the group also won medals in the regional quartet contest.

More than 1,000 singers representing 18 choruses from California and Nevada competed for prizes in this year’s regional contest. In addition to earning first place, the Santa Monica group also scored enough points to place third in the overall competition.

Quartet Serious Treble placed third and were the rated the most improved quartet, having raised their score more than 100 points from last year. They also won the Sizzle award for the highest score in showmanship. Three members of the quartet — Shelly Wilner, Debra Hockenberger and Melissa Hockenberger — are from the Santa Monica chorus. A fourth member, Jeannie Vercillo, is a member of Verdugo Hills Showtime Chorus from Verdugo Hills, Calif. Shelly also won the contest for musical arrangement.

Other Santa Monica chorus members competed in quartets “Check It Out” and “Ooh La La,” which placed sixth and 13th, respectively, out of 24 competing.

Last year, the Santa Monica chorus was the top-scoring small chorus in the country, which makes them eligible to compete at the International Education Symposium in San Antonio, Tex., from July 12 to 15. The chorus will be putting on a fund-raising event to present their Harmony Classic Competition package on June 24.

Laura Pallas, director of the local chorus for the past 19 years, is a musician, performer and international competitor who specializes in vocal production and technique.

The Santa Monica Chorus is the oldest Sweet Adelines chapter west of the Rocky Mountains. They received their charter on July 25, 1949, only four years after the founding of Sweet Adelines International, a non-profit musical education association for women that endows its 30,000 members with mastery of four-part harmony, barbershop style.

The purpose of the organization is to teach and train its members in singing the barbershop style and to promote excellence through competition and other public and private performances.

See BRIEFS, page 11

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SNOW AND SURF REPORTS

CONDITIONS

DATA PROVIDED BY ONTHESNOW.COM

BEAR MOUNTAIN

NEW SNOW (24 Hrs) 7"	BASE DEPTH 36" - 72"	LIFT HOURS 8:30 am - 4:00 pm	RUNS OPEN 27	LIFTS OPEN 11/12
CONDITIONS: Powder, Packed Powder				

JUNE MOUNTAIN

NEW SNOW (24 Hrs) 0"	BASE DEPTH 204" - 228"	LIFT HOURS 8:30 am - 4:00 pm	RUNS OPEN 15	LIFTS OPEN 2/6
CONDITIONS: Powder, Packed Powder, Machine Groomed				

MAMMOTH MOUNTAIN

NEW SNOW (24 Hrs) 23"	BASE DEPTH 144" - 168"	LIFT HOURS 8:30 am - 4:00 pm	RUNS OPEN 50	LIFTS OPEN 8/28
CONDITIONS: Powder, Packed Powder, Machine Groomed				

MOUNTAIN HIGH

NEW SNOW (24 Hrs) 0"	BASE DEPTH 12" - 36"	LIFT HOURS 8:30 am - 10:00 pm	RUNS OPEN 23	LIFTS OPEN 8/16
CONDITIONS: Spring, Wet				

MT. BALDY

NEW SNOW (24 Hrs) 0"	BASE DEPTH 12" - 36"	LIFT HOURS 8:00 am - 4:30 pm	RUNS OPEN 22	LIFTS OPEN 4/4
CONDITIONS: Packed Powder, Machine Made, Machine Groomed, Hard Packed				

SNOW SUMMIT

NEW SNOW (24 Hrs) 7"	BASE DEPTH 36" - 72"	LIFT HOURS 8:30 am - 4:30 pm	RUNS OPEN 26	LIFTS OPEN 14/14
CONDITIONS: Powder, Packed Powder				

SNOW VALLEY

NEW SNOW (24 Hrs) 8"	BASE DEPTH 30" - 66"	LIFT HOURS 8:30 am - 4:00 pm	RUNS OPEN 22	LIFTS OPEN 5/11
CONDITIONS: Powder, Packed Powder				

CONDITIONS

WATER TEMP: 58°

DATA PROVIDED BY WETSAND.COM

SWELL FORECAST (3-10 FT)

Today size backs down and winds should calm somewhat. NW wind swell should diminish to chest high + (head high for dawn patrol sessions). With the lack of NW diffraction, we should see some waist high + sets from the southern hemi swell that's been hitting us lately around south-facing breaks.

LONG RANGE SYNOPSIS

Smaller SW and NW for end of week and weekend...

South swell due 11th into 12th, could also see WNW...

Weather and wind issues this week..

TIDE FORECAST FOR SANTA MONICA

MONDAY	LOW TIDE	8:39AM	0.8FT	6:21PM	2.8FT
HIGH TIDE	12:41AM	5.2FT	4:32PM	2.8FT	
TUESDAY	LOW TIDE	10:14AM	0.3FT	8:21PM	3.2FT
HIGH TIDE	1:37AM	4.7FT	7:23PM	3.2FT	
WEDNESDAY	LOW TIDE	11:40AM	0.2FT	11:29PM	3.1FT
HIGH TIDE	3:08AM	4.3FT	7:31PM	3.5FT	
THURSDAY	LOW TIDE	N/A	N/A	12:40PM	0.1FT
HIGH TIDE	4:55AM	4.2FT	7:50PM	3.8FT	
FRIDAY	LOW TIDE	12:41AM	2.6FT	1:21PM	0.0FT
HIGH TIDE	6:11AM	4.3FT	8:09PM	4.0FT	

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The streets of Santa Monica and across the Southland rang out with the cries of protesters last week, decrying efforts by the U.S. government to enact stricter legislation against illegal immigrants. Many of last week's protests were spearheaded by high school students, who staged a series of "walkouts" — leaving school to march and make their voices heard.

So this week, Q-Line wants to know: **Should students be excused from school to exercise their freedoms of speech, or does this open the floodgates for all students to skip out on classes for any causes?**

Call (310) 285-8106 before Friday at 5 p.m. and we'll print your responses.

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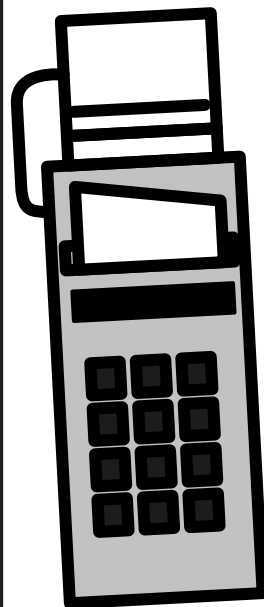
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LETTERS TO THE EDITOR

Bauer’s column a boost to city

Editor:
Bill Bauer’s columns are much appreciated by me and, undoubtedly, by others who read the SMDP.

I happen to have met Bill at a funeral memorial at the Ken Edwards Center. Bill and I briefly discussed city politics, community matters such as homelessness, and the city’s commitment to social service programs.

We disagreed on some of the issues. He was friendly and tolerant. My sense is that Mr. Bauer has strong character, integrity and a backbone to stand up for what he perceives is right and wrong. As for his column in the SMDP, I find him to be compelling and persuasive. Unlike some people, I like diversity of opinion and lively discourse in a community newspaper.

As for the letter by Alan Toy, “Bill Bauer’s world must be dreamy” (SMDP, March 29, page 4), Mr. Toy’s tone was angry, condescending and disrespectful to any opinion other than his own.

Mr. Toy used phrases to patronize virtually all ethnic minorities. The excessiveness about sensitivity and forgiveness for “past injustices” makes me wonder if Mr. Toy was speaking about himself, and if so, as victim or perpetrator?

I know that Mr. Toy has worked in the entertainment business. As for racism, is there not a more segregated, hedonistic, selfish and lack-of-opportunity profession for minorities than the Hollywood entertainment business?

Mr. Toy, in your letter blasting Bill Bauer, virtually every term you used could be ascribed to the Hollywood crowd: “class,” “politics,” “sleepy,” “boring,” “uppity,” “sanctimonious,” “dream world,” “all peaceful and cozy,” and “blissful.”

After Katrina hit Louisiana, as I recall, Bill volunteered for the Red Cross to work in the New Orleans area. His column dispatches about his experiences helping victims of the disaster were heartwarming.

My impression is Bill cares about people, and he doesn’t pander to unnecessary racial identification.

Incidentally, that memorial I attended with Bill at Ken Edwards was to honor a Santa Monica community activist, a disabled veteran. Mr. Toy, I didn’t see you there.

Talk and lectures are cheap. Mr. Toy, next time you’re not scheduled for a make-up session, stage rehearsal and getting all the adulation — wake up, volunteer your time and live the real life like the rest of us do every day.

Richard Hilton
Santa Monica

Help is free ... if people really want it

Editor:
Regarding Sunny Collins’ letter “No more room for bleeding hearts” (SMDP, March 23, page 4), the feeding of the “homeless” in Pacific Palisades Park, the City Hall lawn, etc., was well taken. The feeding is done by people who do not reside in this area. They should feed them in their own backyards and park. Why don’t they? Duh.

