

FREE

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Santa Monica Daily Press

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City expects to lose \$8M

BY CAROLYN SACKARIASON
Daily Press Staff Writer

The latest financial forecast out of City Hall shows the city lost more than \$8 million in sales tax revenues this year.

"Our shortfall this fiscal year in total is going to be about \$8.8 million," said city finance director Mike Dennis, after reviewing the city's second quarter sales tax revenues, which were recently released by the state.

As expected, the biggest hit to the city budget was lost revenues in retail, restaurants and retail. Simply put, fewer people visited Santa Monica and its residents kept closer tabs on their cash by not going out to eat or buying "luxury items."

The city projected to earn about \$27.9 million in revenues this year, which was a 6.3 percent increase over the previous year. But after a slowing of the economy last summer and Sept. 11, the city will actually be down 11.1 percent of what was estimated.

The city, which has a total budget of about a \$327 million, will bring in about \$24.8 million in sales tax revenue this year.

But number crunchers have freed up about \$6.2 million to make up for the shortfall, leaving the city down only \$2.6 million.

Money left over from completed capital projects total \$1.9 million and because parking revenue is up at the beaches, the subsidy from the beach fund is about \$1.3 million, Dennis said. Another \$3 million will be found through departmental budget cuts within City Hall, although none of them will be in personnel.

Dennis said some anticipated capital improvements may be put off because of the shortfall, but city officials won't be able to determine which ones could be delayed until June.

The sales tax figures for the city's second quarter, which was from October to December, will be the last city finance officials use in

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Landmarks commission hears from angry property owners

Historic survey angers hundreds of residents

BY ANDREW H. FIXMER
Daily Press Staff Writer

Hundreds of angry residents overflowed city council chambers Monday night, demanding they should decide whether their homes are deemed historic structures.

But after listening to nearly two hours of testimony, the Landmarks Commission decided to send the recently released historic survey of homes north of Montana Avenue to a subcommittee that will meet behind closed doors.

Commissioners said they are not ready to make a formal decision on how to designate historic districts in one of the wealthiest neighborhoods in Santa Monica. They also said they want to hold community forums with residents, though no dates were discussed.

At least two commissioners said they are against creating a historic district along 18th Street because so many of the homes there have been remodeled or demolished.

"I don't believe 18th Street is a district," said commissioner Nina Fresco. "It's been compromised enough that it's no longer a district."

Another commissioner agreed with residents at the meeting that their homes should not be designated "structures of merit" without their permission.

"We have to balance the needs of what the neighborhood wants and what the district as a whole wants," said commissioner Ruthann Lehrer. "But if they decide this is something they

don't want, I don't believe this commission should force it on them."

The city spent \$29,000 to have Hollywood-based Historic Resources Group look at the 3,900 homes north of Montana to see which ones could

See SURVEY, page 3

Public kicked out of historic debate

BY ANDREW H. FIXMER
Daily Press Staff Writer

The group deciding whether homes should be designated historic will discuss the hotly-contested issue behind close doors.

There just isn't enough time to listen to the public's input, members of the city's landmarks commission say.

"It's really hard to accomplish everything in our one meeting a month," said commissioner Barbara Schnitzler. "In the subcommittee only three of us can meet at a time behind closed doors. It's just too hard to get anything done any other way."

The commission decided at its Monday meeting to seal off public discussion on the issue and hash it out in a subcommittee that meets privately.

The subcommittee consists of Roger Genser, Ruthann Lehrer and Schnitzler. They will meet to discuss the results of a recent survey of

See DEBATE, page 3

Gettin' the boot



Horse trainer Dorte Lindegard puts a bridle on one of the horses at Will Rogers State Park. The horses have been evicted.

By Daily Press staff

Privately boarded horses at Will Rogers State Park have been almost completely removed from stables there.

Boarders of the horses lost an appeal of a judge's decision late last month evicting their horses while the state completes an environmental study of the impact the horses have on the park lands.

To assist the horse boarders, the state created a list of all privately-owned stables in a 14-mile radius of Will Rogers State Park, said state parks spokesman Steve Capps.

"Most of them are gone," Capps said, "and the remaining few are in the process of being removed."

The horses have until the end of the month to be removed by their owners.

The state has created an equestrian taskforce that is studying which horseback riding activities it wants to continue on park lands.

"Right now they are looking at Will Roger's life and the activities he participated in when it came to horses," Capps said. "It sounds like those will be the activities they would want to stress."

Rogers reportedly enjoyed roping horses, Capps said.

Privately-owned horses can still be brought to the park for riding through the many equestrian trails or for during the weekly polo matches.

Public officials support decision to reject new term for LA police chief

BY PAUL CHAVEZ
Associated Press Writer

LOS ANGELES — Public officials who weighed in on the Police Commission's decision Tuesday to reject a second term for Police Chief Bernard Parks largely supported the move, while acknowledging his contributions to the city.

"I strongly support the commission's independence and right to make that decision," said Councilwoman Cindy Miscikowski, one of five City Council members who quickly came out in favor of the commission's

See LAPD, page 4

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Santa Monica's Daily Calendar



GET OUT!

Puppetololi! hosted by Santa Monica Puppet & Magic Center will be held today at 1:00 p.m. Shows are always followed by a demonstration, Q & A, and a tour of the Puppet Museum and workshop. The program is for all ages, 3 and up. All seats: \$6.50. The Center is located at 1255 2nd Street in Santa Monica, adjacent to the Third Street Promenade. Reservations/Information: (310) 656-0483 or www.puppetmagic.com.

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.

Want to be on the A-List?

Send your calendar items to the Santa Monica Daily Press!
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MONSTERS BALL [R]

1:45 - 4:30 - 7:15 - 10:00

IRIS [R]

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♈ ARIES (March 21-April 19)

★★★★ If you don't wake up on the wrong side of the bed, you easily might run into someone who has. Don't let an early morning event color your day black. In fact, focus on the positive. Buy yourself a gift or a lottery ticket. Now, isn't that better? Tonight: Wave goodbye to the workday.

♉ TAURUS (April 20-May 20)

★★★★ Where your friends are is where you can be found. Be careful not to take another lengthy lunch break or get into a chat fest. A boss might be watching you more closely than you're aware of. Don't do-in your image right now. Close your door later in the day if you want to get anything done! Tonight: Get a good night's sleep.

