

Santa Monica Daily Press

A newspaper with issues

DAILY LOTTERY

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DAILY 3

Daytime: 1 8 3

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DAILY DERBY

1st: 08 Gorgeous George

2nd: 12 Lucky Charms

3rd: 03 Hot Shot

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

NEWS OF THE WEIRD

BY CHUCK SHEPARD

Inexplicable: Phillip Williams, 47, for some reason approached two uniformed police officers in Tampa, Fla., in March to ask their opinions of whether the substance he had just purchased for the crack pipe he was holding was indeed cocaine. After examining the pipe, the officers suspended their then-current investigation of a burglary and put the cuffs on Williams. The month before, in Orlando, Michael Garibay, 34, approached a sheriff's deputy in a marked patrol car and asked him if he was "straight," which, as Garibay proceeded to explain to the befuddled officer, meant, "Do you want to buy cocaine?" After Garibay pulled out a baggie of white rocks, he was arrested.

TODAY IN HISTORY

Today is the 109th day of 2005.
There are 256 days left in the year.

On April 19, 1775, the American Revolutionary War began with the battles of Lexington and Concord.
In 1782, the Netherlands recognized American independence.

QUOTE OF THE DAY

"How much easier it is to be critical than to be correct."

BENJAMIN DISRAELI
BRITISH POLITICIAN

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Kevin Herrera/Daily Press



Fabian Lewkowicz/Daily Press

(Left) Singer/songwriter William Roberts plays one of the songs from his album of romantic ballads. He has been performing on the Third Street Promenade in Santa Monica for five years and has noticed the volume of other performers increasing, drowning out acoustic acts such as his. (Right) Brothers Ezequiel, 32, (left) and Martin Etcheverry, 37, a flamenco duo from Buenos Aires, Argentina, perform 'Rumba Mediterranea' on the Promenade.

LOCAL

LA officials challenge ruling on homeless

By The Associated Press

LOS ANGELES — City officials said a recent federal court ruling won't stop police from arresting crime suspects on Skid Row.

A federal appeals court ruled on Friday that a city ordinance prohibiting anyone from sleeping, sitting or lying on public streets was unconstitutional because it amounted to cruel and unusual punishment.

The city of Santa Monica has a similar law that bans people from lying in doorways in the downtown area from 11 p.m. to 7 a.m. if a business owner has a sign displayed in the window or door saying it is illegal.

City Attorney Rocky Delgadillo and Councilwoman Jan Perry said the court's ruling could exacerbate the downtown homeless problem.

"We want to be humane, but we will not allow a return of the gangs and drug peddlers who prey on the homeless," Delgadillo said.

The American Civil Liberties Union filed the challenge in 2003 on behalf of six transients who were unable to get shelter the night they were cited or arrested.

Delgadillo and Perry declined to say whether they'll seek City Council permission to appeal the court's 2-1 ruling.

Bayside looking to muzzle its noisy street performers

BY KEVIN HERRERA

Daily Press Staff Writer

THIRD STREET PROMENADE — Street performers here have become too loud for their own good, according to merchants, shoppers and the street performers themselves.

"I don't even try to come and play at night or on the weekends. It's just too crowded and too noisy," said aspiring singer/songwriter Mary Wild, a native of Italy who came to Santa Monica two months ago after hearing about the Promenade's legacy of live performers who have gone on to sign lucrative record deals.

"After 6 p.m., it just gets too competitive," Wild said as she packed up her acoustic guitar, microphone and

speaker following a performance Tuesday afternoon. "You have three or four or five people jamming, and they just drown you out."

Wild isn't the only one concerned.

The noise issue surfaced Tuesday during a meeting of members of the Bayside District Corp., a nonprofit organization that manages downtown in conjunction with City Hall. Members of Bayside's land and asset management committee discussed ways in which to modify a law regulating street performances to make it easier for police officers and a liaison hired by Bayside to catch repeat offenders in the act.

"We have an ongoing noise problem, and we need to discuss solutions," said Kathleen Rawson,

"After 6 p.m., it just gets too competitive."

MARY WILD
Singer/songwriter

executive director of Bayside. "Enforcement is slowly improving, but we still have some basic decisions to make."

For some time, city officials have received complaints from merchants, residents and visitors about the level of noise created by

See PERFORMERS, page 5

SMC job programs adapting to changing economy

BY KEVIN HERRERA

Daily Press Staff Writer

SMC HDQTRS. — If the popular automotive repair course once offered at Santa Monica College is restored — a request made by residents, auto dealers and members of the college's board of trustees — chances are it will be overhauled.

Officials at the college are considering creating a new area of instruction under the banner of transportation that would take auto

repair to another level. Instead of just learning how to fix carburetors or replace a worn-out clutch, students could be taught how to use computers to diagnose a car's ills, or how to inspect energy-efficient vehicles to see if manufacturers are meeting government standards.

There also could be a course dedicated to alternative fuels, helping students adapt to an industry that is certain to change dramatically over the next 20 years as manufacturers move away from gasoline-

powered vehicles to those that run on electricity or fusion technology.

The evolution of the automotive program is part of SMC's efforts to bring back the occupational programs that were cut three years ago and create new ones that better serve students and the needs of the business community. In 2003, many occupational programs such as automotive repair were cut because of budget constraints.

See JOB TRAINING, page 6

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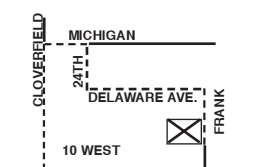
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HOROSCOPES

Be up late, Aries

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 grab hold of a situation in order to make your point. Allow yourself to follow your gut right now. Others will respond to your strength, leadership and stability. Many different areas of your life demand attention. Tonight: Expect to be up late, visiting or working.

LIBRA (Sept. 23-Oct. 22)
★★★★ Anchor in, knowing what is good for you. Others might see you as stubborn. Perhaps a long-overdue conversation and swapping of ideas could ease the pressure. Making money is as natural as spending it. Tonight: Happy at home.

TAURUS (April 20-May 20)
★★★★★ Take an overview and gain a better understanding of what might be going on behind the scenes or what is not being said. Unexpected reactions will follow if you nail a situation. You will know you are right-on. Tonight: Follow the music.

SCORPIO (Oct. 23-Nov. 21)
★★★★★ Your positive attitude could smooth rough waters. Others appreciate your insightfulness and thought process. Creativity spins out from you. Your magnetism draws someone unusual to your camp. Tonight: Hang out.

GEMINI (May 21-June 20)
★★★★★ Deal with a financial or trusted adviser. You might think you are heading on the correct course, only to suddenly need to divert. Allow those you respect to run the show if you feel a bit off-kilter. Passive can be good. Tonight: Go for duo.

SAGITTARIUS (Nov. 22-Dec. 21)
★★★★★ Sagittarius is lucky with money, but also spends it well. The emphasis will be on how you handle your funds. Others might ask for advice. Take care of yourself first. Think through an offer or a risk. Don't jump on it. Tonight: Treat yourself to a plant, favorite CD or great book.

CANCER (June 21-July 22)
★★★★★ Others seek you out. At some point in the day you might feel so frazzled that you could react or become unusually touchy. A firm financial approach makes you feel much better. You need security in order to flourish. Tonight: Say yes to an invitation.

CAPRICORN (Dec. 22-Jan. 19)
★★★★★ With the Moon energizing your sign, the Force is with you. The only negative might be that if you think negatively, you are likely to create just that. Look at what the universe does today. You might learn a lot about yourself. Tonight: As you like.

LEO (July 23-Aug. 22)
★★★★★ What you add to any situation is a solid perspective and way of looking at issues. You might want to rethink a habit or routine. Perhaps your automatic behavior doesn't work anymore. Tonight: Get some exercise.