Also, the article about the clearing out of a homeless encampment “Freeway sweep nets 12 arrests,” (SMDP, March 22, page 1) says it all. Found were the crack pipes, the cases of alcohol, etc. If they would rather feed their addictions than use their money for rent and food, so be it. And since they are not employed, how are they feeding their habits?

I’ve said it again and again — any program for the transients should require sobriety as part of the help given. AA is free, folks. Anyone can change if they want to, but why should they want to? As long as we provide millions to enable their addictions, we are all the losers.

By the way, you can call me a bleeding heart liberal who’s not one but on the conservative side. But as one, I totally agree with Sunny.

And P.S. the true homeless — the ones who have lost a job being outsourced and lost their ability to pay rent, and the families escaping abusive situations — should be helped all they can to get back on their feet.

We all need a helping hand, but I do not wish to enable alcoholics and drug addicts when help is free for the asking.

Marilyn Brennan
Santa Monica

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

City’s leaders respond to homeless situation



EYE ON THE CITY
BY ELIZABETH RIEL

Open up the pages of the Daily Press on any given day and chances are you’ll find a story about the city’s homeless problems.

Just last week we read that a homeless man assaulted the head librarian at the Ocean Park Library. A businessman who brought his company’s convention here was apparently so upset about his recent run-ins with the homeless that he said he’s not coming back.

Frustrated residents write letters all the time asking why City Hall can’t do something. So I decided to ask our city’s leaders that question. I contacted our city councilmembers, Santa Monica Police Chief James Butts Jr., City Manager Lamont Ewell, and homeless “Czar” Ed Edelman. All expressed concern and outrage about the recent incidents. More specifically, here’s what they said, in the order that they responded to my inquiries.

First to respond was Chief Butts, who said that in his experience “it is rare for a homeless person to assault citizens or tourists. Most assaults committed by the homeless are against other homeless.”

Butts said it’s more common that the homeless upset residents by monopolizing public spaces and parks, panhandling, or frightening people with aberrant behavior.

As far as what the SMPD is doing to combat problems, Chief Butts said they conduct “regular nuisance sweeps” for illegal behavior in problem areas throughout the city. They also focus on finding and arresting transients who are on parole and are not complying with their parole conditions.

What’s the most important thing people can do? Butts urged residents and others to report any assault or criminal behavior immediately to the SMPD.

City Councilman Kevin McKeown also stressed that violence of any kind should be reported immediately to the SMPD and said that the City Council has repeatedly directed enforcement of laws against anti-social behavior, particularly violence.

However, McKeown cautioned that the effective removal of homeless people who commit crimes also depends on follow-through from the courts and available space in our county jails. When arrestees are freed due to lack of jail space, “it makes our police officers’ jobs even more difficult.”

McKeown added that decisions about where, when and how many police officers to deploy are up to Butts — not the City Council.

Mayor Bob Holbrook empathized with residents’ frustrations but was optimistic that things will get better.

“The number of homeless in Santa Monica is far too large but we are doing more than ever before,” he said. “We have solicited federal grants to get chronic alcohol addicted persons off our streets and into care and housing. The City Council has devoted additional resources and directed city staff to do everything within our power to reduce the numbers of

homeless persons on our streets, ensure public safety and to improve the quality of life for our residents, workers and visitors.”

City Councilman Ken Genser stressed the need for immediate enforcement.

“Anyone who comes to or lives in our city should respect and abide by certain community standards,” he said. “The issue is really one of enforcement. The long-term regional approach is absolutely necessary, but it doesn’t address people’s immediate concerns. We need to be aggressive in enforcing the laws to let people know that if you break the law, you will be arrested and prosecuted. In order to do this, people must contact the police when there’s a problem. The city can’t do much more legislatively.”

City Councilmen Richard Bloom and Bobby Shriver pointed out that we are feeling the impact of problems that have gone unaddressed in LA County and Southern California.

“We are not going to see real progress until there’s a concerted regional effort,” Bloom said. “Political leaders throughout the state are finally waking up and paying attention to the issue. As long as there’s 90,000 homeless in Southern California, we’re going to continue to have a visible, on-the-street population. People need to be housed.”

In the meantime, Bloom said Santa Monica is working on short-term solutions like an ambassador program for the Promenade, in which individuals outfitted with walkie-talkies wired to the SMPD would circulate throughout the Promenade greeting people, monitoring activity and providing assistance.

“The problem is not a lack of policing,” Shriver said. “We need the city and county of Los Angeles to provide more resources, leadership and housing. Santa Monica is doing the best it can but it can’t stop mentally disturbed people from coming here. They need to be in mental hospitals. I understand that people are frustrated but the public has got to hold the LA County supervisors accountable and push them to get on top of the issue.”

And although City Manager Lamont Ewell is a newcomer to Santa Monica, he weighed in with his thoughts.

“We need to balance the rights and needs of the homeless with making sure that there is no tolerance for aberrant behavior,” he said. “These things are not mutually exclusive. Right now, the city is working on short- and mid-term solutions that not only focus on zero tolerance for criminal behavior but also on job opportunities, stabilized housing, wrap-around services, and coordination with food and social service providers. This is a community-wide issue and everyone’s interests must be protected.”

(Note: I did not hear back from Councilman Herb Katz or homeless czar Ed Edelman. Mayor Pam O’Connor said she had been busy with various work-related projects and hadn’t checked her city e-mail in a while to be able to respond.)

(Elizabeth Riel is a Santa Monica resident. Write her at elizriel@yahoo.com.)



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GUEST COMMENTARY BY ONKAR GHATE

The fear to speak arrives on U.S. shores

Europeans are all too well acquainted with the fear of criticizing Islam.

To cite just a few of depressingly many examples: a painter, Rashid Ben Ali, is forced into hiding after one of his shows "featured satirical work critical of Islamic militant's violence;" a politician, Ayaan Hirsi Ali, must go underground after it becomes known that she has renounced her Islamic faith; and a film director, Theo van Gogh, is savagely stabbed to death for making a film critical of Islamic oppression of women. And most recently, of course, there were the Danish cartoons. When the Jyllands-Posten, in order to expose and challenge this climate of intimidation, printed an article and accompanying cartoons, some of which portrayed Mohammed in a negative light, the response was torched embassies, cries for government censorship, and death threats.

It appears that we should now begin to get used to a similar climate in America.

Borders and Waldenbooks stores have just announced that they will not stock the April-May issue of Free Inquiry magazine because the issue reprints some of the cartoons. Is the decision based on disagreement with the content of the magazine? No, not according to Borders Group Inc. spokeswoman Beth Bingham. "For us, the safety and security of our customers and employees is a top priority, and we believe that carrying this issue could challenge that priority."

Borders Group's capitulation to Islamic thugs is understandable given the pathetic response of our and other Western governments.

Has any Western government declared that an individual's freedom of speech is sacrosanct, no matter who screams offense at his ideas? No. Has any Western government proclaimed each individual's right to life and pledged to hunt down anyone, anywhere, who abets the murder of one of its citizens for having had the effrontery to speak? No — as they did not when the fatwa against Rushdie was issued, American bookstores were firebombed, and Rushdie's translators were attacked and murdered.

On the contrary, our government went out of its way to say that it shares "the offence that Muslims have taken at these images," and even hinted that they should not be published. The British police, Douglas Murray reports, told the editor of a London magazine that they could not protect him, his staff, or his offices from attack — so the magazine removed the cartoons from its Web site.

A few days later, Murray notes, "the police provided 500 officers to protect a 'peaceful' Muslim protest in Trafalgar Square."

In the face of such outrages, we must demand that the U.S. government reverse its disgraceful stand and fulfill its obligation to protect our right to free speech.

Freedom of speech means the right to express one's ideas without danger of physical coercion from anyone. This freedom includes the right to make movies, write books, draw pictures, voice political opinions — and satirize religion. This right flows from the right to think: The right to observe, to follow the evidence, to reach the conclusions you judge the facts warrant — and then to convey your thoughts to others.

In a free society, anyone angered by someone else's ideas has a simple and powerful recourse: Don't buy his books, watch his movies, or read his newspapers. If one judges his ideas dangerous, argue against them. The purveyor of evil ideas is no threat to those who remain free to counter them with rational ones.

But the moment someone decides to answer those he finds offensive with a knife or a homemade explosive, not an argument, he removes himself from civilized society.

Against such a threat to our rights, our government must respond with force. If it fails to do so, it fails to fulfill its reason for being: "To secure these rights," Jefferson wrote, "Governments are instituted among men." And if it fails to do so, we the people must hold it to account.

We must vociferously demand that our government declare publicly that, from this day forward, it will defend by force any American who receives death threats for criticizing Islam — or religion — or any other idea. We must demand that the government protect the stores and employees of Borders, of Waldenbooks, and of any other organization that reprints the cartoons.

We must demand this, because nothing less will prevent America's climate of freedom from disintegrating into Europe's climate of fear.