♊ GEMINI (May 21-June 20)

★★★★ Your perspective could change radically after you look over a communiqué or information. You could be shocked by what you see or hear. Don't lose your temper. Regroup, eyeing your long-term objectives. You'll know what to do. Tonight: Where your friends are.

♋ CANCER (June 21-July 22)

★★★★ Do needed research before you present "your case" to someone and/or assume control. A meeting emphasizes your great ideas and leadership abilities. A friend sees a personal matter very differently. Forget about debating it, as agreement won't happen. Tonight: Work as late as need be.

♌ LEO (July 23-Aug. 22)

★★★★ Work with another, even if you might be quite aggravated by a recent event. Don't bring your frustration to work. You have unusual assets; don't diminish them with a display of anger. Work on a one-on-one level with others. Tonight: Follow the music.

♍ VIRGO (Aug. 23-Sept. 22)

★★★★ Others still run with the ball. Convincing an associate that a problem exists could be close to impossible, even if it is clear to you. Trust that events will demonstrate the facts. News from a distance energizes partners. Tonight: Spend time with a favorite partner.

♎ LIBRA (Sept. 23-Oct. 22)

★★★★ A child or loved one could disappoint you, sending you into a tizzy. Calm down and deal with some basics. Concentration helps you to successfully wade through your mood. You're very playful once you let go of this problem. Tonight: Accept an invitation.

♏ SCORPIO (Oct. 23-Nov. 21)

★★★★ Use your creativity when dealing with a difficult family member and/or partner. You cannot always have it your way. Think in terms of gains and a potential change, especially at work. You might not always understand a loved one. Tonight: Easy does it.

♐ SAGITTARIUS (Nov. 22-Dec. 21)

★★★★ Deal with the basics. You hear a lot of the unexpected. Integrate only what you know to be true, rather than everything you hear. Do nothing based on hearsay alone. Revise your opinion of a child or loved one. Let it all hang out. Tonight: Play more.

♑ CAPRICORN (Dec. 22-Jan. 19)

★★★★ Take action early on, especially if you're uncomfortable with someone's risk-taking, or what that risk could cost you. Realize that you have more control than you're aware of. A discussion enlightens another to what a "good" risk looks like. Tonight: Mosey on home.

♒ AQUARIUS (Jan. 20-Feb. 18)

★★★★ You might be a great deal more upbeat than you realize. In fact, another might complain, as he or she feels as if you are raining on his or her parade. You? Be sensitive to those close to you and ask questions before making assumptions. Tonight: Out and about.

♓ PISCES (Feb. 19-March 20)

★★★★ You really don't need to see eye-to-eye with another. In fact, what you say could be only half of what you think. Someone might insult you inadvertently, or you them. Relax. Focus on the job of making money. Consider options carefully. Tonight: Pay bills first.



QUOTE of the DAY

"Money is always there,
but the pockets change."

— Gertrude Stein (1874-1946)

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LOCAL



Economic forecasting heavily relied upon for city budget

BUDGET, from page 1

projecting next year's budget since the process begins in June. Third quarter figures, which track January through March sales tax revenues, won't be released from the state until the end of May, and fourth quarter figures will be ready by mid-summer.

But Dennis, who likens economic forecasting without final figures as "budget roulette," has a pretty good idea of what's to come, based on national and regional economic forecasts. And it's not too rosy of a picture, particularly when terrorist threats loom and an unstable economy continues.

"It's difficult to digest all of the economic forecasts

and there is a potential for unique events to occur," Dennis said. "But we'll identify a range of scenarios."

"We tend to be a bit conservative on our forecasts," he added. "But, yes, we are struggling with where to land."

He added that for the past 15 years, the city on average has come within 2 percent of what was budgeted to what it actually brought in.

Dennis said it will take 18 months just to get back to last year's sales tax revenue of \$26.2 million.

Although business and tourism bounced back significantly the past three months, it's not enough to compensate for the dramatic loss felt over the entire year.

"We have to look at the longer term trends," Dennis said.

Sales Tax Revenues 2nd Quarter - Major Business Groups

	Current	Last Year	Difference
Consumer Goods	\$2,048,750	\$2,303,436	(\$254,686) -11.1%
Autos & Transportation	\$1,551,017	\$1,457,091	\$93,926 6.4%
Restaurants/Hotels	\$895,890	\$1,016,447	(\$120,557) -11.9%
Business/Industry	\$590,313	\$636,520	(\$46,207) -7.3%
Food/Drugs	\$310,405	\$305,623	\$4,782 1.6%
Building/Construction	\$265,141	\$251,055	\$14,086 5.6%
Fuel/Service Stations	\$154,454	\$207,407	(\$52,953) -25.5%
	\$5,815,970	\$6,177,579	(\$361,609) -5.9%

One official agrees residents should decide home's fate

SURVEY, from page 1

be considered historically significant and which areas could be designated as historical districts.

The consultants officially released the results of the study on April 2, saying they found about 9 percent, or 358 homes, as historically significant, meaning they should be protected from future development.

The report identifies six potential areas for designation as historic districts — the Palisades Tract between Ocean Avenue and Seventh Street, the San Vicente Apartment Group, parts of Adelaide Drive and Georgina Avenue, several homes along 18th Street, and parts of La Mesa Drive.

Consultants said the areas have some of the oldest and

most significant historic buildings in Santa Monica. Included within the area are 10 historic properties that have been designated on the national, state, and local level. However, the report indicates less than 1 percent of the potential historic properties north of Montana Avenue are currently designated or preserved.

Some residents believe historic designation will decrease the value of their homes, and add extra layers of red tape and uncertainty to remodeling or fixing-up their homes. Others fear having their homes designated as landmarks will bring in bus loads of tourists through their quiet residential streets.

Tom Larmore, a local property rights attorney who

lives north of Montana Avenue, has helped organize a movement that fights the historic designation effort.

Larmore is spearheading "Homeowners for Voluntary Preservation," a newly-formed committee that will be circulating a petition in an effort to allow homeowners a choice as to whether their homes should be classified as landmarks or as historical buildings. The group needs 6,000 signatures to place the measure on the November ballot. The measure would prevent the city from deeming homes historic without the consent of the owner.

The homeowner committee members believe restrictions on private property constitutes an unwarranted intrusion of personal freedoms.