AQUARIUS (Jan. 20-Feb. 18)
★★★★ Use your instinctive abilities when dealing with those in charge. You will find that many people appreciate your suggestions, especially if you are willing to be more subtle than usual. Information must be kept mum. Tonight: Get some much-needed rest.

VIRGO (Aug. 23-Sept. 22)
★★★★★ You could be far more insightful than you realize. An observation or some idea easily could blow someone out of the water. This person might have a strong negative reaction, as you could be too "insightful." Tonight: Happiness plus.

PISCES (Feb. 19-March 20)
★★★★★ You might want to zoom in on what you want. Others might find you ingenious or unstable. Remember that how others look at you has a lot to do with who they are and their behavior. Go for what you want. Tonight: Where the crowds are.

CIRCULATION AUDIT BY
CIRCULATION VERIFICATION COUNCIL

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COMMUNITY BRIEFS



Photo courtesy Michael Soneff, left, with fellow scout members Logan Shoop, center, and Christian Thompson give St. Joseph Center's Lincoln Boulevard Thrift Store a new coat.

Eagle Scout touches up community

By Daily Press staff

A local community center is a little greener this month, thanks to Michael Soneff, a member of Boy Scout Troop No. 223 who earned his rank of Eagle Scout this month by repainting St. Joseph Center's Lincoln Boulevard Thrift Store a deep shade of pine.

Soneff, 15, marshaled a crew of 15 troop members, his parents and grandfather to assist with the endeavor. Erik Jorgensborg, owner of Fisher Hardware and Lumber in Venice, donated \$328 worth of green paint, and Soneff's family donated more than \$260 in supplies.

Getting as much green on the building as on their clothes, Soneff and other volunteers spent three weeks prepping, priming and painting.

"I think it was the first time any of (the kids) had ever painted anything," said Ann Kelly, Soneff's mom.

To earn the rank of Eagle Scout, a Boy Scout must fulfill requirements in the areas of leadership and outdoor skills, and plan and complete a community service project.

After years of hard work, Soneff has achieved a lifetime honor only attained by 4 percent of all Boy Scouts.

Soneff and his family were introduced to St. Joseph Center through the Parish of St. Matthew. St. Joseph Center is a nonprofit organization that provides homeless and working poor individuals and families with the tools and resources they need to work toward greater self-sufficiency.

The thrift store not only helps generate revenue for the agency, but offers clients vouchers for free clothing and household goods.

See BRIEFS, page 5

SNOW AND SURF REPORTS

CONDITIONS

DATA PROVIDED BY ONTHESNOW.COM

BEAR MOUNTAIN

NEW SNOW (24 Hrs)	0"	BASE DEPTH 24" - 48"	LIFT HOURS 8:30 am - 4:00 pm	RUNS OPEN 27	LIFTS OPEN 4/12
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CONDITIONS: Machine Groomed, Hard Packed, Spring, Variable

JUNE MOUNTAIN

CLOSED

MAMMOTH MOUNTAIN

NEW SNOW (24 Hrs)	0"	BASE DEPTH 216" - 240"	LIFT HOURS 8:30 am - 4:00 pm	RUNS OPEN 150	LIFTS OPEN 20/28
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CONDITIONS: Packed Powder, Machine Groomed

MOUNTAIN HIGH

NEW SNOW (24 Hrs)	0"	BASE DEPTH 12" - 24"	LIFT HOURS 8:30 am - 4:00 pm	RUNS OPEN 19	LIFTS OPEN 8/16
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CONDITIONS: Spring

MT. BALDY

NEW SNOW (24 Hrs)	0"	BASE DEPTH 15" - 32"	LIFT HOURS 8:00 am - 4:30 pm	RUNS OPEN 26	LIFTS OPEN 4/4
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CONDITIONS: Machine Groomed, Spring

SNOW SUMMIT

NEW SNOW (24 Hrs)	0"	BASE DEPTH 24" - 48"	LIFT HOURS 8:00 am - 4:30 pm	RUNS OPEN 26	LIFTS OPEN 7/14
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CONDITIONS: Machine Groomed, Hard Packed, Spring, Variable

SNOW VALLEY

NEW SNOW (24 Hrs)	0"	BASE DEPTH 18" - 48"	LIFT HOURS 8:30 am - 4:00 pm	RUNS OPEN 20	LIFTS OPEN 3/11
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CONDITIONS: Machine Groomed, Hard Packed, Spring

CONDITIONS

WATER TEMP: 55°

DATA PROVIDED BY WETSAND.COM

SWELL FORECAST (1-3 FT)

Today some spotty SW swell is due from that system that swirled up about 9 days ago in the Tasman Sea. This will bring some infrequent energy to the southland, bringing south facing breaks occasional (and quite rare) chest high set waves.

LONG RANGE SYNOPSIS

Some light NW Friday into weekend...

TIDE FORECAST FOR SANTA MONICA

MONDAY

LOW TIDE 6:41AM -0.1FT 4:54PM 2.3FT

HIGH TIDE 1:18PM 2.8FT 11:44PM 5.3FT

TUESDAY

LOW TIDE 7:45AM 0.0FT 5:01PM 2.6FT

HIGH TIDE 3:12PM 2.7FT N/A N/A

WEDNESDAY

LOW TIDE 9:05AM 0.1FT N/A N/A

HIGH TIDE 12:33AM 5.1FT N/A N/A

THURSDAY

LOW TIDE 10:26AM 0.0FT 9:15PM 3.2FT

HIGH TIDE 1:48AM 4.8FT 6:33PM 3.3FT

FRIDAY

LOW TIDE 11:31AM -0.2FT N/A N/A

HIGH TIDE 3:32AM 4.6FT 6:46PM 3.7FT

SATURDAY

LOW TIDE N/A N/A N/A N/A

HIGH TIDE N/A N/A N/A N/A

SUNDAY

LOW TIDE N/A N/A N/A N/A

HIGH TIDE N/A N/A N/A N/A

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LETTERS TO THE EDITOR

Restoration of murals appreciated

Editor:
The board and members of the Ocean Park Association would like to extend our gratitude and appreciation for the fine work that Rainer Zebala Partners and the Sculpture Conservation Studio have done in restoring the Ocean Park underpass murals.
We watched as they meticulously cleaned and painted and graffiti-sealed the whales and the merry-go-round ('Unbridled') murals.
With the new anti-graffiti coating there has only been one incident of vandalism to date, and it was easily removed without apparent damage to the art.
We also wish to thank the City Council for approving the necessary funding and for their understanding that art and beautification of our neighborhoods bring benefit to all. And, as Ocean Park Boulevard is used by many residents to access Main Street and the south beach areas, all improvements are greatly appreciated.