(Dr. Onkar Ghate is a senior fellow at the Ayn Rand Institute in Irvine. The institute has reprinted the 12 Danish cartoons on its Web site as part of its ongoing campaign to bring the Danish cartoons to the widest possible audience — and to arrange a series of panel discussions to discuss the vital need to defend free speech. To see the Danish cartoons visit: http://www.aynrand.org/site/PageServer?pagename=Danish_Cartoons_01.)

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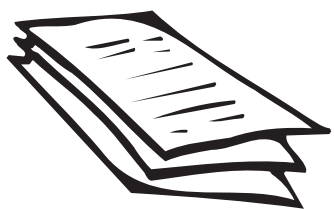
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Santa Monica Daily Press





Weakened berm prompts evacuation of 100 homes in the Sierra foothills

BY DON THOMPSON
Associated Press Writer

VALLEY SPRINGS, Calif. — About 100 homes in a golf course community in Calaveras County were evacuated Wednesday after a section of an earthen berm gave way during heavy rains.

There was no immediate danger to downstream residents, many of whom watched as crews strengthened the berm with plastic sheeting and sandbags.

"We've made a lot of progress in protecting the (bottom of the berm) and stopping the erosion," said Don Walker, a senior engineer with the Department of Water Resources who was at the scene a few miles outside the Sierra foothills town of Valley Springs.

The breach was one of many problem spots around California, where a month's worth of rain has left rivers and reservoirs at capacity and raised concerns about flooding in neighborhoods protected by saturated levees.

In Southern California, pelting rain gave way to scattered thunderstorms that could scatter another half-inch of rain throughout the region Wednesday, said Jamie Smith, a National Weather Service meteorologist in Oxnard. A day earlier, record amounts of rain fell in Los Angeles and about a dozen other areas in Ventura and Los Angeles counties.

Also Tuesday, two levee breaks in the Central Valley forced evacuations from residential neighborhoods and inundated farmland.

Levees and dams were tested throughout Northern California, forcing some residents from homes near San Francisco because of the threat of landslides. More rain was forecast for Wednesday and meteorologists predicted it would continue into mid-April.

"The bad news is rain stays in the forecast basically until further notice," said Ryan Walbrun, lead forecaster at the Weather Service's Monterey office.

The agency was holding regular conference calls with state disaster-management officials in preparation for possible additional evacuations.

Floodwaters breached a 30-foot section of levee Tuesday along a creek in Merced, sending up to 18 inches of water pouring through a mobile home park, said Michael Miller, a spokesman for the Department of Water Resources. There were no reports of injuries.

"I got a sweater, a top, a pair of pants — only what I had on my back," said Cora

Ramirez, who was trapped in her house by rising water and had to be carried out by firefighters. She waited out the flooding at an American Red Cross shelter.

"You see these things in the paper, but you never think it'll happen to you," said Ramirez, who uses a wheelchair.

About 200 people from three trailer parks were evacuated, said Elaine Post, spokeswoman for the Merced County Office of Emergency Services.

"The bad news is rain stays in the forecast basically until further notice."

RYAN WALBRUN
Lead forecaster, Weather Service

The floodwaters also swelled into a nearby residential neighborhood, peaking at about 2 feet, then receding and leaving a grimy ring of debris on homes.

At the Golden Wheel trailer park near Merced, floodwaters crept up to doorways. Barbara Cabezut said she awoke to a knock, and found a sheriff's deputy waiting.

"I looked out the door and said 'God, we're flooded,'" Cabezut said as she waited at the Red Cross shelter for the waters to recede. The elderly woman waded through deep water to get to the deputy's truck.

South of Sacramento, a Consumnes River levee east of Highway 99 gave way, swamping fields but posing no threat to homes. A levee in the same area broke in January during heavy storms.

With no end in sight for the rains, the levee breaks heightened anxieties here about this region's fragile levee system.

In Washington, D.C., a key Senate spending committee approved \$22 million for high-priority levee repair projects on the California Delta. That is a tiny fraction of the \$6 billion Gov. Arnold Schwarzenegger sought earlier this year.

"I think it just shows, again, how important it is for us to concentrate on repairing and fixing our levees," Schwarzenegger said Tuesday.

The Senate Appropriations Committee approved the money as part of an emergency spending bill for hurricane recovery and military operations in Iraq and Afghanistan, said Sen. Dianne Feinstein, D-Calif., who sits on the committee.

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Ocean Park seen as possible center site

HOMELESS, from page 1

more prudent to locate it in a community where there is a significant need, but a severe lack of support, city officials said.

There is also concern that Santa Monica is over-extended and could not handle the influx of additional homeless the centers might bring.

"I'm not anxious to see a facility in Santa Monica," said Councilman Richard Bloom, a member of Bring Los Angeles Home, a coalition of elected officials, social service providers, clergy and law

enforcement which is expected to release a 10-year plan to end homelessness today. "I think there are plenty of opportunities for these centers here, but I think that everybody needs to step up to the plate and contribute to the extent that Santa Monica has. We are not opposed to the location of services, we just believe everyone should be involved, not just the City of Los Angeles and Santa Monica."

Under a \$100 million initiative approved by the Los Angeles County Board of Supervisors on Tuesday, five regional centers will be created over the

next few years, each located in strategic locations through the county.

The centers will be used by law enforcement as an alternative to booking homeless persons with mental illness or substance abuse issues who are arrested for minor offenses and in need of social services.

In addition, the centers will serve people who are discharged from county jails and hospitals and have no identified place to go. The centers will be staffed with mental health, health/substance abuse, and social service experts who will deal with current issues and seek to arrange for appropriate housing with supportive services upon discharge.

"We aren't trying to shove this down anyone's throats," said Supervisor Zev Yaroslavsky, whose district includes Santa Monica. "But we have seen, even with the most responsible proposals, a small group of people derail an entire project because they didn't want it, and that is unacceptable."

Yaroslavsky said those designing the initiative will work closely with elected officials from the 88 cities within the county to address their concerns and see if a deal can be reached that benefits everyone.

As for Santa Monica, Yaroslavsky said he can't rule out a center being built here, but he did say that the city has "done more than its fair share and would not necessarily be a place that we are looking."

"It's all about how the city feels it can help and how we can help them," the supervisor said. "The money has been appropriated for next year's budget, but the remaining details still have to be worked out. This is still very early on in the process."

In addition to the stabilization centers, the initiative also includes the creation of community courts where minor, "quality of life" offenses could be dismissed upon the completion of a drug and alcohol recovery, or mental health program. Offenses eligible for dismissal would include Metro fair evasion, jaywalking, traffic citations, and all associated fines and warrants.

One location that could be used is the Ocean Park Community Center's SAMOSHEL, which city officials said is already overcrowded.

"The point we are trying to make is that we are over capacity," said Kate Vernez, assistant to the city manager, governmental relations. "With 88,000 people within the county, it will take the entire region to have any relay impact on homelessness."

Councilman Bobby Shriver said placing a center in the city will be counter to the City Council's effort to get others involved. The council last month announced its support for a state law that would require cities to identify in their general plans locations where homeless services can be located, known as "fair share zoning."

"The consolidation of services is not a good idea. We've seen that from looking at problems on Skid Row," Shriver said. "We need to disperse service throughout the region."

As part of the county initiative, local governments will have no power to block the construction of these shelters, much to the chagrin of Sup. Mike Antonovich, who cast the lone vote against the proposal out of fear that it had the potential to spread the problem of homelessness.

Supervisor Don Knabe proposed amending the initiative to give veto power to cities, but that was rejected by a majority of supervisors who felt too many municipalities would opt out as they have done in the past.



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Farmers' Market tragedy appears headed for courts

FARMERS MARKET, from page 1

have been filed against City Hall, Weller and others believed to be liable for the accident, had been put on hold until the criminal proceedings were finalized.

But a Santa Monica judge ruled last fall that six of those cases must go forward because some of the plaintiffs — all victims of the July 16, 2003 accident — are aging or their health is deteriorating. Judge Valerie Baker on March 29 ordered those cases to go to trial on July 10, the same day the criminal trial is scheduled to begin.

Weller has pleaded not guilty to 10 felony counts of vehicular manslaughter with gross negligence. He apparently lost control of his car after he rear-ended a Mercedes Benz at the intersection of Fourth Street and Arizona Avenue. Police say he hit the accelerator instead of the brake. Weller traveled 995 feet through the market at speeds of up to 60 mph, avoiding parked cars but hurling pedestrians into the air before stopping, a California Highway Patrol report said.

The 10 people killed ranged in age from 7 months to 78 years old.

One of the plaintiffs has died while waiting for the civil and criminal cases to proceed, thus making the pain and suffering claim null and void for her estate.

Steve Archer, one of more than a dozen lawyers representing 63 plaintiffs, said Judge Baker ultimately decided that six of the cases were exceptions either because of the plaintiffs' age or deteriorating health.