Commission will publicly vote on historic issue

DEBATE, from page 1

homes north of Montana Avenue. The survey recommends that six historical districts be created in one of the city's wealthiest neighborhoods.

If a home is designated historic, there are limitations on what the property owner can do to the building, like remodel or demolish it.

But the notion that the public has been stymied from such a political discussion has some residents crying foul. There are hundreds of property owners who could be affected by the group's decision and they should have a say in the future of their homes, they argue.

"It bothers me for the sole reason that during this whole process they have been miscommunicating with the whole neighborhood," said Marc Schrobilgen, an 18th Street resident, whose home was designated historic against his wishes. "It doesn't set a good tone with the community if they go about it this way."

Schrobilgen said he understands that commissioners may feel they can accomplish more in a private meeting without an

opinionated crowd before them.

"But it's not going to rub the community the right way," he said. "I think communication is the most important part of this process, and if we had been told ahead of time what they were trying to accomplish, we might not have been as upset as we are now."

After discussing how to prioritize which districts should be designated, the amount of city resources available, and a method in which to discuss the idea with homeowners, the subcommittee will make its recommendations to the full commission.

"We would make suggestions maybe, but any votes would be taken by the full commission publicly," Schnitzler said.

Members of the landmarks commission discuss everything from designating historic homes to issuing demolition permits for homes on the city's historic list.

Another resident, whose home was not historically designated by the commission, said he supports keeping the public out of the decision-making process.

"It might not actually be a bad thing,"

said Greg Poirier. "It might make sense for them to get a clear sense of things amongst themselves and put that forward at a regular public landmarks meeting."

Poirier is an active member of "Homeowners for Voluntary Preservation," a newly-formed committee that is circulating a petition in an effort to allow homeowners a choice as to whether their homes should be classified as landmarks or historical buildings.

The group needs 6,000 signatures to

place the measure on the November ballot, which would prevent the city from deeming homes historic without the consent of the owner.

Poirier said the group would continue to collect signatures to make historic designation a voluntary process in Santa Monica — a concept landmarks commissioners are vehemently opposed to.

"I think on that point, the commission and I are just going to have to agree to disagree," he said

Run for recreation restoration

By Daily Press staff

Tonight marks the last day runners will hit the streets of Santa Monica as part of a fund-raising effort to benefit recreation areas within the city.

Nike kicked off its Nike Glo Run on Jan. 23 with 75 runners, which generated \$375. Nike donates \$5 per runner, with proceeds going to restore public recreation areas like the popular running trails on San Vicente and the stairs off of

Fourth Street and Adelaide Drive.

Nike has set up a route of three- and five-mile runs, and runners are provided with blinking armbands. Afterwards, runners gather at Marix Tex Mex located at 118 Entrada Drive in Santa Monica for a post-run cool down for food, drinks, music and a raffle of Nike's running gear.

Anyone interested in joining the final event, show up at Marix Tex Mex at 6 p.m. today.



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LOCAL

CrimeWatch

Homeless men charged with armed robbery

Two homeless men beat another transient with a wooden stick while he was collecting bottles and cans late last month.

Santa Monica Police officers were called to the alleyway behind 16th Street on March 28 at about 1:30 p.m. where the victim told them he saw two men stealing recyclables out of his shopping cart while he was rummaging through a dumpster.

When he approached the pair to get his stuff back, they beat him with a large wooden stick and fled north down the alley with their shopping carts.

Police quickly located two individuals 10 blocks away in the same alleyway fitting the suspects' description. Officers apprehended them.

When they brought the two white males back to the victim, they were positively identified. Officers booked the pair as Adam Llyod Harwell, 24, and James Richard Carmen, 44, for armed robbery.

■ A woman was threatened with a gun while she was smoking a cigarette outside her home in the 200 block of Hollister Avenue.

A man approached her about 10 a.m. on March 27 and said he had a gun and demanded her money. But when the victim said she didn't have anything on her, the suspect fled on foot.

However, the victim didn't report the attempted robbery until 1:30 p.m. because she had errands she needed to run first.

Police are looking for a 5' 10" black male in his 30's weighing between 240-280 pounds. The suspect was wearing a white, long-sleeved shirt and blue jeans.

■ Two men robbed a woman of her purse while she was walking near her home in the 1700 block of Appian Way.

The woman said she was approached by two suspects, the first of whom demanded her purse by saying, "I have a gun, give me your money."

The victim handed over her purse containing credit cards, various forms of identification and a cell phone. The suspects ran to a waiting car, which was described as a dark gray, four-door 1990's — possibly a Chevy Cavalier.

Police describe the first suspect as a black male, between the ages of 18-22, 5'-8" tall. He was wearing a dark navy blue sweatshirt and dark pants.

The second suspect is described by police as a Hispanic male, between 18-22 years old. He was wearing dark clothing as well.

And the suspect driving the car is described as a black female.

Reaction mixed over Parks

LAPD, from page 1

4-1 decision not to keep Parks.

The chief, who said he would appeal, must persuade two-thirds of the 15-member City Council to keep him.

Councilman Dennis Zine, a former Los Angeles police officer and longtime Parks critic, also supported the commission's action.

"I respect the 37 years the chief has had with the LAPD, but his own admission of inflexibility and stubbornness and lack of attention to morale issues brought this about," said Zine, himself a 33-year veteran of the Los Angeles Police Department.

People interviewed on the street after the commission announced its decision Tuesday afternoon were more divided.

"I can see a lot that could have been improved, that Chief Parks could have done," said George Washington, a black owner of a grocery store in crime-ridden

South Central Los Angeles.

"I'm sorry to see him go, but I'm more sorry he didn't have expertise when he came in to make improvements," said Washington, adding that race had nothing to do with his opinion of Parks, who is the city's second black police chief.

"It's not about African-American, Caucasian-American, Asian-American. It's about who can do the job," he said. "It's warfare out there, you can feel it when you walk the streets."

Vanessa Matthews, a black woman interviewed by KABC-TV in the city's Crenshaw district, felt Parks should have been reappointed.

"I think they should have given him another chance, another five years to prove himself," Matthews said. "He's been with the force a long time, many people know a lot of good things about him, more than bad things, and we cannot correct things overnight."