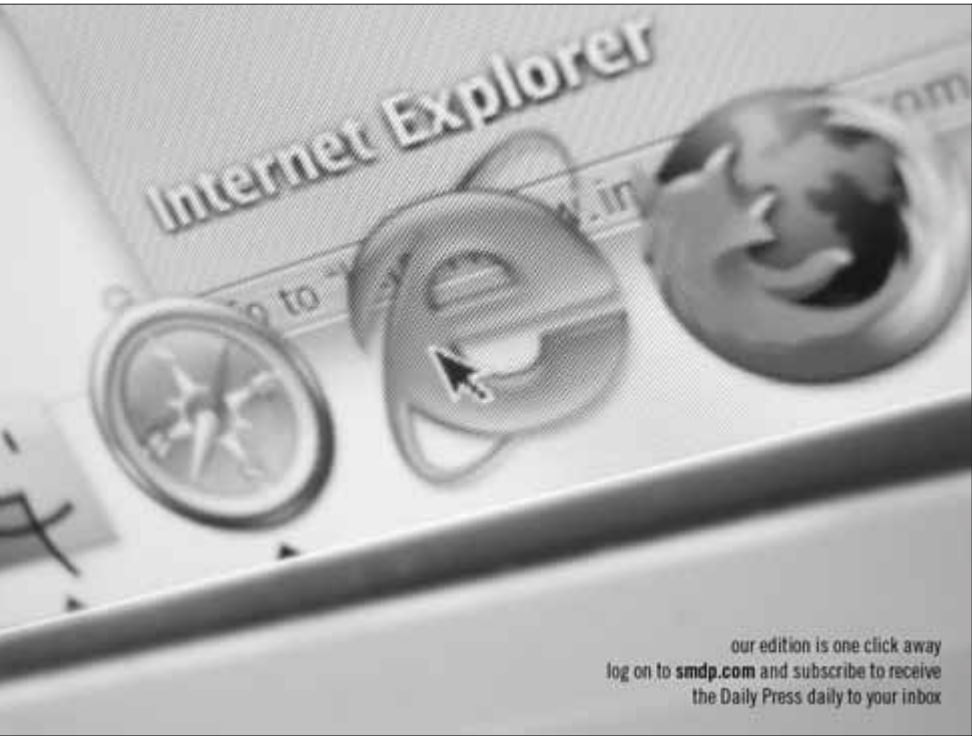
Ocean Park Association
Santa Monica

Voting system still flawed

Editor:
On Dec. 20, Secretary of State Bruce McPherson declared he will not certify any system for use in California unless it meets the most stringent voting system requirements.
Yet on Feb. 17, Secretary McPherson re-certified Diebold voting machines, despite the fact a report he released concluded there were a minimum of 16 security flaws with them.
He said there were "bugs" which could allow an attacker to completely control the behavior of the [voting machine]. An attacker could change vote totals, modify reports, change the names of candidates, change the races being voted on, or insert his own code into the running firmware of the machine, he said.
I am confused and appalled. What changed in the two months between the Secretary's statement and the recertification? How can we be assured of our most fundamental right as citizens?
I demand that the California legislature honor its oversight responsibilities by ordering a credible, independent investigation of any and all voting systems used in our state. At the conclusion, the voters of California deserve a point-by-point assessment of the security flaws identified by Secretary McPherson.
The gubernatorial election is in six months. The presidential election is just two years away. Don't we all want to be sure our votes are counted?

April Halprin Wayland
Manhattan Beach

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Santa Monica Daily Press Visit us online @ www.smdp.com



Amid life's adversity, we can arise stronger



THE WITNESS STAND
BY CLIFF NICHOLS

Sometimes you can be at the right place at the right time. Although not a frequent occurrence for most, who can say we should not be glad when such times come to pass? Easter Sunday was such a time. The place? The services celebrating Easter held at the Metro Calvary Church in Santa Monica. Why? Because a randomly chosen few individuals had the courage to share pieces of their lives with the rest of those in attendance, which allowed us all to be made more aware of the fact that obstacles and even tragedies in our lives can be used to serve a greater purpose. They can be used to permit others around us to appreciate that no matter how bad the events of our past may seem, we all have been given the opportunity to embrace in our soul a hope that a brighter future is a divinely offered entitlement we should not overlook.

It has been my observation that most people, including myself, have the tendency to become self-absorbed with their own problems to the exclusion of others. And, as another general proposition, we also tend to just assume that the lives of most others we encounter have been somehow more graced with good fortune. Both are mistakes we would do well to resist making, however. Take for example, a strikingly attractive woman who presented herself to the assembly on Easter Sunday. Because our culture incessantly suggests that beauty is success, one's first impression would most likely be that this woman is one of the "lucky ones." Certainly she could not possibly have any problems of any significance, much less any problems that would even remotely approach the gravity of our own. But, then she began to speak, and in the telling of her story, she revealed to us all how so very shallow such preconceptions we are prone to make can be. When she finished, I'm sure many in the audience were stunned, as was I. On one level, I was taken aback by some of the tragic events that had occurred in her life, including having lived through a violent sexual assault at gunpoint along a jogging trail by a man with a nylon stocking over his head. In the aggregate, they made whatever problems I think I may have had in my life flee in embarrassment due to their insignificance. But on a deeper, and I think more important level, I was left encouraged by the shock that an individual could live through such experiences and still come out on the other side filled with the abundance of peace, comfort, hope and joy that she radiated before us all.

To me, and I think to many others who were in that room with me, her message, along with all those presented by the others who spoke as well, was a tremendous encouragement. In one sense, it told us that none of us are alone in our struggles. Life throws us all some curves, but there is always hope if we seek it. After listening to people like this woman, we were able to conclude that no matter how bad our prob-

lems may seem at the time we are having to work through them, we can cling to the belief that they are rarely, if ever, insurmountable. More importantly, however, we were made to appreciate the fact that frequent adversity serves the invaluable purpose of making us better people, especially in those instances when they result in calling an individual to place his or her life in service to a higher and nobler purpose than may have been originally pursued prior to the adversity. And when that happens, as it did on Easter Sunday, we saw the result manifested by such people who have demonstrated the character and integrity to endure: peace, comfort, joy

We were made to appreciate the fact that frequent adversity serves the invaluable purpose of making us better people.

and hope.
Yes, I know some of you are cynics and may be thinking, "Isn't it coincidental that that just happens to be the very message that is claimed to have been delivered by the man whose life Easter celebrates?" Well, I have to admit, yes, in fact, it is. But, in case you happen to be one of those cynics, before you discount everything that has been said so far for that reason alone, I would urge you to not take my word only. Before you disconnect, hear from a friend of mine who, although she is of another faith, graciously accepted my invitation to accompany me to church on Easter. As we left, she told me that for her the most encouraging part of the service were the testimonies presented by the people I have described. But then she shared with me something that I found even more significant. She said that after hearing their stories, not only did the message about the meaning of Easter that followed their testimonies make more sense to her than ever before, but that for reasons she couldn't put into other words, she found herself "amazed." She said she had never attended anything of its kind before that had left her "feeling so clean." By that, I took her to mean that everything that had been said Sunday morning had allowed her to put things that had happened in her life into perspective and to have emerged from the experience with a hope that her future could be bright if she chooses to make it so. To me, that's a good beginning. After all, isn't life all about the choices we make? And if after Sunday she is led to make better choices, it gives not only her hope but it gives me hope as well. Who knows? We may all end up being the better for it. At a minimum, in the future we will certainly have a better appreciation and love for our fellow sojourners as we travel this highway of life. To me, that's a good thing.

(Cliff Nichols is an attorney practicing criminal defense/entertainment law in Santa Monica. He may be contacted at either 310-917-1083, cliff@cliffnicholslaw.com or www.cliffnicholslaw.com, and you may join his blog at www.thedailystand.com.)



Bayside considering restricting performers

PERFORMERS, from page 1

street performers. This led the City Council in 1999 to pass a law regulating the number of performers per block and the level of noise they are allowed to create — 87 decibels during the day and 107 decibels at night. The law also requires performers to rotate locations every two hours.

The law seemed to work at first, performers said, but after a while they began to see a lack of consistent enforcement, which led some performers to crank up the volume without consequence. This created a domino effect, leading to more and more performers turning up the dial to compete for the attention, and the money, of passing people.

"They just don't have money for enforcement," said veteran street performer William Roberts as he played soothing acoustic music on his guitar near the Famima market on the Promenade. "Some performers feel entitled, like they run the show, so they think they can get away with anything ... Without performers, the Promenade would be just like any other mall, but there has to be something the city can do to protect those who are following the rules and punish those who insist on breaking them."

Currently, officers must take a reading of the performer's decibel level, which can take anywhere from five to 30 seconds for an accurate reading, police said. During that time, a performer can turn down the volume and avoid getting a ticket.

What many often do is turn down the volume when they see police coming from a block away, and turn the volume back up once the officers leave, police said.