"She basically said these people deserve to have their day in court," said Archer, who is acting as the representative for the plaintiffs' steering committee for all of the cases. Archer is representing one client, Melissa Greenstein, a registered nurse in her late 30s who was on vacation in California and was injured at the Farmers' Market. The woman suffered multiple fractures requiring several surgeries. Her medical bills and loss of income is estimated at more than \$1 million, according to her lawsuit.

City Hall has filed a motion to continue the six cases scheduled for trial. That motion, as well as the status of the remaining 30 cases, will be discussed at a hearing



Fabian Lewkowicz/Daily Press

The weekly Farmers' Market on Arizona Avenue goes on rain or shine, which had a little of both on Wednesday.

before Judge Baker on April 10. The possibilities of mediation or settlement negotiations also are on the agenda, Archer said.

One of the main reasons for the delays is that Weller, a retired wholesale grocer who lives north of Montana Avenue, refuses to talk.

"We haven't been able to finish discovery because Mr. Weller is asserting his Fifth Amendment right, and clearly he is an important player in this case," said City Hall's Chief Deputy City Attorney Jeanette Schachtner, regarding why she is seeking a continuance. She argues that the civil cases should be dealt with after the criminal pro-

ceedings are over.

"Once the criminal case is over, he has no basis to assert his Fifth Amendment right," Schachtner said. "We feel (moving the civil cases to trial) is premature based on the fact that Mr. Weller has refused to give a statement since he is the major cause of this accident."

The defendants in the civil matter include Weller, City Hall, the Bayside District Corp., which is a nonprofit that manages downtown with public money, the Southland Farmers Market Association and Step Up On Second, a social service agency that helps mentally ill homeless people and plays a large role in the weekly markets. The statute of limitations ran out in the case in September of 2004 and no more lawsuits are expected to be filed.

Attorneys representing the plaintiffs argue the city of Santa Monica should have had protective barriers situated at both ends of the market, much like it does at the ends of the Third Street Promenade.

"This is not an issue of this guy being a lunatic who tried to run down people on purpose," Archer said. "He got confused, hit the wrong pedal. It happens, but the city should have known there was a danger."

Santa Monica officials maintain that it was a tragic accident that couldn't have been foreseen.

City Hall and Bayside — both of which are being represented by an outside law firm, as well as in-house attorneys — have filed motions for the civil cases to be thrown out of court. Those motions will be heard on June 2. Step Up On Second also has filed a similar motion, which will be heard on May 22.

Meanwhile, attorneys representing Weller in the criminal matter hope for another delay. Mark Overland, one of Weller's defense lawyers, said he plans to file a motion for a continuance within 10 days of the next scheduled hearing, which is May 12.

"We think we'll be ready in November," he said, declining to answer why he is asking for a delay. "(The reason) will be in the motion."

Prosecutor Ann Ambrose said she is ready to go to trial.

"The people has announced that it is ready," she said. "They've been given adequate time and they're going to have to prove an adequate reason to delay it ... I anticipate that we will start on July 10."

Weller's health continues to deteriorate, which has some who are involved in the case concerned that he might die before the court proceedings begin or justice is sought. Others believe that both the prosecution and the defense are stalling so that the case is never brought to trial.

Kiwanis upon us



Fabian Lewkowicz/Daily Press

Past Kiwanis presidents (from left) Ronald Hallal and Jeff Segal, and current Kiwanis President Merlyn Raco, induct their newest member, Shirley Strom, the development director of the Santa Monica Red Cross, at the Santa Monica Family YMCA luncheon.



Board wants to stay in-house

SPECIAL ED, from page 1

special education and student support services. "Technology could be a colored overlay, a ruler used to keep one's place while reading, a new pencil grip for writing or a laptop computer with special software or a device that allows someone to communicate."

Identifying which works best for individual students in special education is currently being done by private consultants on a needs-only basis. The new, certificated position will be full time and should provide a cost savings for the district, Walker said.

Salary has not been set and is based on experience, Walker said.

The move is part of the school board's effort to bring more work in-house, to provide better services for students and to save money. With a permanent staff member to fill the position, the board does not have to hire expensive consultants, who are not subject to the same controls or evaluation process as district employees.

Parent Tricia Crane said the new position is good for students, but criticized the district for waiting almost 10 years to create it.

"The district has been out of compliance for years and has not been meeting the needs of students," Crane said.

Employing a specialist in assistive technology is required under law as part of the

1997 re-authorization of the Individuals with Disabilities Education Act, Walker said.

Since the law's passage, the district has used private contractors to conduct assessments and make recommendations for teachers.

"Usually, the team can make determinations about assistive technology without a specialist, but obviously there are cases that rise to the level of needing a formal assessment and recommendations for consideration, and that is when we sub-contract out," Walker said.

If the board approves of the position, Walker said the district will begin advertising immediately to fill it, with hopes of having someone in place before the start of the new school year.

The district is looking for candidates who have a minimum of five years full-time teaching experience with severely handicapped students, at least one year's experience in designing individual education programs, and a masters degree. Candidates who have taught within the district are preferred, as well as those who have basic sign language skills, according to a report from district staff.

In addition to evaluations and assessments, the teacher specialist would be required to design and deliver workshops for teachers and parents, provide routine in-class support, and maintain a detailed list of equipment purchased and their location.

COMMUNITY BRIEFS

BRIEFS, from page 3

Quilts blanket museum

By Daily Press staff

The fiber of some local quilters' being will be on display for several months for all to see.

Showing from April 29 to Aug. 13, at the California Heritage Museum, the exhibition brings together quilts from 30 members of the premier guild for professional quilters, Studio Art Quilt Associates (SAQA) to show the cutting edge of fiber art in California.

SAQA artists pursue their own unique visions through the medium of fabric. Some make abstract pieces that capture mood and flow, others engage with environmental concerns; some use humor. Others layer images and symbols in their work.

Quilts embody particular times and places, and quilts made in California today show California as vibrant and truly innovative, quilters say.

The exhibition was juried by acclaimed curator Sandi Fox, collection curator, Quilts, Los Angeles County Museum of Art and Tobi Smith, director of the California Heritage Museum.

The museum is located at 2612 Main St. For more information, call (310) 392 8537.

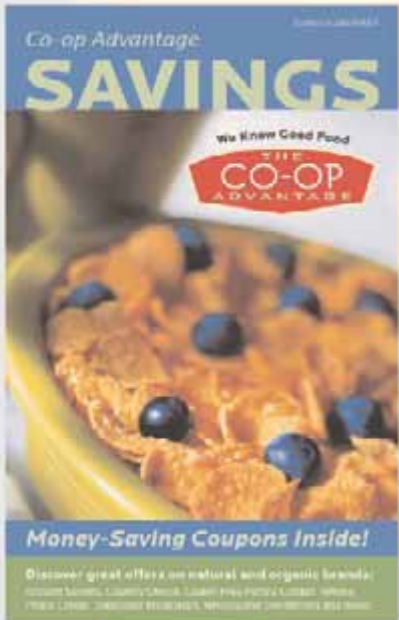


Photo courtesy

A sampling of what is on display at a local museum. Quilts were created by California Members of Studio Art Quilt Associates quilters.

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Business



SANTA MONICA BUSINESS BRIEFS

Questions taxpayers should be asking themselves

By Daily Press staff

As April begins, about four out of 10 California taxpayers still need to do their taxes, according to the Internal Revenue Service. Here are 12 questions and answers to help these taxpayers meet the Monday, April 17 deadline:

QUESTION: Why is the tax deadline on April 17 this year?

ANSWER: Normally the tax deadline is April 15, but that date falls on a Saturday this year, so California taxpayers will have until Monday, April 17 to file. Even with those two extra days though, try to avoid the last-minute rush.

QUESTION: Where can I get IRS forms and publications?

ANSWER: Internet: You can download forms and publications on the IRS Web site at www.irs.gov. Walk-in: During the tax-filing season, many libraries and post offices offer free tax forms to taxpayers. Some libraries also have copies of commonly-requested publications.

QUESTION: How should I go about choosing a paid tax preparer?

ANSWER: While most paid return preparers provide excellent service to their clients, be as careful in choosing a tax preparer as you are in selecting your doctor or lawyer. Be careful with tax preparers who claim they can obtain larger refunds than other preparers. Avoid preparers who base their fee on a percentage of the amount of your refund. Never sign a blank tax form.

Find out your paid return preparer's credentials. In California, all tax preparers who are not an attorney, a CPA or an enrolled agent — this last category comprises tax preparers who have passed an IRS test — are required to register with the California Tax Education Council. CTEC ensures that its members meet educational requirements and are bonded.

QUESTION: How can I get free tax assistance?

ANSWER: Call the IRS at 1-800-829-1040, or the AARP Tax Aide at 1-888-227-7669. These hotlines have information on volunteer income tax assistance (VITA) and tax aide sites that help low- to moderate-income taxpayers, the elderly with their taxes and the earned income tax credit. Los Angeles County has more than 150 such sites, but days and hours of operation vary. Some sites serve taxpayers on a walk-in basis, while others require an appointment.