Overturing Los Angeles' police commission's decision process

By The Associated Press

The process by which the City Council could overturn the Los Angeles Police Commission's decision:

The Police Commission's decision will become final unless the 15-member City Council takes action to veto it. Two-thirds of the City Council must act within 10 regular session meeting days to

overturn the commission's decision.

If the council asserts its jurisdiction in time, the commission's decision may be vetoed with another two-thirds vote of the council. The council must take the veto vote within 21 calendar days of its introduction.

If the council asserts its jurisdiction, any action it takes will be final.

STATE



CA waterways proposed for federal pollution list

By The Associated Press

LOS ANGELES — Dozens of Southern California beaches may be added to a federal list of polluted waterways.

Among those being considered are Castlerock Beach in Santa Monica; Avalon Beach on Santa Catalina Island; and stretches of Huntington State Beach and Seal Beach in Orange County.

If the federal government approves nearly 200 California lakes, creeks and stretches of ocean to the list, the State Water Resources Control Board must design plans to limit the pollution flowing into the waterways. The process usually takes years, health officials said.

If enacted, the limits would restrict various pollutants, including fertilizers

and heavy metals, from tainting the water. Environmentalists believe the plans are one way to improve the water's health.

"If done correctly, they should be 100 percent effective," said Heather Hoecherl, a staff attorney with the Natural Resources Defense Council's Los Angeles office.

There are more than 500 water bodies in California that have been deemed impaired and must have standards in place by 2012.

State water officials will host three public meetings before the state board votes on its proposal in September and submits it to the Environmental Protection Agency by Oct. 1. Federal officials will take several months to analyze the proposal before making a decision.

Davis: Tourism picking up since post-9/11 decline

By The Associated Press

SACRAMENTO — Tourists are filtering back to California's hotels, amusement parks and airports after a sharp decline following the Sept. 11 terrorist attacks, Gov. Gray Davis said Tuesday.

The tourism industry added 6,000 new jobs in January and February, Davis told industry officials at the California Conference on Tourism. The increase is welcome news after the terrorism strikes sent the tourism industry tumbling and about 45,000 employees lost their jobs, he said.

Davis credited in part an \$8.5 million state-sponsored ad campaign, featuring such celebrities as Clint Eastwood and Jack Nicholson, designed to encourage

Californians to travel within the state.

"We are seeing across the board evidence that our combined efforts ... are paying off," Davis said.

Also Tuesday, Davis announced the approval of a \$15.5 million federally funded coastal protection program.

The program is part of a massive conservation measure using money from federal offshore oil and gas leases to restore coastlines, protect wildlife and create urban parks. The federal legislation was co-authored last year by U.S. Rep. George Miller, D-Calif.

The money will be used to rebuild piers, protect farmlands, improve eroding beaches and protect marine life, Davis aides said.

Scientists discover new species of California whale

BY ANDREW BRIDGES

AP Science Writer

VERNON — Scientists have discovered a new species of whale, a startling find made through DNA analysis of a handful of the marine mammals that washed ashore over the past three decades.

The 13-foot beaked whales were previously lumped together with another species of the same family found in Australia and New Zealand.

But genetic analysis of the five known specimens of the whale, all found in California, indicate they represent a species distinct from their southern Pacific cousins, despite being similar in appearance.

"Even off the coast of California, where we thought we knew everything, we're discovering new species," said John Heyning, deputy director of research and collections at the Natural History Museum of Los Angeles County, where remains of several of the newly named beached whales are housed.

A report detailing the discovery will be published in July in the journal Marine Mammal Science.

Scientists said the find is humbling.

"It's clear that even for whales, these large animals everyone loves, there's a lot we don't know," said Merel Dalebout of the

University of Auckland in New Zealand, and a co-author of the upcoming report.

The discovery underscores the opportunistic nature of the study of cetaceans, an order that includes dolphins, porpoises and whales.

Often the only examples of such mammals available for study are those that are stranded, wash ashore dead or are captured commercially.

Scientists based the last identification of a new species of beaked whale, in 1991, in part on specimens found for sale in a fish market in Peru.

"It's catch as catch can. You have to be prepared to go out and get whatever Mother Nature happens to dish up," said study co-author James Mead, curator of marine mammals at the National Museum of Natural History at the Smithsonian Institution in Washington.

Beaked whales, whose name reflects their pointy snouts, are among the least-studied of all mammals, thanks in part to their elusive nature. They live in deep water, where they dive to great depths in pursuit of squid and other prey.

The whales are marked by their near-total lack of teeth. In some species, only adult males have teeth, and then just two, which they use as tusks to spar with one another.

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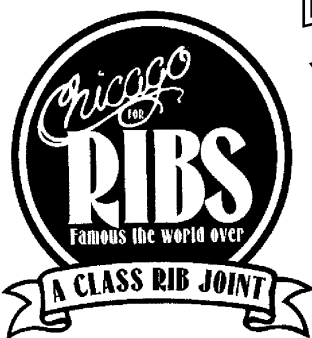
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NATIONAL

Andersen auditor admits he shredded Enron documents

BY KRISTEN HAYS
Associated Press Writer

HOUSTON — The Arthur Andersen auditor who oversaw Enron's books pleaded guilty Tuesday to ordering the shredding of Enron documents and agreed to cooperate with prosecutors in a deal that could break the scandal wide open.

Former partner David B. Duncan pleaded guilty to obstruction of justice, admitting he tried to thwart an Enron investigation by the Securities and Exchange Commission.

He is believed to be the first person in the Enron case to strike a deal with federal prosecutors.

"Documents were in fact destroyed so that they would not be available to the SEC," he told U.S. District Judge Melinda Harmon, reading from a statement.

The charge carries up to 10 years in prison and hundreds of thousands of dollars in fines. Duncan remains free until his sentencing on Aug. 26.

He had no comment as he left the courthouse. His attorney, Sam Seymour, said: "He's continuing his cooperation, as we've said all along."

Andersen spokesman Patrick Dorton declined comment on Duncan's plea.

Duncan was fired by Andersen after the accounting firm acknowledged the large-scale destruction of documents and deletion of computer files related to the collapse of the energy giant, whose bankruptcy cost thousands of employees their jobs and, in many cases, their life savings.

Duncan could prove crucial in enabling prosecutors to build a case against Enron. As the senior auditor in charge of the Enron account, he would presumably have knowledge of the complex web of partnerships used by the company to keep millions of dollars in debt off its books.