If a performer receives two citations by officers, they can have their permits for performing revoked and be banned from performing on the Promenade for six months, Bayside officials said.

Police said they have stepped up enforcement of the law and have issued several citations, which could lead to the revocation of three performers' permits.

Stephen Bradford, Bayside's venue manager, is also responsible for monitoring the performers to make sure they are complying with the law, but he is not a sworn officer, nor does he carry a weapon. He is also not allowed to issue a citation for violating the law.

"That's a problem," Bradford said. "The other night, a performer was arrested and another charged with interfering with a police officer. It got really hairy, with people threatening police. If you put someone in that situation who is not trained nor has the authority to arrest, that could be dicey."

Bradford recommended hiring more officers "as the best solution."

Other members of Bayside suggested the law be changed to further limit the number of performers per block. Currently, those playing music must be 40 feet from one another, essentially limiting the number of performers per block to 40. Extending the limit to 50 feet could further reduce the number of performers, which has the potential to lower the noise level, Bayside members said.

There was also talk of having the City Council lower the decibel level further to help eliminate loud acts.

The Bayside committee will report to the Bayside board, which could make recommendations to the City Council to restructure the ordinance or hire more officers for the Promenade beat.

"Something needs to be done," said political activist Vincent Garofalo, who can often be seen on the Promenade. "Street performers add an ambiance to the Promenade, but at what cost? I've been coming here for six years, and it's getting harder and harder to have an intelligent conversation. It really has become difficult to work here."

COMMUNITY BRIEFS

BRIEFS, from page 3

Afro-Cuban rhythms coming to SMC

By Daily Press staff

Dance to the beat of this drum: Santa Monica College is presenting "From Afro-Cuban Rhythms to Latin Jazz," a lecture that traces the development of what is now called Latin Jazz.

The free event will be hosted by Dr. Raul Fernandez, a social sciences professor at the University of California at Irvine and a consultant on Latino musicians to the Smithsonian Institution. The lecture will be held at 7 p.m. on Thursday, April 27, at SMC's Emeritus College, 1227 Second St. in downtown Santa Monica.

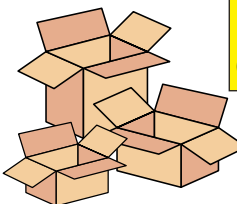
The title of the talk comes from Fernandez's new book of the same name, published by the University of California Press. A book signing with refreshments follows the lecture, and books will be available for purchase.

In the book, Fernandez explores the complexity of Cuban dance music and the webs that connect it, historically and socially, to other Caribbean music, to Latin jazz and to salsa.

Fernandez also is the co-author of several other books, including "One Hundred Years of Chicano History: Empire, Nations and Migration" (2003) and "Latin Jazz: The Perfect Combination."

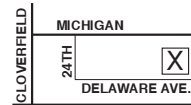
The lecture is co-sponsored by the SMC Associates, a private organization that funds speakers and special programs on campus, and the University of California Press, one of the largest, most distinguished and most adventurous nonprofit publishers active today.

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NOTICE OF AVAILABILITY OF PROPOSED FY 2006-07 ONE-YEAR ACTION PLAN ALLOCATING FEDERAL CDBG AND HOME FUNDS

Notice is hereby given that the City of Santa Monica has developed the Proposed FY 2006-07 One-Year Action Plan. The One-Year Action Plan is submitted annually to the U.S. Department of Housing and Urban Development (HUD). It delineates the City's specific projects and activities for one-year use of Community Development Block Grant (CDBG) and HOME funds in order to meet the City's overall housing and community development needs as specified in the Consolidated Plan (FY 2005-10) adopted by City Council and submitted to HUD in June 2005. The City is seeking community comments on the Proposed One-Year Action Plan.

Copies of the Proposed FY 2006-07 One-Year Action Plan are now available to the public for a 30-day community review period ending May 9, 2006. Copies are available at City Hall, the Santa Monica Public Library (main and branch libraries), and on the web at smgov.net, or you may contact the Human Services Division, 1685 Main Street, Room 212, Santa Monica, CA 90401, telephone (310) 458-8701; TDD (310) 458-8696. Please send your written comments to the above address by May 9, 2006, or you may present your comments verbally at the City Council public hearing on that date.

The Council Chambers are wheelchair accessible. If you have any special disability-related needs/accommodations, please contact the Human Services Division.

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LOCAL

Tsang: I am taking the charge

JOB TRAINING, from page 1

SMC officials are currently studying the economy, job markets, new technologies and demand so that they can better decide which classes to restore, which ones to let go, and where they can create new opportunities to fill the void created by new technology.

The effort is supposed to lay out priorities for the future and is intended to create a long-range plan for occupational programs that will adapt as the job market fluctuates. The last time SMC prepared such a plan was a decade ago, college officials said.

"We want to have a more comprehensive response and not a knee-jerk reaction to change, because technology is changing dramatically and with that so are job skills and the labor market," said SMC President Chui L. Tsang. "To do this effectively, we have to find industrial clusters, such as transportation, and not just one single occupation. We have a faculty that can follow the development of these clusters and keep track of it and change with them. That is how we can become more relevant to the community."

When the cuts were made, SMC was still offering the same percentage of occupational programs — 22 percent — when compared to academic courses. However, complaints came from students and businesses about the loss of courses that replenished the workforce annually, such as automotive repair.

"A number of people, particularly in the Pico neighborhood, felt (the automotive) program was very valuable because it could provide a good income for those who are pursuing higher education or those looking to provide for their families," said Nancy Greenstein, chair of the SMC board of trustees.

With SMC's finances gaining strength, Greenstein said she and the other trustees are looking to bring programs back.

However, with Tsang just beginning his job as president, the process has been delayed somewhat to allow Tsang time to get his feet firmly planted, said Randal Lawson, executive vice president of SMC in charge of student affairs.

"We have had to delay a bit in forming our advisory board ... and with the selection of a new president, we (district staff) felt it would be appropriate to wait until he (Tsang) was on board before we proceed," Lawson said.

"Trustees may have wanted to move ahead sooner, but we all felt we should go in this direction," Lawson added. "These programs require more than just adding a few liberal-arts studies. They require a substantial investment in staff, equipment. We need to choose those courses that are going to attract a sufficient number of students to support it."

Greenstein said the board is interested in learning more about evolving job markets and new technologies, "but we also wanted to make clear to staff the importance of working with the community to get these programs back on line as soon as possible."

"Trying to restore automotive has been on my plate since it was cut about three years ago," Greenstein said.

Tsang said the board is anxious to get some programs on line "because we have been perceived by some as we are not doing enough in this area."

Tsang said SMC currently offers 41 occupational programs, but he realizes the need to do more and is eager to have a comprehensive plan developed by the summer that could be put into place by the 2007-08 school year.

"Occupational programs are one of the major tasks of a community college, so we want to do a good job," Tsang said. "There has been some concern in the past with leadership issues, but I assured the board that I am taking the charge on this."

Tsang said some areas that could be considered include transportation, health care, construction and building-systems management.

"As a college, we cannot do everything. We need to be selective," Tsang said. "Our goal is to provide high skills so that our students can earn higher wages, while at the same time, deliver workers who are well trained to meet industry's demands in certain areas. Now we have to find what those areas are and if there is a demand by our students."

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STATE BRIEFS

FBI investigates school’s financial collapse

By The Associated Press

VICTORVILLE — The FBI is investigating the 2004 collapse of California Charter Academy.

FBI Special Agent Marcie Soligo said the agency has seized financial records used to compile a 2005 state audit that found lax oversight contributed to questionable contracts and other problems.

The audit found that more than \$25 million in school funds were misspent.

Soligo declined to specify what triggered the agency’s interest in the Victorville-based network of charter schools that once had 60 campuses and 10,000 students.