QUESTION: What is the earned income tax credit?

ANSWER: The earned income tax credit (EITC) is a tax credit for low- to moderate-income people who earn under \$37,263. A tax credit usually means more money in the pocket. It reduces the amount of tax owed. But to claim it, you have to file a federal tax return and have social security numbers for yourself and your qualifying children. Use the EITC Assistant at www.irs.gov. It's available in English and Spanish, and is an easy way to determine EITC eligibility. The earned income tax credit could help more taxpayers nationwide, but only about 75 percent of those who are eligible actually participate. VITA and AARP Tax Aide sites can help many taxpayers with the EITC.

See Q & A, page 13

Tax time is just part of your financial picture



MARKET MATTERS

BY BRIAN HEPP

It's tax time again and deadlines are looming. But as you begin preparing to file your 2005 tax return, now is a good time to review your overall financial picture as well. As with all your investments, it's important to have a good handle on your tax situation so you can maximize any savings opportunities that may exist.

While many of your investment decisions won't be made on the basis of tax planning alone, there are still several tax-related strategies you should consider to help minimize Uncle Sam's tax bite, leaving you more money to put away for your own future. Following are some items to be aware of as you prepare your 2005 tax return, and also a few things to consider as you look to the future as well.

When figuring your taxes each year, it's important to take note of all your capital gains and losses over the course of the year, and come up with a net gain or loss. For investments you've held for one year or less, you'll be calculating what are known as short-term gains or losses. Long-term applies to those investments you've held longer than one year.

To calculate your overall gain or loss, you'll need to start by comparing similar investments. First you'll net your short-term gains versus short-term losses, and then net your long-term gains versus long-term losses. Once you have those two figures, you can then net short-term against long-term to come up with your total gain or loss for the year. If you're left with a net loss, you can take a deduction for up to \$3,000 against ordinary income on your taxes for that year. Any excess losses over that \$3,000 amount can be carried over to

the next year to go through the same netting process again.

Tax time also is a good opportunity to revisit a couple of long-term savings opportunities. The tax filing deadline is the last day to make contributions to a traditional or a Roth IRA, and have them counted for the 2005 tax year. So if you haven't already maxed out your contributions for last year, you still have time to get those in. The maximum contribution for 2005 is \$4,000, and those age 50 or older are allowed to make additional "catch-up" contributions of another \$500. Looking ahead, that catch-up limit will be raised to \$1,000 for 2006, bringing the total contribution allowable for those nearing retirement up to \$5,000.

Education savings accounts also need to be funded by the April filing deadline. The maximum contribution for these accounts is \$2,000 per child, per year. Those accounts also are subject to certain income requirements. But if you're eligible to contribute to an education savings account, now is a good time to consider adding to — or possibly establishing — a savings account for your child's education. Keep in mind that contributions made during 2006 for 2005 are still considered gifts for 2006 for federal gift tax purposes.

While many people dread the sometimes tedious process of filing their taxes, you can use this annual ritual to conduct a thorough review of your overall financial situation. You may just find several other savings opportunities that you wouldn't normally have considered.

(This article provided by Brian Hepp of A.G. Edwards & Sons, Inc. Member SIPC. Brian Hepp is a financial consultant and can be reached at (310) 453-0077 or at brian.hepp@agedwards.com. A.G. Edwards is a full-service retail brokerage that offers a complete spectrum of financial products and services, including stocks, bonds, and mutual funds, retirement planning and tax-advantage investments.)

GUEST COMMENTARY BY LEO LINBECK

The auctioning of America's tax code

With millions of Americans once again struggling to complete their federal income taxes it is a good time to reflect on the profoundly dysfunctional and highly punitive federal tax code that only gets more complicated year after year.

The patchwork quilt of tax loopholes, exclusions, adjustments, and various forms and schedules that we all struggle to understand is a reflection of the wholesale auctioning off of the tax code over the last several decades into the hands of an army of powerful, well-heeled lobbyists. The hallway in front of the tax code-writing House Ways and Means Committee where they practice their lavishly compensated trade has even been dubbed "Gucci Gulch" in recognition of the \$1,000 shoes worn by many lobbyists.

Tax policy is big business in Washington. Members of the House Ways and Means Committee, the Senate Finance Committee and their staff are

routinely paid signing bonuses of \$1 million and more when they join powerful Washington lobbying firms. Recent revelations about the clout of some Washington lobbyists pale in comparison to the real and hidden influence of tax lobbyists on both citizens' responsibilities to the national government and the nation's economic well-being.

Unfortunately, Americans have learned to fear "tax simplification" because the tax code always gets more — not less — complicated in the lobbyists' hands. The code is so complex that even the Internal Revenue Service fails about half of the time to accurately answer taxpayers' questions and even H&R Block has been fined for getting its own taxes wrong.

This complexity gives rise to another staggering \$265 billion a year in tax compliance costs by legions of frustrated citizens and busy auditors, tax preparers, lawyers and corporate compliance specialists. Compliance costs alone represent a

greater sum than the combined annual revenues of Sears, Walt Disney, Microsoft, Rite Aid and McDonald's. That honest citizens must spend so much time and money in order to comply with a federal law is an indignity that seems lost on many critics of a national retail sales tax.

As the founder of a national campaign to replace the income tax with a transparent, simple, and non-regressive national retail sales tax, I have seen first-hand the lengths that both elected officials and the entourage fed by the tax code will go to in order to defend their turf. In recent deliberations by the president's Advisory Panel on Federal Tax Reform, for example, millions of dollars of top level research by recognized economists supporting the FairTax proposal was simply swept under the rug. The panel was charged with suggesting fundamental reform but failed to deliver under the leadership of two former U.S. Senators — both of whom work in

firms lobbying the tax code.

When we began our work at FairTax.org, we naively thought that our common-sense proposal of a national retail sales tax that eliminates the IRS, untaxes the poor, favors American producers, and is simple enough to be understood by a child would be welcomed by our elected officials. To date, 54 courageous members of Congress agree.

Once upon a time, our tax policy may have been intended to spur growth in segments of the economy while fairly funding the government. Today it is simply a lucrative Washington business that specializes in shearing taxpaying sheep while rewarding those wealthy enough to buy into the corrupt auction of taxpayers' wealth. This assault on taxpayers and the nation's best interests cries out for fundamental reform.

(Leo Linbeck is chairman of Americans For Fair Taxation. Log on FairTax.org)

SANTA MONICA BUSINESS BRIEFS

Q & A, from page 12

QUESTION: Why E-File my taxes?

ANSWER: E-filing is faster, safer, and more accurate, and your refund can arrive in as little as two weeks if direct deposit is chosen. For the first time last year, more than half of all California taxpayers e-filed. As of March 31 this year, more than 5.7 million Californians had e-filed, including more than 1.5 million from the Los Angeles area.

QUESTION: How can I use the "Free File" program?

ANSWER: The IRS is working with Free File Alliance, a group of tax software companies, to help taxpayers electronically prepare and file their federal tax returns for free. Free File is basically available to taxpayers with adjusted gross income of \$50,000 or below. Go to the IRS Web site at www.irs.gov and click on the link for "Free File" and follow the instructions. Last year, more than 5 million taxpayers used "Free File."

QUESTION: Should I itemize?

ANSWER: Itemizing depends on how much you spent on certain expenses last year. Money paid for medical care, mortgage interest, taxes, charitable contributions, etc., can reduce your taxes. If the total amount on such categories is greater than the standard deduction, you can usually benefit by itemizing.

The standard deduction amounts for 2005 are: single or married filing separately, \$5,000; married filing jointly, \$10,000; head of household, \$7,300.

QUESTION: What are some common mistakes to avoid?

ANSWER: Double-check your math. The No. 1 error IRS sees every year are mathematical that need to be corrected. But remember that doing your return by computer and e-filing dramatically reduces any math errors. Make sure the names and Social Security or other identification numbers for yourself, your spouse and your dependents are correct and legible. Otherwise, exemptions could be disallowed or the child tax credit could be denied.

Be sure to report interest income, dividends and capital gains. Your bank tells the IRS about your earnings. Remember to include interest income, dividends, and capital gains on your tax return.

Be sure to sign and date the return. More than 1 million people each year forget to take that one final, simple step when they file by paper. Also, both spouses must sign a joint return. An unsigned return will not be accepted by the IRS.

QUESTION: What if I owe taxes and can't pay?

ANSWER: Consider applying for an IRS installment agreement, suggesting your own monthly payment amount and due date, and getting a reduced late payment penalty rate. You also have various options for charging your balance on a credit card. There is no IRS fee for credit card payments, but the processing companies charge a convenience fee.

QUESTION: What if I just run out of time?