Under the plea bargain, Duncan is immune to any further prosecution related to the Enron case as long as he fully cooperates with federal authorities — which could include testimony at future trials — and agrees not to sell his story or otherwise profit from the debacle.

In court, Duncan described how he ordered Andersen employees on Oct. 21 to destroy certain documents two days

after he learned that the SEC was investigating Enron.

"I also personally destroyed such documents," Duncan told the judge. "I accept that my conduct violated federal law."

Prosecutors said the shredding occurred between Oct. 23 and Nov. 9. The SEC notified Andersen on Nov. 8 that it would subpoena documents related the firm's work on Enron.

**"Documents were in
fact destroyed so
that they would not be
available to the SEC."**

— **DAVID B. DUNCAN**
Former Arthur Andersen partner

A grand jury indicted Andersen on March 7 on a charge of obstructing justice, accusing the firm of destroying "tons of paper" at offices worldwide and deleting enormous numbers of computer files on its Enron audits. At times, the government said, the destruction was so frenetic that employees worked overtime and shredding machines could not keep up.

The indictment was unsealed March 14. Andersen has pleaded innocent, and a trial is set for May 6. In the meantime, large numbers of Andersen clients are dropping the firm, and the company is struggling to save itself.

Duncan initially was thought of as somewhat of a rogue auditor when Andersen fired him and demoted several others on the Enron team after acknowledging the shredding in January.

Robert Mintz, a former federal prosecutor and an expert on white-collar crime, said Duncan's plea significantly weakens Andersen's hand in trying to work out a settlement of the criminal case.

"His defection represents the first thread in the unraveling of the defense," Mintz said. "Andersen's best defense was the presentation of a unified front, categorically denying any intentional wrongdoing by any employees."



Frederic Larson/San Francisco Chronicle

Lead attorney William S. Lerach talks about the University of California lawsuit against Enron in San Francisco on Monday. The 500-page complaint, filed on behalf of large investors and led by the University of California, said the banks and law firms raked in massive fees while financing and approving sham deals that hid debt and inflated profits.

NATIONAL



Auditor's guilty plea gives government a courtroom tool

BY TED BRIDIS
Associated Press Writer

WASHINGTON — The admission in court Tuesday by a senior auditor at Arthur Andersen LLP that he broke the law destroying documents in Enron's collapse gives U.S. prosecutors a powerful tool in the broadening financial investigation, legal experts said.

David B. Duncan, a partner at the Andersen accounting firm who was fired in January, could provide the government with details about Enron's most controversial deals preceding its dramatic failure in December, along with insights into what the Justice Department says was Andersen's widespread and illegal shredding of related papers and e-mails, experts said.

"I predict he has many songs to sing," said Lowell Peterson, a New York lawyer with Meyer, Suozzi, English and Klein, which is pursuing severance benefits on behalf of about 40 Enron employees. "I would be more worried if I were an Enron officer; Duncan didn't shred these documents for nothing."

Andersen has pleaded innocent to obstructing justice.

Appearing in federal court in Houston, Duncan told U.S. District Judge Melinda Harmon: "I also personally destroyed such documents. I accept that my conduct violated federal law." He will remain free until his sentencing in August.

"You can't make these cases without the cooperation of the insiders," said Ira L. Sorkin, a former regional administrator for the Securities and Exchange Commission, now a lawyer with Carter, Ledyard & Milburn in New York.

A criminal obstruction charge can carry fines up to \$250,000 and up to 10 years in prison, though it was unclear what effect Duncan's cooperation might have. In court papers, the government indicated it would not oppose lesser penalties against Duncan "for (his) acceptance of responsibility."

"When you plead guilty to a single count and you're in the country club set ... providing testimony in a subsequent case, judges traditionally don't give time even if they can," said Stephen M. Ryan, former general counsel to the Senate Committee on Government Affairs and now a lawyer at Manatt, Phelps & Phillips in Washington.

Duncan also could point to others inside Andersen and Enron who might cooperate with government prosecutors in exchange for plea bargains, experts said. In criminal cases, the government typically makes its most generous offers to those who make deals early.

"Once a crack in the armor begins to be visible, you will see other defections," predicted Robert A. Mintz, a former U.S. prosecutor now with McCarter & English LLP in Newark, N.J. "We'll likely see other people at Andersen and possibly at Enron striking deals with prosecutors. It's

an every-man-for-himself mentality."

The government won another victory Tuesday when the judge allowed prosecutors to compel Andersen employees to continue appearing before a U.S. grand jury in Houston before the firm's May 6 trial. Rejecting a request by Andersen to block the practice, Harmon ruled that the Justice Department was investigating "in good faith" employees at Andersen who haven't yet been indicted.

"Once a crack in the armor begins to be visible, you will see other defections."

— ROBERT A. MINTZ
McCarter & English LLP

Larry Thompson, the deputy U.S. attorney general, has previously described the Andersen shredding as "not just confined to a few isolated individuals or documents." He called it a "substantial undertaking over an extended period of time with a very wide scope."

In barely concealed commentary, the judge on Tuesday described the case as "a complex and seemingly ever-expanding investigation."

Duncan has pleaded guilty to orchestrating the shredding at Andersen between Oct. 23 and Nov. 9, according to court documents. The SEC notified Andersen on Nov. 8 that it would issue a subpoena for documents related to the firm's Enron work.

Other experts said Duncan's decision to plead guilty also carries important direct implications for Andersen, which a grand jury indicted March 7 as a corporation on a single count of obstructing justice. The grand jury accused the firm of destroying "tons of paper" at its offices worldwide and deleting enormous numbers of computer files on its Enron audits.

Under federal rules, any criminal acts by Duncan can be more broadly attributed to Andersen unless the firm's lawyers can show Duncan lied in his guilty plea or that he was a rogue partner whose conduct wasn't sanctioned.

"The government is now going to have an insider who can place a motive behind some of the questionable acts by Andersen personnel leading up to the collapse of Enron," said Mintz, the former assistant U.S. attorney.

Mintz said Duncan will describe for prosecutors telephone calls, meetings and conversations among officials at both Enron and Andersen. "He'll provide an invaluable tool for prosecutors as they sift through documents," he added.