The state superintendent of public instruction commissioned the audit last year to examine financial practices of a management company created by CCA founder C. Steven Cox to run the schools.

Attorney Dennis Wagner, whose firm represents Cox, called the allegations a smear campaign and said other audits have cleared the schools.

FBI agents spoke with staff at the office of the state superintendent of public instruction office as recently as last week, department spokeswoman Hillary McLean said.

Convicted strangler sentenced to life

By The Associated Press

LOS ANGELES — A 35-year-old movie extra convicted of sexually assaulting and strangling a doctor in her home was sentenced to life in prison without the possibility of parole.

Los Angeles Superior Court Judge Kathleen Kennedy-Powell called the 2001 slaying of Lourdes Unson a horrible crime while sentencing defendant Jammie “Jay” Hendrix on Monday.

Hendrix’s girlfriend lived three doors away from Unson, 63, in a Los Feliz apartment building.

Deputy District Attorney Steve Katz told jurors during the trial that Hendrix forced the victim into her bedroom and sexually assaulted her.

Police used DNA evidence to track him to Austin, Texas, where jewelry belonging to Unson was pawned. He was arrested in a downtown Los Angeles hotel in August 2001.

Deputy Public Defender Jeffrey Gilliam acknowledged that Hendrix stole Unson’s jewelry but denied that he killed her.

Unson invited Hendrix into her home when he offered to carry bags of groceries for her and took her jewelry because he was insulted by her \$3 tip, the lawyer said.

Man charged with murder accepts plea agreement

By The Associated Press

SAN BERNARDINO — A man charged with killing a popular Riverside activist while stealing her car in 2001 accepted a plea agreement, attorneys in the case said.

Defendant Ruben Garcia accepted the deal last week, several days before opening statements were scheduled to begin Monday.

Superior Court Judge Marsha Slough sealed the case without disclosing details of the agreement. No sentencing date was announced.

California law allows judges to seal records if an overriding interest in the case outweighs the public’s right to know.

The victim, Hannah “Honey” Jordan, 54, was well-known for her community activism in Riverside and served on the boards of numerous statewide charity organizations.

Garcia was charged with murder and carjacking, with potential sentencing enhancements of deadly use of a firearm and committing a crime to benefit a criminal street gang.

Michael Duncan, his defense attorney, said the plea acceptance was unexpected. Duncan declined further comment, citing the sealing order.

Police said Garcia was among three men hired to steal the red 2001 Chrysler 300M sedan driven by Jordan.

Jordan family friend and spokesman Mark Edwards said the family was gratified with the plea.

Sheriff wins GOP endorsement

By The Associated Press

IRVINE — Orange County Sheriff Mike Carona won the county Republican Party’s endorsement for re-election in a second-chance vote, weeks after GOP members denied their support on a first ballot.

The endorsement came Monday with a 44-20 vote. Carona failed to receive the endorsement by one vote in the ballot last month.

Members heard a speech by U.S. Rep. Dana Rohrabacher lauding the sheriff’s plan regarding illegal immigrants.

Carona is seeking federal approval to train deputies to check the immigration status of suspected felons behind bars and during investigations.

“If for that reason only, he deserves my support and our thanks,” Rohrabacher said.

Carona’s critics argued that he lost the vote last month and shouldn’t have been allowed a second chance. Some GOP members said the sheriff has not been supportive enough of the Republican Party.



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STATE

San Francisco marking the centennial of its destruction

BY LISA LEFF
Associated Press Writer

SAN FRANCISCO — Sirens wailed through the city before dawn Tuesday to mark the moment 100 years earlier when the Great Quake struck, shattering the city and touching off fires that burned for days.

Eleven centenarians who survived the devastation were joined by thousands of spectators for a memorial ceremony to remember one of the worst natural disasters in U.S. history.

The annual wreath-laying at Lotta's Fountain, the bronze-colored downtown landmark where San Franciscans gathered in the aftermath, was billed as the biggest ever and a tribute to the city's resilience.

"What an extraordinary example: the pioneering spirit that defines our past, I would argue defines our present, and gives me optimism of the future," said Mayor Gavin Newsom. "San Francisco, a city of dreamers. And San Francisco, a city of doers."

The ground held steady during a moment of silence as a bell tolled nine times. The calm was shattered by the cry of sirens that moaned in tribute as three horse-drawn firetrucks arrived.

Most of the city's 400,000 residents were still in bed when the magnitude-7.8 earthquake struck at 5:12 a.m. on April 18, 1906.

The foreshock sent people scrambling, and the main shock arrived with such fury that it flattened crowded rooming houses. The epicenter was a few miles offshore of the city, but it was felt as far away as Oregon and Nevada. In 28 seconds, it brought down the City Hall it had taken 27 years to build.

From cracked chimneys, broken gas lines and toppled chemical tanks, fires broke out and swept across the city, burning for days. Ruptured water pipes left firefighters helpless, while families carrying what they could fled the advancing flames to parks that had become makeshift morgues.

Historians say city officials, eager to bring people and commerce back to the city, radically underestimated the death toll. Researchers are still trying to settle on a number, but reliable estimates put the loss above 3,000, and possibly as high as 6,000.

The centennial was both a somber remembrance and a celebration of the city's ability to rise from the ashes.

"It doesn't really feel like a party to me," said Bob McMillan, 37, who walked to the event with his wife and 2-year-old daughter. "There is a sense of the tragedy but

there is also that San Francisco optimism. It's kind of like, 'We're still standing.'"

Linda Cain, 52, awoke at 3:15 a.m. at her El Sobrante home and drove across the Bay Bridge to attend the event in honor of her late grandmother, Loretta O'Connor, who lived through the quake.

"Growing up she would talk about how this devastated her life," Cain said. "She loved San Francisco very much and she passed that on to me."

Historians generally agree that the city will crumble again in a future quake, but they disagree over whether people should leave.

Communities up and down the San Andreas Fault, source of the magnitude-7.8 temblor, planned to commemorate the earthquake Tuesday. In Santa Rosa, where 119 of the 7,500 citizens were killed, 119 volunteers dressed in vintage garb would walk by candlelight behind a horse-drawn hearse to the cemetery where 15 earthquake victims were buried in a mass grave.

San Jose, which was also hard-hit, has staged a geology exhibit called "It's Our Fault, Too." At the Exploratorium science museum in San Francisco, an artist sculpted a quivering San Francisco neighborhood in Jell-O.

The quake ranks as one of the costliest disasters in U.S. history, a benchmark to which later calamities are compared. Historians generally agree that the city will crumble again in a future quake, but they disagree over whether people should leave.

Simon Winchester, the British author of "A Crack In The Edge Of The World," a book about the disaster, told a forum Monday at the Commonwealth Club that he imagines a time hundreds of years hence when San Francisco is deserted.

"There will come a time when the city is knocked down again and again and again," he said.

Philip L. Fradkin, author of "The Great Earthquake And Firestorms Of 1906: How San Francisco Nearly Destroyed Itself," told the group he has planted roots in the Bay Area and isn't budging.

"San Francisco fell, and it will fall again," said "And if we can't deal with the realities of history, we're lost."

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STATE

Soggy spring has horse owners concerned about West Nile virus

BY SAMANTHA YOUNG
Associated Press Writer

ELK GROVE, Calif. — Every six months, Pam Murphy brings her five horses from her rolling property in the Sierra foothills town of Plymouth to suburban Sacramento for vaccinations against the West Nile virus.

Like other horse owners, Murphy is bracing for another outbreak of the virus, a potentially fatal disease that afflicts horses more than any other mammal.

"It's definitely here because people have lost horses throughout the Sacramento Valley," Murphy said as she readied her 3-year-old horse Whoopie for its vaccination.