ANSWER: Request an automatic six-month extension of time to file by submitting Form 4868. This extension only gives you more time to get all the completed tax forms in. You will still owe interest on any amount not paid by April 17, plus a late payment penalty. But not filing anything at all can be even more costly, resulting in a stiff, separate failure to file penalty if you owe money. So, get Form 4868 postmarked by April 17 and pay as much as you can.

QUESTION: How can I find out the status of my refund?

ANSWER: Go to the official IRS Web site at www.irs.gov and click on the "Where's My Refund?" link which will guide you to your refund's status. The system is secure and privacy is ensured.

And a final warning note: Beware of identity thieves sending e-mails offering tax refunds

Do not open any e-mails that come into your computer saying that you have a refund coming from the IRS. This is a "phishing" scam. The IRS does not send unsolicited e-mail to taxpayers.

Another golden opportunity

THE WEEKLY RECKONING
BY BILL BONNER

Today, we have some advice. It is no different from the advice we have given many times before, but today we give it with special urgency.

We have been reading reports of "dark matter" in the world economy. We ignore them. Dark matter seems to us to be just another goofball effort to disguise the facts, like coming into the office without shaving so the boss will think you've been at work all night. That is what happens when people get desperate. They invent fantastic stories and far-fetched explanations.

"Dark matter" comes from the hypothesis of astronomer Kristian Birkeland, who, in 1913, noticed that there seemed to be a gravitational pull exerted by objects he couldn't detect. He called it "dark matter." Now, the expression is being used to label various intangible assets — Yankee ingenuity, American brands, management skills — that are said to bring the U.S. investment income from overseas, even while the assets held by Americans overseas, compared to those held in the U.S. by foreigners, continue to go down.

In other words, while the net international investment position of the United States slipped to \$2.5 trillion, for a while at least, the income derived from its foreign investments was greater than the money it was paying out to foreigners. It didn't seem to make sense. Investment income should have turned negative, too.

Economists scanned the heavens to try to make sense of it, but they couldn't see anything that would readily explain this investment inflow. Even in the areas where the United States might have had a big and growing intangible advantage — technology, for example — the evidence showed the opposite. The United States was No. 1 in broadband access in 2000. Now it is 16th. In 2000, the United States made 40 percent of world's telecom equipment, now it makes only 21 percent. And, the United States has fewer people with cellular phones — in percentage terms — than 41 other countries.

Nevertheless, in 2004, in the accounts of international investment income, the United States registered a \$30.4

billion surplus. The Wall Street Journal, among others, pounced on "Dark Matter" as the explanation. We were making money on things of intangible value that didn't show up on list of externally held assets.

Since this is so, deduced the Wall Street Journal, when you take dark matter into account, "America is a net creditor, not a net debtor."

Gosh and golly! But, now cometh the tally for 2005, and all that dark matter has suddenly gone dark. Gone is the massive gravitational pull of \$30.4 billion surplus — in its place is a paltry little refrigerator magnet of \$1.6 billion.

Willem Buiters, a monetary astronomer at Goldman Sachs, comments: "I expect that in the years to come, the paradox of the US being both a net debtor and a recipient of positive net foreign investment income, will be resolved by net foreign investment income turning negative."

"With the U.S. trade gap in October 2005 widening to a new record US\$68.9bn, the U.S. current account deficit is unsustainable. Its correction will require a large depreciation of the real effective U.S. dollar exchange rate, on reasonable estimates by no less than 30 percent, and quite possibly by more."

The Asian Development Bank warned readers last week to "prepare for a collapse of the dollar."

Thursday, the dollar fell. We suspect that more is coming. Sell the dollar. Buy gold.

(For more insight and analysis, please visit www.dailyreckoning.com)

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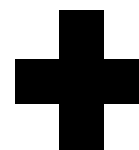
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Migrant smugglers expect business to boom with immigrant crackdown

BY JULIE WATSON
Associated Press Writer

DOLORES HIDALGO, Mexico — Barely 18, Jose belongs to Mexico’s new generation of migrant smugglers — young, savvy and happy to see Uncle Sam further tighten border security.

Why? It’s good for business, he says. Jose figures more migrants will seek his help if the U.S. Senate approves legislation to double the Border Patrol and put up a virtual wall of unmanned vehicles, cameras and sensors to monitor the 2,000-mile border with Mexico.

Border experts say the price for helping Mexicans move north has quadrupled from \$300 to \$1,200 since 1994, when the U.S. last tightened the rules. Cases are coming to light of smugglers making \$1 million or more. And Jose reckons the earnings will rise yet higher if new obstacles go up.

“This is never going to end,” he said. “The United States cannot work without Mexicans.”

Jose is a lanky, baby-faced teen in a baseball cap who says he started smuggling people late last year and made \$16,000 in his first three months. His mother worries, but needs the money — Jose was making \$53 a week cutting lettuce. Talking to a reporter outside their humble, adobe house near this city in central Mexico, Jose and his mother asked to withhold their surname for fear of arrest.

“We’re always going to look for a way to get in, and there’s always a way,” Jose said. “This is a business for everyone.”

Not so, says Sen. John Cornyn, the Texas Republican who chairs the Senate’s immigration subcommittee. The way to hurt smugglers’ business is by “securing our borders and working cooperatively with other nations on enforcement,” along with providing a temporary worker program, he said in a statement e-mailed to The Associated Press.

The Senate is debating a series of immigration bills. Some simply bolster border enforcement and crack down on employers. Others offer a temporary worker program and possible legalization of the estimated 11 million undocumented immigrants in the United States. The House version would impose criminal penalties and build 700 miles of border fence.

Victor Clark, a Mexican border expert in Tijuana who has studied smugglers’ patterns for decades, agrees with Jose. “This is going to have the opposite effect of what the U.S. government wants, since the demand for migrant smugglers is going to go up,” he said.

The smuggling business flourished after the U.S. Border Patrol cracked down on the busiest crossings into Texas and California in 1994.

Migrants were funneled into the remote Arizona desert, and domestic flights into Hermosillo, Sonora, the biggest Mexican city near the Arizona border, jumped from 20 a week in 1994 to nearly 500 today. The airport’s baggage claim area is often nearly empty because migrants arrive with little more than a duffel bag for the rest of their journey.

Many risk death walking for 30 hours in 100 degree

temperatures through remote desert terrain. The smuggler leading them may well be linked to organized crime, though Jose says he isn’t.

That too is a change from the days when it was considered something of a community service in Mexican villages and older, trusted men would show relatives and neighbors the safest routes.

Now a growing number of smugglers are like Jose — in it just for the money.

“The new generation of migrant smugglers are youths who see their clients as merchandise,” Clark said. “Many of them abandon the migrants in the desert or give them drugs, or tell migrants they know the way when they don’t, and they end up dying along with the migrants. Others have turned to violence to steal clients from other smugglers.”

Smuggling people into the United States from around the world has become a \$10 billion-a-year business rivaling drug profits, according to U.S. Immigration and Customs Enforcement officials who started tracking smuggler profits three years ago.

A Texas-based smuggler who was sentenced to nine years in federal prison in December earned nearly \$1 million driving about 6,000 illegal Latin American migrants to work in Chinese restaurants throughout the upper Midwest.

In January, investigators arrested two Texas families who allegedly earned \$1.6 million in two years by hiring a fleet of trucks near the border city of El Paso to transport migrants across the United States.

“One truck driver, all he did was transport aliens,” said Dan Page, acting special agent in charge for the agency in El Paso.

In the central Mexican ranching town of San Diego, migrants board smugglers’ trucks and vans nearly every Sunday to head for the border.

“The smugglers around here have the biggest houses,” said resident Guillermo Melchor, who said he paid \$1,300 to get to Houston through a trafficking network.

He made it but said his 23-year-old friend, crossing separately, died of a heart attack after taking a stimulant from a smuggler to endure the long desert walk.

Jose charges \$1,200 per person, sharing his earnings with a driver who waits on a highway outside Laredo, Texas, to pick up the migrants, and another man who provides a Houston safe house for new arrivals.

He said he made his first \$16,000 smuggling 40 people in four journeys from the cactus-studded state of Guanajuato by bus to the border, then across the Rio Grande to meet the driver.

They usually wade across at night, then walk for two hours through the scrubby south Texas desert, with the lights of Laredo in view. Jose’s rules are simple: Keep alert. No talking. No smoking. If you see a light flash or hear a noise, it could be the Border Patrol. If you see someone, run like crazy.

Jose says he treats his migrants well and even helps those he finds abandoned in the desert — for a price, of course.

After all, he said: “It’s business.”

Saddam cross-examined for first time in trial, calls court ‘illegitimate’

BY MARIAM FAM
Associated Press Writer

BAGHDAD, Iraq — Saddam Hussein was cross-examined for the first time in his six-month-old trial Wednesday, saying he approved death sentences against Shiites in the 1980s because he believed the evidence had proven they were involved in an assassination attempt against him.

Standing alone as the sole defendant in the courtroom, Saddam dodged questions from prosecutors over his role in the crackdown, giving long speeches in which he called the court “illegitimate.” He also accused the current Shiite-led Interior Ministry of killing and torturing thousands of Iraqis and bickered with chief judge Raouf Abdel-Rahman.