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NATIONAL

Attorney and group are indicted for aiding in terrorism

BY LARRY NEUMEISTER

Associated Press Writer

NEW YORK — A New York defense attorney and three other people were charged Tuesday with helping a blind Egyptian sheik direct terrorism from prison by carrying messages to and from his followers around the world.

In announcing the federal indictment, Attorney General John Ashcroft identified the sheik, Omar Abdel-Rahman, as a leader of a terrorist organization linked to al-Qaida called the Islamic Group.

Ashcroft said the group spreads “a message of hate that is now tragically familiar to Americans,” though he said the case had no apparent connection to the Sept. 11 attacks.

Abdel-Rahman, 63, is serving a life term in federal prison for his role in a 1993 conspiracy to blow up New York City landmarks. He was also a spiritual leader of the men convicted in the 1993 World Trade Center bombing.

The indictment accuses his attorney Lynne Stewart of carrying messages from the sheik from 1999 through mid-2001 when he was in prison in Rochester, Minn., despite rules prohibiting him from communicating with his followers.

The indictment charges that the unlawful communications with the sheik happened during prison visits and attorney telephone calls involving Stewart and Mohammed Yousry, an Arabic translator who also was charged.

Prosecutors said Stewart tried to fool prison guards by inserting extraneous comments in English into the Arabic conversations.

The two other defendants are accused of relaying a 2000 edict from Abdel-Rahman urging Muslims everywhere “to fight the Jews and to kill them wherever they are.”

Stewart is a 62-year-old civil rights attorney and political firebrand whose clients have ranged from Weather Underground radicals to cop killers and recently, mob killer and turncoat Sammy “Bull” Gravano.



Ed Bailey/Associated Press

U.S. Attorney General John Ashcroft, right, announces at a New York news conference on Tuesday the indictments of four people, including a Manhattan attorney, on charges they provided material support and resources to the Egyptian-based terrorist organization known as the Islamic Group. At left is New York City Police Commissioner Ray Kelly.

Stewart pleaded “emphatically” not guilty Tuesday in a courtroom packed with fellow defense attorneys.

The others charged are Ahmed Abdel Sattar, 42, a New York man described as a “surrogate” for Abdel-Rahman; and Yassir Al-Sirri, the former head of the London-based Islamic Observation Center.

Al-Sirri, who is in custody in Britain, was charged with “facilitating communications among Islamic Group members and providing financing for their activities.” The others are being held in New York.

Stewart represented the sheik in 1995 when he was convicted of seditious conspiracy. She cried after a jury found he conspired to assassinate Egyptian President

Hosni Mubarak and that he and nine others sought to blow up the United Nations, a federal building and two tunnels and a bridge linking New Jersey to Manhattan.

The indictment said all four defendants handled messages about the Islamic Group, an international terrorist group dedicated to overthrowing Egypt’s secular government and opposing others who do not share its radical interpretation of Islamic law.

All four were charged with conspiring to provide material support and resources to the terrorist organization. If convicted, each could face maximum sentences of five to 20 years. Sattar and Al-Sirri, who allegedly delivered the fatwa, or edict, to kill Jews, were also charged with soliciting crimes of violence.

Ashcroft said the Justice Department has decided to invoke a policy announced in October and monitor communications between Abdel-Rahman and his attorneys.

Lawyer Ron Kuby, who represented the sheik before Stewart took over, called the indictment “an attempt to intimidate the attorneys who are willing to stand up and challenge what John Ashcroft is doing to the Constitution.”

The sheik, who suffers from diabetes, a heart ailment and asthma, has been moved from the Federal Medical Center in Minnesota, Rep. Gil Gutknecht, R-Minn., said Tuesday. His new location was not disclosed.

After Sept. 11, U.S. officials said two of Abdel-Rahman’s sons were operatives for al-Qaida.

The elder, Mohammad, has been described as a senior al-Qaida operative and one of two dozen top targets in the U.S. war in Afghanistan. U.S. officials said he is still alive.

Another son, Ahmed, worked as a liaison between al-Qaida and the Islamic Group before he was captured by anti-Taliban forces last year and turned over to the United States.

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INTERNATIONAL



Powell to meet Arafat and Sharon to broker truce

BY BARRY SCHWEID
AP Diplomatic Writer

CAIRO, Egypt — Secretary of State Colin Powell called Tuesday for accelerated negotiations to establish a Palestinian state, even as he pressed for a cease-fire to Middle East violence between Israel and the Palestinians in the meantime.

Setting no deadline to complete his peace mission, Powell said he would meet Palestinian leader Yasser Arafat as well as Israeli Prime Minister Ariel Sharon later this week in an effort to broker a truce.

"We are going to have to act more quickly," he said, though adding, "I am prepared to stay for some while."

Powell said the United States was prepared to contribute a small detachment of State Department or other civilian government employees to monitor any cease-fire agreement.

For the Bush administration, Powell's emphasis on Palestinian statehood marks a shift in tactics. For more than a year, the administration has focused on establishing a cease-fire as a condition for deeper peacemaking.

But Powell said all the Arab leaders with whom he has met have underscored the urgency of getting started on an accord. And he said he would deal with Arafat as the representative of the Palestinian people.

Powell said he talked to Sharon on Tuesday and was told Israel would expedite its withdrawal of troops from the West Bank, where they are pursuing Palestinian militants. "The sooner the better," Powell said.

"Time is of the essence" for ending the violence, he said after meeting with Egyptian President Hosni Mubarak. Powell is seeking greater Arab participation in the peace process as well as an immediate end to Israel's military offensive.

It was the first time Powell had said expressly that he would meet Arafat during his trip to Israel, where he arrives Thursday night and plans talks with both sides through the weekend.

The Palestinian leader has been isolated by Israeli forces in his headquarters in the West Bank city of Ramallah. Israel said it wouldn't try to stop the Powell-Arafat meeting.

Earlier, Powell had hedged, suggesting he would meet with Arafat only "if circumstances permit."

Powell said he had spoken to Sharon on Tuesday and the Israeli had reiterated "his commitment to bring this to an end as quick as he can." Powell praised Israel for



Israeli Defense Force/Associated Press

This handout photo released by the Israeli Defense Force Tuesday shows Israeli soldiers taking cover behind a corner during their military operation in the West Bank town of Yatta, 10 kilometers (6 miles) south of Hebron on Monday. Israeli forces pulled out of some of the West Bank towns of Qalqiliya and Tulkarem Tuesday, but troops remained in the towns of Nablus, Bethlehem, Jenin and Ramallah.

beginning to withdraw its troops from Palestinian areas but noted that fierce fighting persisted.