West Nile virus has killed 430 horses in California during the last two years, according to the state Department of Food and Agriculture. Veterinarians fear a wet spring coupled with warm weather could further spread the disease among an estimated 20 percent of horses in the state that have yet to be vaccinated.

The record rains that have saturated Northern California since the first of March have created ripe breeding grounds for mosquitoes, the primary conduit of the virus to horses and humans.

"If there's water standing, we're going to have lots of mosquitoes," said Gregory Lanzaro, director of the Mosquito Research Program at the University of California, Davis. "And right now, we're soaked."

Female mosquitoes lay their eggs in pools of standing water, where the young insects spend the first half of their lives.

Rice fields, swollen drainage ditches and stock ponds in livestock pastures are prime breeding grounds in rural areas. In more populated areas, mosquitoes breed in storm sewers, discarded containers that fill with rain, bird baths and dirty swimming pools.

"The more water you have, the more breeding grounds you have for mosquitoes," said Vicki Kramer, who heads the vector disease section of the state Department of Health Services.

Most of California has had water in abundance this

year. The National Weather Service has reported record rainfall since March in the Central Valley, causing flooding along the San Joaquin River and its tributaries. The forecast for the rest of April is brighter, with temperatures beginning to rise with the approach of summer.

So far this year, 11 dead birds have tested positive for the West Nile virus in Sacramento, Santa Clara, San Diego and Orange counties, state health officials said.

Health experts are on watch in each of the state's 58 counties. They are especially vigilant in Sacramento County, where last year more than one in 10 mosquitoes carried West Nile.

Statewide, 1,765 people have been infected during the past two years, and 47 have died, according to the state health department. Many of the deaths occur in the elderly or people with compromised immune systems.

Among domestic animals, horses are affected most.

About 44 percent of horses in 43 counties that were infected with West Nile have died in the last few years, according to the California Department of Food and Agriculture.

Others that have contracted the virus could suffer long-term effects such as changes in disposition, muscle tremors and sensitivity to light and touch. The more seriously affected horses suffer permanent neurological impairment, rendering them unable to ride or show, said Dr. W. David Wilson, a professor of equine medicine and a director at the Veterinary Medical Teaching Hospital at UC Davis.

"It's a definite threat. Horses in California will die this year," Wilson said. "We know there are still horses that have not been vaccinated. If they get vaccinated, the number will go down."

He said it remains a mystery why horses are more susceptible to the disease than other domestic animals and livestock.

A \$26 vaccine administered every six months can shield horses from the virus. In February, state veterinarian Dr. Richard Breitmeyer issued an alert and urged horse owners to vaccinate their animals in anticipation of a high-infection year.

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Real Estate

Digging into the essentials of easements



DAYS ON
THE MARKET

BY JODI SUMMERS

Last week's column on easements has generated several questions. We'll share some of them this week.

QUESTION: We recently bought a home on the Westside, and as we were going over the paperwork, we learned that the city has taken 5 feet for an utility easement. Is this standard?

— CN

ANSWER: As you probably know, the official definition of an easement is the legal right of another to use part of your property. Utility easements — either above

or below ground — are used for power lines, phone lines, water pipes, sewer pipes, gas lines and TV cable lines. Many properties around town have this sort of easement, known as an easement in gross. It's standard operating procedure. Without these free easements, most utilities companies would not agree to serve individual parcels.

Most easements in gross benefit public utilities or government agencies. They are usually recorded in the public records when a lot is subdivided. Your title policy should list all property easement, both aboveground and underground.

QUESTION: I have an apartment building in West Los Angeles that I've owned for 25 years. Part of the driveway on this property includes an easement on my neighbor's property. A new owner purchased the property next door and is saying that he is going to redo his property so my tenants

can no longer use the part of the driveway that's on his land. Am I going to be forced to move the driveway on this property?

— RS

ANSWER: It sounds like you have a prescriptive easement issue. According to noted real estate columnist Bob Bruss, "If you use part of your neighbor's property without permission, or someone uses part of your property even after you tell them to stop, a prescriptive easement for permanent use might arise."

To legally acquire a prescriptive easement over the property of another owner, you or your tenants must use the easement in an open, obvious and clearly visible manner. In California, you must be using this easement for five years without interruption for it to become a valid easement.

If the new owner of the adjoining lot attempts to terminate your tenant's driveway use, the legal action to perfect a prescriptive easement is called a "quiet title action." You, the claimant, should talk with a local real estate attorney about a quiet title lawsuit against the property owner. This is a way to make your driveway easement permanent.

QUESTION: We went to put in a pool on our property, and when the pool company came to discuss the project, they noted that there was a city sewer easement in the backyard, which affects the placement of the pool. Do we have any recourse on relocating the sewer line?

— SR

ANSWER: Talk to the city, tell your scenario and ask them about your options on relocating the sewer line. Also, check your title policy. If the policy failed to disclose a properly recorded underground easement, the title insurer can be required to pay either the cost of moving the underground easement or to compensate you for the diminished value of the property.

QUESTION: Back in the day when Topanga Canyon was a hippie hangout, there was a driveway easement across our property for the rear neighbors to reach their house. As Topanga developed, new roads were put in, so our neighbor gained their own driveway access. The easement over our land hasn't been used since then. We'd like to build a guesthouse where part of the recorded easement is located. The neighbors have given us their OK. So, what do we do to get rid of the easement?

— JH

ANSWER: You'll need to have a real estate attorney prepare a quitclaim deed for the neighbor to sign. Then the document must be recorded. This will eliminate his right to the easement over your lot.

QUESTION: The city of LA has a locked alley, which abuts my home, as well as all my neighbors. One owner has fenced part of the alley as his back yard. Another of my neighbors told me I can have the alley appended to my lot. Do I have any legal rights to claim this section of the unused alley?

— PW

ANSWER: It's government property, so you and your neighbors cannot claim title to the unused alley by adverse possession or prescriptive easement. Your best bet is to get all the affected neighbors to sign a petition requesting that the city abandon its alley and transfer title to the adjoining homeowners.

— MT

ANSWER: In the 2005 ruling Van Klompenburg vs. Berghold, the Third District California Court of Appeal affirmed that the specific language of a grant of an easement determines the scope of the easement. You say that the records of your easement require it to remain "wholly unobstructed" — in the 2005 ruling, it was determined that "a locked or closed gate constitutes an obstruction." But, your case may be different. Consult an attorney as to the best way to proceed.

(Jodi Summers is director of the investment division at Boardwalk Realty Santa Monica. Contact her at jodis@boardwalkrealty.com, or call 310-309-4219. Visit her Web site at www.santamonicalandmarks.com.)



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The nuances of handymen, termites



QUESTION: Our homeowner association would like to adopt a rule prohibiting children from playing in the common area streets. The purpose of the rule would be to minimize the risk that a child will be injured. Can we legally adopt the proposed rule?

ANSWER: Assuming your association's governing documents do not prohibit the adoption of such a rule, your board of directors can adopt a rule that prohibits all people — not only children — from specified activities on defined portions of the common area of your association. By applying the rule to all persons, your board of directors will probably avoid the claim that your association is discriminating against children or families with children.

QUESTION: I am the managing agent of a large condominium association. The association is having problems with termites as well as other types of insects that tend to

spread from one unit to another. Can the board adopt a rule requiring mandatory inspections of units?

ANSWER: Absolutely not. However, if it can be proven that a unit owner is the cause of damage to the common area, the association may have a claim for damages against the unit owner. Likewise, if a member of your association can prove that another member is the cause of damage to his or her unit, he or she may have a claim against the offending owner. The burden of proving such damages will be difficult.

The best course of action is to treat the common areas and all units adjacent to the one in question.

QUESTION: Can an unlicensed handyman legally do any type of work as long as the work does not exceed \$500?