The session came a day after prosecutors indicted Saddam on separate charges of genocide, accusing him of trying to exterminate Kurds in a 1980s campaign that killed an estimated 100,000 people. The charges will be dealt with in a separate trial.

In the current trial, Saddam and seven former members of his regime are charged in a crackdown against Shiites launched after a 1982 assassination attempt against Saddam in the town of Dujail. In the sweep that followed, 148 Shiites were killed and hundreds were imprisoned, some of them undergoing torture.

Dressed in a black suit and white shirt, Saddam appeared relaxed throughout Wednesday’s questioning, frequently shooting grins at chief prosecutor Moussa al-Jaafari and even reciting a short bit of poetry to the judge.

Al-Jaafari asked Saddam about his approval for death sentences passed against the Shiites by his Revolutionary Court, which prosecutors have argued gave them only a cursory trial.

“That is one of the duties of the president,” Saddam replied. “I had the right to question the judgment. But I was convinced the evidence that was presented was sufficient” to show their guilt in the assassination attempt.

In a previous court session, Saddam acknowledged ordering the trial in which the Shiites were sentenced to death but has maintained his actions were legal because they were in response to the attempt to kill him.

Al-Jaafari displayed a series of documents that he has previously shown the court, including an approval of medals for intelligence agents involved in the crackdown and approvals for the razing of Dujail farmlands in retaliation for the assassination attempt. Al-Jaafari repeatedly asked if the signatures on the documents were Saddam’s.

But Saddam, sometimes smiling at the prosecutor, avoided a direct reply, refusing to confirm the signatures but also stopping short of saying the signatures were forged.

“Any comment, matter or document signed by Saddam Hussein, and it has been proven that the handwriting and the signature are his, then I take the responsibility,” he replied.

He demanded an international body examine signatures alleged to be his on documents the prosecution has presented concerning the crackdown. Some of Saddam’s co-defendants have insisted signatures said to be theirs are forged.

“You should resort to an impartial, international body” and not a body “that kills thousands people on the streets and tortures them ... the Interior Ministry,” Saddam told Abdel-Rahman, referring to the now Shiite-controlled ministry, which some Iraqis accuse of backing Shiite militias that have assassinated Sunni Arabs.

“Don’t venture into political matters,” Abdel-Rahman replied.

“If you are scared of the interior minister, he doesn’t scare my dog,” Saddam retorted.

Iraq has seen a wave of killings and attacks between Shiites and Sunnis since the Feb. 22 bombing of a Shiite shrine in the city of Samarra.

At the beginning of the session, Saddam launched into a speech in response to the prosecutor’s first question, bringing repeated demands by Abdel-Rahman that he answer the question.

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PEOPLE IN THE NEWS

‘Potter’ author on paper trail

By The Associated Press

NEW YORK — J.K. Rowling, well into her seventh and final “Harry Potter” book, says the writing is going fine despite one annoying obstacle: the lack of paper.

“Why is it so difficult to buy paper in the middle of town?” the author, a resident of Edinburgh, Scotland, lamented in a diary entry posted Wednesday on her Web site, www.jkrowling.com.

“What is a writer who likes to write long-hand supposed to do when she hits her stride and then realizes, to her horror, that she has covered every bit of blank paper in her bag? Forty-five minutes it took me, this morning, to find somewhere that would sell me some normal, lined paper. And there’s a university here! What do the students use? Don’t tell me lap-tops, it makes me feel like something out of the eighteenth century.”

Rowling also reported that she had recently visited the Leavesden Studios in London, where the next Potter film, “Harry Potter and the Order of the Phoenix,” is being made.

“It was exciting to see some of the new ‘Order of the Phoenix’ sets, but most of all to see the actors again — slightly unnerving to realize that nearly all of them are taller than me now,” she wrote.

SANTO DOMINGO, Dominican Republic — Vin Diesel has chosen the Dominican Republic as a location for his movie “Hannibal,” about the 3rd-century conqueror who led an elephant-riding army across the Alps in an assault on Rome.

Diesel will direct and star in the title role of the film based on Ross Leckie’s fictionalized memoir of the Carthaginian leader.

The crew of “Hannibal” will film in the Caribbean nation for a month, Juan Carlos Benzant, a producer with the Dominican company Trabucazo Films, said Tuesday.

Scenes will also be shot in Spain and California.

Diesel, known for his roles in “The Fast and the Furious” and “Saving Private Ryan,” selected the Dominican Republic after a four-year location hunt, Benzant said.

NEW YORK — Eric Clapton will close the European leg of his world tour with his first concert in Moscow’s Red Square.

Clapton’s solo tour, which opens May 5 in Le Cannel, France, will travel through 14 countries, including England, Germany, Italy and

Norway.

His performance in Moscow is set for Aug. 3, it was announced Tuesday. The 61-year-old rocker will follow in the footsteps of artists such as Paul McCartney, Luciano Pavarotti and Placido Domingo who have performed at the historic Red Square.

LOS ANGELES — A judge has awarded Cameron Diaz damages in a civil lawsuit filed against a photographer who took topless photos of the actress when she was 19 and later tried to sell them back to her for \$3.5 million.

Superior Court Judge Valerie Baker awarded an undisclosed amount in statutory damages to Diaz and dismissed a countersuit filed against the “Charlie’s Angels” star by photographer John Rutter. Baker’s summary judgment was entered March 9 and made public last week.

Diaz had sued Rutter in July 2003 after the photographer tried to sell her the images before shopping them to others. She has said a model release form was forged.

Rutter countersued a few months later, accusing Diaz of fraud and breach of contract. Her attorneys brought the case to police and Rutter was arrested and brought to trial. He was convicted last year of forgery, perjury and attempted grand larceny.

He has been serving a nearly four-year prison sentence.

A hearing was pending on whether Rutter should pay Diaz’s legal fees for the civil case, which were listed in court documents as \$650,000.

The judge also issued a permanent injunction prohibiting the sale, license or other use of the photos and a videotape shot in 1992.

WASHINGTON — Musician Peter Gabriel and Sen. Mitch McConnell joined forces in demanding stronger action by the United Nations against atrocities they say are being committed in Myanmar.

McConnell, a leading Republican, said Tuesday that misrule by the junta that governs Myanmar, also called Burma, “threatens the entire region, and the world community needs to get a lot more concerned than it has been.”

Gabriel praised U.S. sanctions against Myanmar’s military regime and emergency relief efforts to help thousands of Burmese displaced inside their country.

These efforts, he said, “make the U.S. one of the few countries in the world willing to step up to this challenge.”

McConnell said that a rare U.N. Security

Council briefing last year on the political and social deterioration in Myanmar is “not nearly enough, but at least it’s a start.”

Gabriel and McConnell want the United Nations to pass a binding resolution demanding change in Myanmar, where the generals have kept pro-democracy leader Aung San Suu Kyi in detention for 10 of the last 16 years. She is among some 1,100 political prisoners.

WASHINGTON — Yo-Yo Ma, world traveler and renowned cellist, urged lawmakers to simplify a visa process that he said often hampers musicians and artists hoping to share their gifts in the United States.

Ma told a House panel Tuesday that he and the dozens of international musicians who perform as part of the Silk Road Project face countless hurdles to bring their music to the United States.

Without exposure to different cultures, Ma said, American culture will suffer. American audiences, he said, “are thirsty for new cultural experiences.”

He spoke of two Iranian musicians who, despite having visited the United States many times, must wait months before they can get visas.

Chinese and Mongolian musicians, Ma said, are sometimes kept out of U.S. Embassies because of language and cultural misunderstandings, despite having their paperwork completed.

Ma, who was born in Paris to Chinese parents, moved to the United States at the age of 7.

NEW YORK — Snoop Dogg is back in Tha Dogg Pound.

The 34-year-old rapper has reunited with Daz Dillinger and Kurupt, aka Young Gotti, for a new album, “Cali Iz Active,” set for release June 27 on his label, Doggy Style Records, in conjunction with Koch Records, it was announced Tuesday.

“I’m letting everybody know that the West Coast is definitely making a strong comeback,” Snoop Dogg was quoted as saying on the Web site www.allhiphop.com.

“It’s a beautiful thing for me to be able to work with them, and when we drop this album it’s gonna shake the whole game up.”

Also featured on the album: B-Real, David Banner, Soopafly and RBX.

Tha Dogg Pound’s relationship became rocky when Kurupt left the group in 2002 to join Marion “Suge” Knight at Death Row Records, later renamed Tha Row.