After 13 Israeli soldiers were killed in an ambush during heavy fighting in the West Bank refugee camp of Jenin, Sharon said in a nationally broadcast address that the Israeli offensive would continue.

In Washington, White House spokesman Ari Fleischer said President Bush expects Israel "to withdraw and to do

so now. ... The president believes all parties still have responsibilities. He's looking for results."

Working to fill in the details of a U.S. vision for a permanent peace, Powell said political objectives must be pursued alongside talks to end the current violence. He told the Arabs they must acknowledge Israel's rights.

In another bid to enhance the U.S. role in the region, Powell said the Bush administration was prepared to help monitor any cease-fire.

"That would help with the confidence building, the restoring of trust between the two sides, get us back to where we were a few years ago," Powell said.

Egyptian Foreign Minister Ahmed Maher, who met with Powell and then appeared alongside him at a news conference, said in an interview, "The presence of the observers is important because we will have neutral witnesses who will point to who are the violators of the cease-fire."

Both sides would have to agree to such a team. Israeli Ambassador David Ivry said last month that if the monitors were able to preserve a truce, the peacemaking process could get under way. Among the monitors' tasks, he said, would be to make sure Palestinian terror suspects were detained and not quietly released later.

U.S. forces already serve on the Sinai Peninsula as part of an international team monitoring enforcement of the 1969 Egyptian-Israeli peace accord.

Powell's scheduled overnight stay in Amman, Jordan, on Thursday was canceled to advance his arrival in Jerusalem to late Thursday. He will meet earlier in the day with Jordanian King Abdullah II.

After his stop in Egypt on Tuesday, Powell left the region for Madrid. There he scheduled talks with Russian Foreign Minister Igor Ivanov. Powell also was to confer with United Nations Secretary General Kofi Annan.

He told reporters aboard his plane that the United States had asked Syria and, through intermediaries, Iran to play a role in reining in violence in the Middle East.

"I come here at a difficult time," Powell said in Cairo, citing "young men and women and children dying on both sides."

"Both will have to make hard choices," Powell said of the Israelis and Palestinians.

Queen mum buried



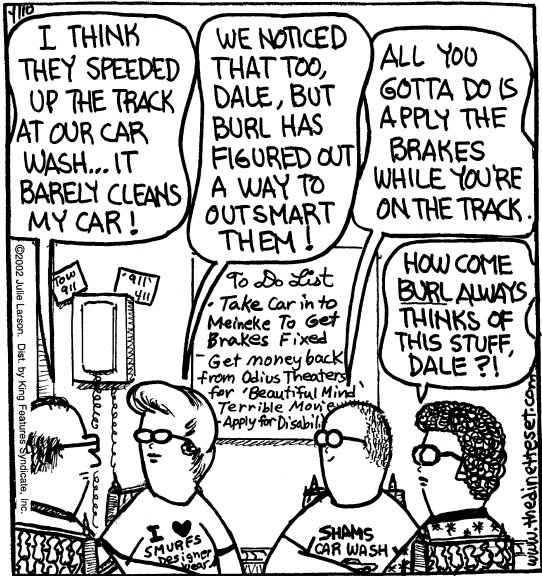
Jeff J Mitchell/Associated Press

Members of Britain's royal family look over the coffin of the Queen Mother during her funeral service inside Westminster Abbey in central London Tuesday. They are from left: Britain's Queen Elizabeth II, Princess Beatrice, Princess Anne, Prince Andrew, Prince Philip, Peter Phillips, Lady Sarah Chatto, Prince William, Zara Phillips, Prince Edward, Prince Charles, Commodore Tim Laurence, Sophie, Countess of Wessex, Prince Harry and the Duke of Gloucester.

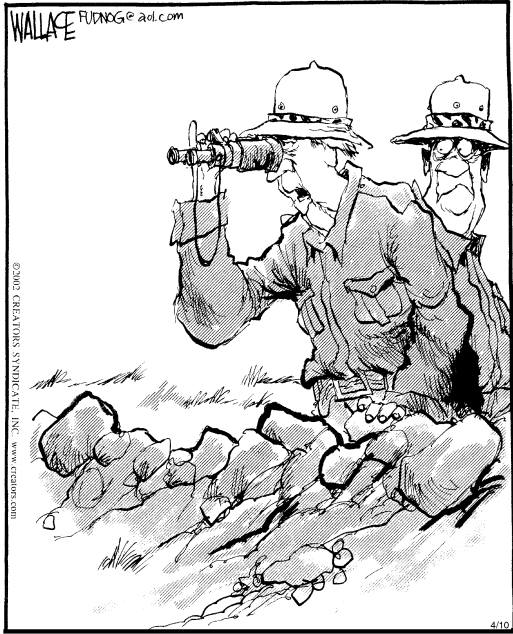


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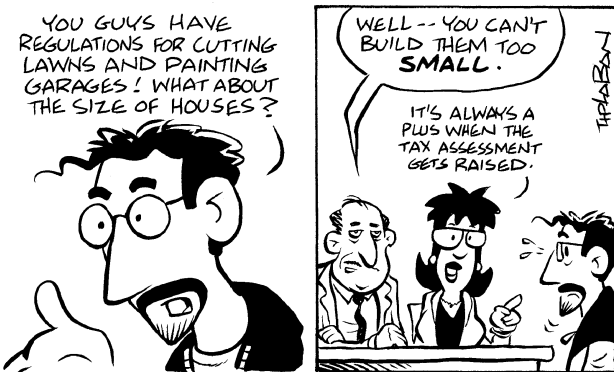
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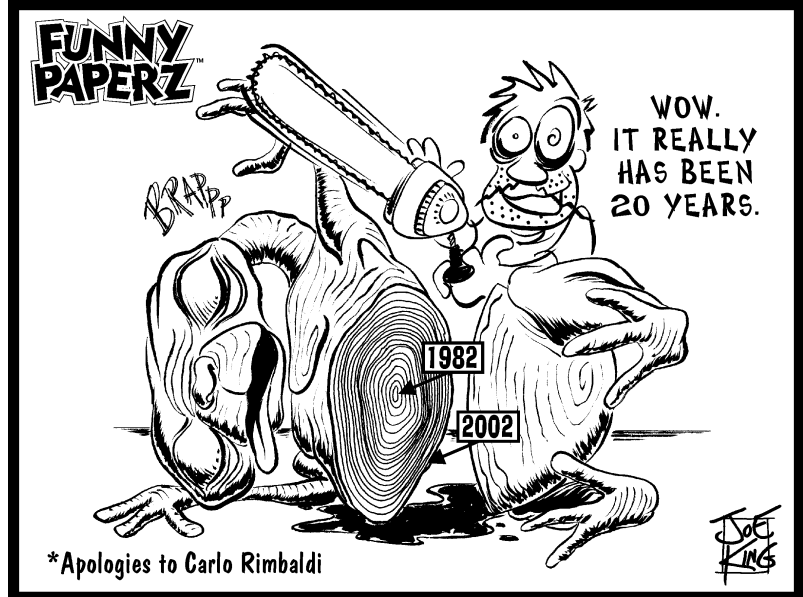
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NEWS OF THE WEIRD by Chuck Shepard