ANSWER: No. In accordance with current California law, an unlicensed handyman may only perform work that is "casual, minor or inconsequential in nature." The law does not define these terms, thus creating a material risk for those who decide to use an unlicensed handyman.

Note that the \$500 limit includes both labor and materials and that unlicensed handymen are required to disclose to consumers that they are not licensed.

QUESTION: I am employed as a property supervisor for a large property management company that provides maintenance and landscaping services to our homeowner association clients. The problem is that my employer provides inferior services at a high price. The clients expect me to provide them with good service at a reasonable price. My company continues to overcharge and expects me to deal with the association clients and their complaints. What do you recommend?

ANSWER: You should find new employment. Your employer has a significant conflict of interest with its management clients and is taking unfair advantage of its client relationships.

In my opinion, an association should avoid such situations and you should also. Don't let your employer's conduct reflect on you.

(Michael T. Chulak is a partner with Chulak Shiffman Quisenberry & Drescher LLP, Attorneys at Law. Questions can be sent via e-mail to info@CSQDLaw.com. Answers are general in nature. An attorney should always be consulted when legal advice is needed. For more information, visit www.CSQDLaw.com and www.HoaQandA.com.)

Instances of seller financing expected to increase



As interest rates continue to rise, we expect to see more seller financing — or seller carry backs — taking place. The motivation for a seller to carry back a note in exchange for a property typically is to facilitate a transaction that would not have happened with conventional financing at the price the seller is asking.

Outside of the possibility of taking back the property if the new owner defaults on the note carried is the impact that a carry back loan for the property will have on the seller's taxes.

If not structured carefully, the seller will end up paying capital gains taxes on the money being paid back as the loan is being paid off. If the seller plans carefully, the

issues around unwanted taxes can be addressed to the seller's advantage and still to a seller carry back.

Some possible solutions to the potential tax liability created by seller carry back are as follows:

1. Assign the note to the seller of the replacement property: If the seller of the replacement property will accept the note as a portion of the consideration for the property to be acquired, this will allow the amount of the note to be included in the exchange.
2. Sell the note: The exchanger can sell the note to an outsider, investor or relative, as long as the funds go directly to escrow, or to the qualified intermediary. The funds will then be used to purchase the replacement property.
3. Buy the note: If the exchanger has funds outside of the exchange with which to purchase the note — replacing the note with cash in the exchange account — the note will be assigned to the exchanger, who can then collect on the note. This will usually result in the exchanger paying taxes only on the interest received.

Note that in order to execute any of the above strategies and qualify for a 1031 exchange, any decision being made

regarding a seller carry back must be made prior to the closing of escrow of the property to be relinquished. Also the note should be drawn to reflect the qualified intermediary as the beneficiary who can then assign it to the appropriate entity.

Consult your CPA and real estate attorney to assist in tax related advice and to assure the contracts involving your sale are properly drafted.



(You can reach Christina Porter at 1-877-4 TM 1031, or e-mail her at christina@tm1031exchange.com to discuss your specific needs. TM 1031 Exchange assists investors in planning and executing successful real estate investment strategies. Visit www.tm1031exchange.com for a complete list of investment properties and to download the TM 1031 Tool Kit.)

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Four early editions of Book of Mormon are recovered

BY DEBBIE HUMMEL
Associated Press Writer

SALT LAKE CITY — Four early editions of the Book of Mormon stolen in two separate thefts have been recovered, police said Tuesday.

Thirteen historical religious books, including two first editions of the Book of Mormon, published in 1830, were taken last week from the Daughters of Utah Pioneers museum. Two others have been missing since last November when a small safe was reported stolen from the LDS Institute of Religion at the University of Utah.

Early Tuesday, Utah Highway Patrol dispatchers heard from an anonymous caller who said police should check in a mailbox near Granger High School in West Valley City, said patrol Lt. Tony Garcia.

Inside the box was an envelope with no postage and “attention President Hinckley” — Gordon B. Hinckley is president of The Church of Jesus Christ of Latter-day Saints — written on the front. Two copies of the Book of Mormon stolen from the museum were inside the envelope, Garcia said.

All 13 rare religious books taken from the Daughters of Utah Pioneers’ Pioneer Memorial Museum last week have now been recovered. The value of the books is thought to be between \$800,000 and \$1 million, Garcia said.

“We should have them all back and that’s due to some very good officers,” said Edith Menna, the director of the museum.

She said she’s gotten dozens of calls from throughout the country from people who have visited the museum while in Salt Lake City. Some were offering sympathy or expressing dismay; some were rare book sellers hoping to get a description of the thieves so they could keep an eye out; and others were offering help in updating the muse-

um’s security, she said.

Menna said the books would likely be returned this week and once new cases are finished, the books will probably go back on display.

Eleven of the stolen books were recovered Friday when a book store owner told investigators he paid \$11,000 for two first editions of the Book of Mormon. He also gave police the seller’s name. Officers traced the man’s driver’s license number and then staked out a Magna home, where they made an arrest and recovered nine more books.

Robert M. Lindsay, 48, was booked into the Salt Lake County Jail for investigation of felony theft and possession of stolen property. He remains in jail in lieu of \$25,000 bail.

Police are still looking for a second man in the Daughters of Utah Pioneers museum theft.

Allan Gunnerson, the director of the LDS Institute of Religion, also received good news Tuesday.

Two copies of the Book of Mormon stolen from the institute last fall were recovered at a Midvale home where a SWAT raid was conducted Monday night, said Sgt. Steve Shreeve of Midvale police.

“It was wonderful news. It’s been exciting all day. The faculty is grateful and excited to see them in secure hands,” Gunnerson said.

The books are a 1840 Nauvoo edition and an 1841 Liverpool edition, Gunnerson said. The books are not in perfect condition and are together worth about \$20,000, he said.

There have been three thefts of rare Mormon books in Salt Lake City since last fall. Still missing is a second-edition Book of Mormon taken from the Beehive House, the downtown home of former church president Brigham Young.

Iran’s president warns that his army will ‘cut the hand of any aggressor’

BY ALI AKBAR DAREINI
Associated Press Writer

TEHRAN, Iran — Iran’s hard-line President Mahmoud Ahmadinejad warned Tuesday Iran will “cut the hand of any aggressor” that threatens it, and insisted that Iran’s military has to be equipped with the most modern technology.

“Today, you are among the world’s most powerful armies because you rely on God,” Ahmadinejad told a parade to commemorate Iran’s Army Day.

“Iran’s enemies know your courage, faith and commitment to Islam and the land of Iran has created a powerful army that can powerfully defend the political borders and ... cut the hand of any aggressor,” Ahmadinejad said.

The president made the comments amid an escalating tension between Iran and the international community over Tehran’s suspected nuclear activities.

The United States and some of its allies have accused Iran of using its civilian nuclear program as a cover to produce nuclear weapons. Iran has denied the charges, saying its nuclear program is geared toward generating electricity.

The U.N. Security Council has demanded that Iran cease enrichment work by a deadline of April 28. Ahmadinejad is adamant Tehran will press forward.

Officials of the United States, Russia, China, Britain,

France and Germany were to discuss the matter in Moscow later Tuesday.

Addressing military officers before an army parade in southern Tehran, Ahmadinejad said Iran’s army “has to be constantly ready, equipped and powerful. It has to be equipped with the latest technologies, recognize the enemy and constantly be vigilant.”

Iran’s regular army is separate from the elite Revolutionary Guards that make up the backbone of the ruling Islamic establishment.

Ahmadinejad, however, said Iran’s army will “serve peace and security for mankind especially the region and its neighbors.”

“Power of our army will be no threat to any country,” he said.

Ahmadinejad has engaged in a series of high-profile threatening statements since making the announcement last Tuesday that Iran has successfully enriched uranium, a significant step toward the large-scale production of the material that can be used to fuel nuclear reactors for generating electricity — or to build atomic bombs.