Santa Monica Daily Press

MOVIEGUIDE

SHOWTIMES FOR THURSDAY, APRIL 6, 2006

Broadway Loews Cineplex
1441 3rd Street
(310) 458-6232

Capote
7:00pm 9:45pm
The Hills Have Eyes
2:45pm 5:25pm 8pm 10:30pm
Larry the Cable Guy: Health Inspector
1:30pm 4:05pm

ATL
2:15pm 5pm 7:40pm 10:15pm
Basic Instinct 2
1:45pm 4:30pm 7:15pm 10pm

Mann’s Criterion Theatre
1313 3rd Street
(310) 395-1599

She’s the Man
11:40am 2:10pm 4:40pm 7:20 pm 9:50pm

V for Vendetta
1:20pm 4:20pm 7:30pm 9:20pm 10:20pm
Ice Age: The Meltdown
11am 11:30am 12:10am 1pm 1:50pm 2:30pm 3:20pm 4:10pm 4:50pm 5:40pm 6:30pm 7:10pm 7:50pm 8:50pm 10pm
Slither
12:20pm 2:50pm 5:10pm 7:40pm 10:10pm

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1310 3rd Street
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16 Blocks
11:45am 2:10pm 4:40pm 7:20pm 10:10pm

Failure to Launch
12:05pm 2:30pm 5:00pm 10:10pm
The Shaggy Dog
11:40am 1:55pm 4:20pm 7pm 9:25pm
Inside Man
11am 12:45pm 1:35pm 3:45pm 4:30pm 7:00pm 7:40pm 10:00pm 10:45pm

Stay Alive
12:20pm 2:20pm 4:50pm 7:10pm 9:30pm

Transamerica
7:05pm 9:40pm
The Pink Panther
2pm 4:45pm

Nuwilshire Theatre
1314 Wilshire Blvd
(310) 281-8228

Tsotsi
4pm 7:30pm 9:55pm
Thank You For Smoking
11:45am 2:15pm 4:45pm 7:15pm 9:50pm

Laemmle 4-Plex Theatre
1332 2nd Street
(310) 394-9741

The Devil and Daniel Johnston
1:40pm 4:20pm 7pm 9:55pm
Lonesome Jim
1pm 3:15pm 5:30pm 7:45pm 10:15pm
Marilyn Hotchkiss’ Ballroom Dancing & Charm School
1:20pm 4:10pm 7:10pm 9:45pm
L’Enfant (The Child)
1:55pm 4:30pm 7:20pm 9:50pm

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- Counter cards
- Labels
- Postcards
- Magazines

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- Folding
- Stitching
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- Lamination
- Collating
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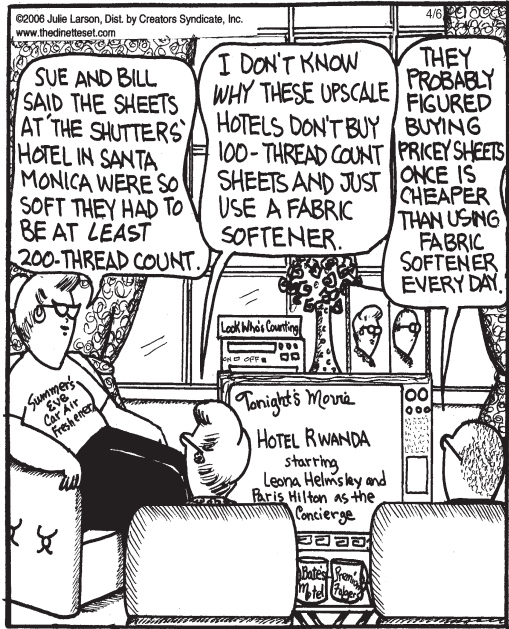
- Outdoor
- 8-sheets
- 30-sheets
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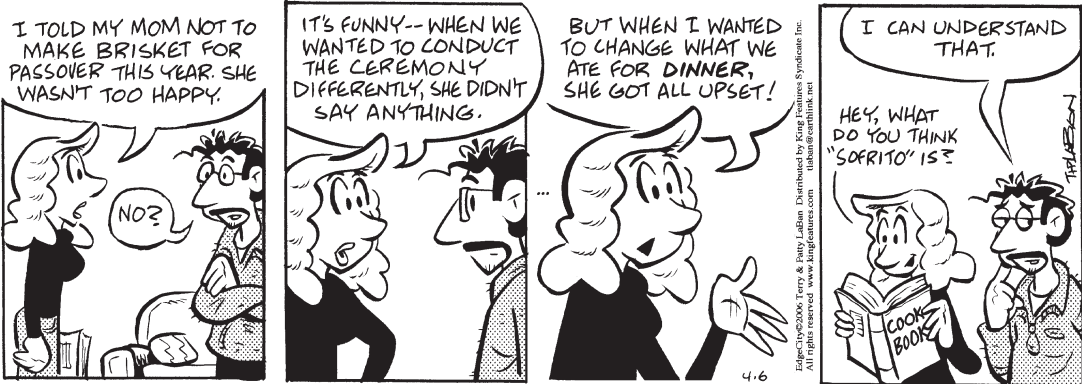


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By THOMAS JOSEPH

- ACROSS
- 1 Lobster part
 - 5 Get up
 - 10 Rubber-tree byproduct
 - 12 Trite
 - 13 Cart pullers
 - 14 Author Calvino
 - 15 Spot
 - 16 Misbehaved
 - 18 Shrimps' kin
 - 20 Had a bite
 - 21 Take — (try the pool)
 - 23 Last letter, to Brits
 - 24 Ninny
 - 26 Canary snack
 - 28 Lucy of "Kill Bill"
 - 29 Flag feature
 - 31 Fitting
 - 32 Spell-bound
 - 36 Like some spoons
 - 39 Impress greatly
 - 40 To this time
 - 41 Tremble
 - 43 Writer Zola
- DOWN
- 44 Spending binge
 - 45 Fills
 - 46 Geeky one
 - 1 Manila envelope part
 - 2 Hologram need
 - 3 Baffled
 - 4 Tiny
 - 5 Some-what
 - 6 Assess
 - 7 Stupefied
 - 8 Greeted the general
 - 9 Wed in secret
 - 11 Tic-tac-toe marks
 - 17 Vegas-set series
 - 19 Gum mass
 - 22 Something to mind
 - 24 Sheep-skin
 - 25 Spaced
 - 27 Make a misstep
 - 28 Girls
 - 30 Player's peg
 - 33 Knowing
 - 34 Game with a kitty
 - 35 Suit fabric
 - 37 Yarn
 - 38 "— bien!"
 - 42 "Veronica Mars" carrier

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The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is: (El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es: BRIAN G. WORKMAN (CBN 106498), LAW OFFICES OF BRIAN G. WORKMAN, 9361 BOLSA AVE, SUITE 204, WESTMINSTER, CA 92683 Telephone: (714) 772-0870, (714) 839-9106 Date (Fecha): NOVEMBER 14, 2005 JOHN A. CLARKE, Clerk (Secretario) by D. MC KINNEY, Deputy (Adjunto) SEAL

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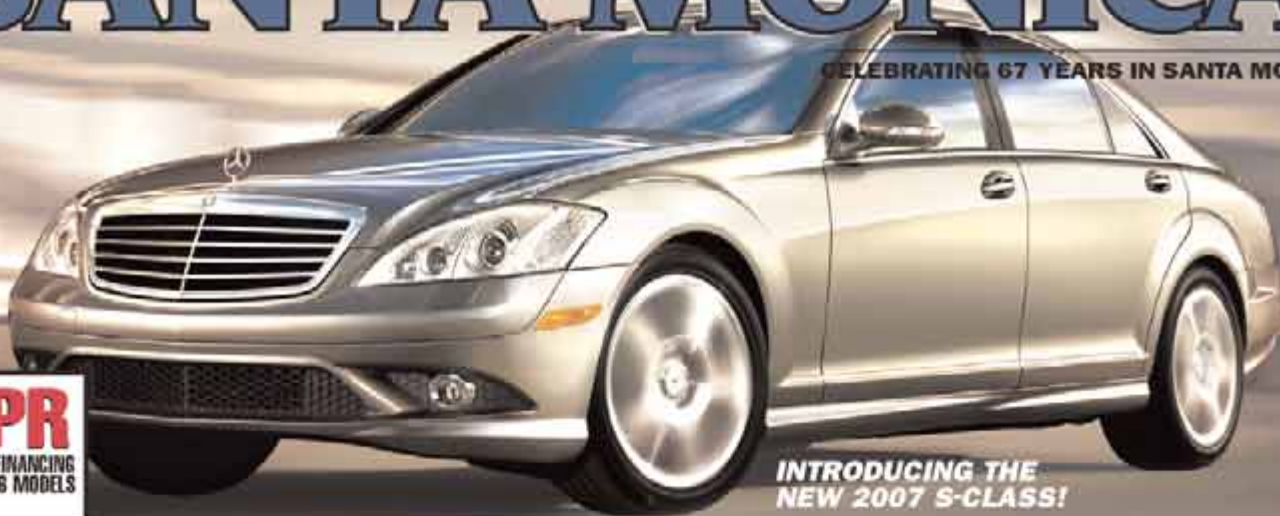
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