Man fights 77-year-old woman for parking space

• In Ocala, Fla., in December, motorist Richard Stengel, 57, was charged with aggravated battery after he won a handicapped parking space from a 77-year-old woman who was standing in it, trying to reserve it for her motorist-husband; "Lady," Stengel allegedly said, "if you don't move, I'm going to run you over," and he did, knocking her down (even though a St. Petersburg Times report said Stengel's car did not appear to display a handicapped parking permit).

• In March, Lee Damron, 48, and Richard Cavalier, 59, duelled over a handicapped parking space in front of Oak Hill Hospital in Spring Hill, Fla., Damron with a sword which he carried with him and Cavalier with a registered 9mm handgun; the wheelchair-using Cavalier prevailed.



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WESTWOOD \$1250.00 Furnished, R/S, carpets, W/D, parking included, cable and utilities included. Westside Rentals (310) 395-RENT.

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Houses For Rent

BRENTWOOD \$1345.00 Triplex, cat ok, R/S, hardwood floors. Westside Rentals (310) 395-RENT.

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Townhouses

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WESTWOOD \$450.00 Private bdrm, R/S, carpets, large closets, W/D, near UCLA, part utilities. Westside Rentals (310) 395-RENT.

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BACK PAGE

ODDS & ENDS

Panic button pushed at PO

By The Associated Press

BELLA VISTA, Ark. — Cheryl Haas thought her wedding invitations were quite romantic. Postal service inspectors, the fire department and sheriff's deputies did not.

The post office was closed Monday for about an hour while investigators determined the white grains that escaped from one of Haas' envelopes were harmless.

The invitation was for a wedding on a Wyoming beach.

Haas, 37, of Broomfield, Colo., said she never meant for her letters to cause alarm. The closing was the third time one of the invitations to the June 29 wedding at Glendo Reservoir has raised concerns the white sand might be anthrax spores.

Haas said she got the sand from a Home Depot store and she thought it would be OK to send it in the invitations. She said the envelope was clear, included confetti and had a return address.

Trooper launches inquiry into himself

By The Associated Press

BURLINGTON, Conn. — One of the highest-ranking state troopers has requested an inquiry into his own actions after driving away from his home with his gun and police badge on the roof of his cruiser.

The cloth bag with the gun and badge was found just down the street from Lt. Col. Edward Lynch's home in Burlington on Saturday. The bag was returned to the state police barracks at Litchfield.

Lynch, a 20-year state police veteran who now

serves as field operations commander, said he put the bag on the roof temporarily and planned to put it in the trunk.

He then ran inside his house to answer a telephone call, he said. After the call, he remembered that he had to tie up his dog. Then he got into his car and drove off, he said.

"I don't take this lightly," said Lynch, who added that he is usually meticulous about securing his weapon. "I'm as fallible as the next person. I can make a mistake."

True to his reputation as a by-the-book police officer, Lynch requested that a higher-ranking commanding officer conduct an administrative inquiry. He also apologized to the public safety commissioner.

Deaf, blind man goes for green thumb

By The Associated Press

DETROIT — Roderick Gordon may not be able to see or hear, but that hasn't stopped him developing his green thumb.

Gordon, the first blind and deaf person to enroll in the Michigan State University master gardener program, recently finished the 12-week course.

He was one of 34 students in the class, which met for four hours weekly. The master gardener course is open to all who can complete it, plus the required 40 hours of volunteer work.

At each class session, two interpreters assisted Gordon. While lecturers described the details of plant diseases or lawn maintenance, the interpreters moved their fingers and palms against Gordon's, translating spoken words into information he understands.

Gordon, 50, who had tumors that cost him his vision

at age 27 and his hearing at 35, grew up in Jamaica where he worked as a machinist until his sight became impaired.

Interviewed through interpreters, Gordon said he is considered totally blind and profoundly deaf but "I still have what God wants me to have."

The master gardener program "was a very remarkable course. I would recommend it to anyone in Michigan," said Gordon, who plans to grow vegetables, herbs and flowers on his balcony this year.

Veggie field?

By The Associated Press

DENVER — Coors Field, home of the Colorado Rockies, is known around the league as a baseball hitter's heaven. Vegetarians say it doesn't strike out either.

A survey by People for the Ethical Treatment of Animals ranks Coors Field the No. 2 vegetarian-friendly ball park in the nation, behind Tropicana Field, home of the Tampa Bay Devil Rays.

"The Rockies' mile-high ball park has gone the extra mile for vegetarians," PETA said, citing the stadium's offerings of chef salad, veggie wraps, bean burritos and veggie subs.

Tropicana Field was cited for its gardenburger, French fries, fruit smoothies, garlic knots, peanut butter-and-jelly sandwiches, black beans and rice, vegetable stir-fry and pasta.

The SkyDome, home of the Toronto Blue Jays, and Network Associates Coliseum, home to the Oakland A's, rounds out the top four parks.

"It's time for all ball parks to step up to the plate and offer veggie dogs and other veggie fare," PETA said on its Web site this week.

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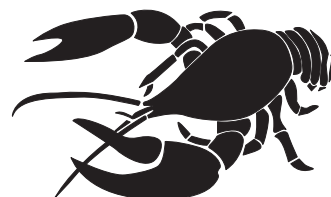
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