Ahmadinejad rebuffed a request last week by Mohamed ElBaradei, the head of the International Atomic Energy Agency, that Iran suspend uranium enrichment, saying Tehran will not retreat “one iota.”

Grand jury indicts two Duke lacrosse players for attack

BY TIM WHITMIRE
Associated Press Writer

DURHAM, N.C. — More than a month after a stripper told police she was raped at a party thrown by Duke University’s lacrosse team, a grand jury charged two players in indictments that remain sealed, a defense attorney said.

“This is a tragedy,” attorney Robert Ekstrand said Monday. “For the two young men, an ordeal lies ahead. ... They are both innocent.”

Ekstrand, who represents dozens of players, did not say which players were indicted or what charges they faced. It wasn’t clear if the players would turn themselves in Tuesday, or if authorities planned to arrest them.

A 27-year-old black woman told police she was attacked March 13 by three white men in a bathroom at a party held by the lacrosse team.

The racially charged allegations have led to near daily protest rallies. The school canceled the highly ranked team’s season and accepted the resignation of coach Mike Pressler after the release of a vulgar and graphic e-mail that was sent by a team member shortly after the alleged assault.

An attorney for Ryan McFadyen, the player who sent the e-mail, said his client was not among those indicted. Butch Williams, who represents team captain Dan Flannery, also said prosecutors told him that his client was not among those charged.

Defense attorneys have urged District Attorney Mike Nifong to drop the case, saying DNA tests failed to connect any of the 46 team members tested to the alleged victim.

Nifong has said 75 percent to 80 percent of rape prosecutions lack DNA evidence. According to court records, a medical examination of the woman found injuries consistent with rape.

Defense attorneys have said time-stamped photos taken the night of the party show that the alleged victim was injured and impaired before she arrived.

The charges come two weeks before Nifong, appointed to the job last year after nearly three decades as a lawyer in the district attorney’s office, is up for election. On Monday, he repeatedly declined to comment on the case.

Also Monday, school officials said the lacrosse coach was warned last year that his players had too many violations of the campus judicial code and he needed to “get them in line.”

Duke athletic director Joe Alleva said the university’s executive vice president reviewed the lacrosse team’s disciplinary record last year, then discussed his findings with Alleva.

“He said there were too many incidents, but there’s not enough incidents to make a drastic change in the program at this point in time,” Alleva told The Herald-Sun of Durham.

Alleva then met with Pressler, telling the coach that “his team was under the microscope, and he had to do everything he could to get them in line and to not have any more behavior problems,” he said.

The review by Tallman Trask III, Duke’s executive vice president, was spurred by reports of “boorish behavior” by the lacrosse team, Alleva said.



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Israeli leaders weigh response to bombing

BY KARIN LAUB
Associated Press Writer

JERUSALEM — Israel said Tuesday that it holds the Hamas-led Palestinian Authority responsible for the deadliest suicide bombing in nearly two years and debated whether to target it directly as an “enemy entity” — even though the attack was carried out by a different militant group.

Monday’s blast outside a packed Tel Aviv fast-food restaurant killed nine civilians and wounded dozens during the Jewish Passover holiday, and troop reinforcements were deployed across Israel for fear of more attacks. The 21-year-old bomber, a West Bank university dropout, was sent by the Iranian-backed Islamic Jihad group.

Israel’s U.N. ambassador, Dan Gillerman, warned that the Hamas government’s verbal support for the bombing, as well as recent statements by Iran and Syria, “are clear declarations of war, and I urge each and every one of you to listen carefully and take them at face value.” Gillerman said a new “axis of terror” — Iran, Syria and the Hamas government — was sowing the seeds of the first world war of the 21st century.

Israeli Prime Minister-designate Ehud Olmert convened key Cabinet ministers and security chiefs Tuesday to discuss a response. One proposal was to hold the Hamas government directly responsible and declare it an “enemy entity,” according to an Israeli official close to the consultations who spoke on condition of anonymity because the ministers had not yet made their decision.

Such a declaration could pave the way for direct strikes against the Palestinian Authority and its officials. Until now, an economic and political boycott had been Israel’s main tools against the Hamas government.

“Israel sees the Palestinian Authority as responsible for what happened yesterday,” said Gideon Meir, a senior Israeli Foreign Ministry official.

Israeli security chiefs also proposed tightening travel restrictions, including making it harder for Palestinians to move within the West Bank and extending a blanket closure of the West Bank and Gaza. The bomber came from the northern West Bank, and the military planned to step up raids in that area. The army also proposed intensifying targeted killings of Islamic Jihad activists.

In an initial response, Israeli aircraft attacked an empty workshop in Gaza City early Tuesday, causing no injuries. The army said the workshop was used by the Popular Resistance Committees militant group to make rockets for using against Israel.

Monday’s bombing was the first since Hamas came to power at the end of March.

Hamas officials have defended the blast as a justified response to Israeli military strikes against the Palestinians. Hamas, which has carried out scores of suicide bombings in Israel since the early 1990s, has largely observed a truce since last year, but refuses to renounce violence and recognize Israel. Hamas officials also have said they would not try to stop or arrest members of other militant groups trying to carry out attacks.

Atef Adwan, a Hamas Cabinet minister, on Tuesday dismissed Israel’s claim that

the Palestinian Authority is ultimately responsible for the attack. “Israel is trying to find a pretext to act against the Palestinian institutions and act against the Palestinian people,” he said.

A confrontation between Israel and Hamas could endanger Hamas’ efforts to secure desperately needed international aid and acceptance. Hamas is broke and has been unable to cover the large public payroll, despite aid pledges of \$50 million each by Iran and Qatar in recent days.

“Defense or sponsorship of terrorist acts by officials of the Palestinian Cabinet will have the gravest effects on relations between the Palestinian Authority and all states seeking peace in the Middle East,” White House press secretary Scott McClellan said.

**“Israel sees the
Palestinian Authority
as responsible for what
happened yesterday.”**

GIDEON MEIR
Senior Israeli Foreign Ministry official

Moderate Palestinian President Mahmoud Abbas condemned the bombing and said it harmed the Palestinians’ national interest. However, the Palestinian U.N. observer, Riyad Mansour, who is close to Abbas, noted that Israeli military strikes in Gaza earlier this month also killed 19 Palestinians, including two children.

The bomber struck during Monday’s lunch hour at “The Mayor’s Felafel” in a busy neighborhood near Tel Aviv’s central bus station. The restaurant, which had been the target of a January bombing, was packed with Israelis on vacation during the weeklong Passover holiday.

A guard outside was checking the bomber’s bag when the bomb exploded, police and witnesses said.

“Suddenly there was a boom. The whole restaurant flew in the air,” said Azi Otmazgo, 35, who was inside and was wounded on his hands, foot and head.

The bomb, laced with nails and other projectiles, shattered car windshields, smashed windows of nearby buildings and blew away the restaurant’s sign. Glass shards and blood splattered the ground. Police said the guard was torn in half by the blast.

Six Israelis and two Romanian workers were among those killed. One woman was killed while standing near her husband and children who were wounded, witnesses said.

In Gaza, Islamic Jihad militants handed out pastries on the streets in celebration.

The attack was the deadliest since 16 people were killed in a double suicide bombing on two buses in the southern city of Beersheba on Aug. 31, 2004. It was the second major Passover bombing in four years. A 2002 attack at a hotel in the coastal town of Netanya killed 29 people and unleashed a major Israeli military offensive.

Islamic Jihad identified Monday’s bomber as Samer Hammad from a village outside the northern West Bank town of Jenin. In a video released by the group, Hammad said the bombing was dedicated to the thousands of Palestinian prisoners in Israeli jails. “There are many other bombers on the way,” he said.

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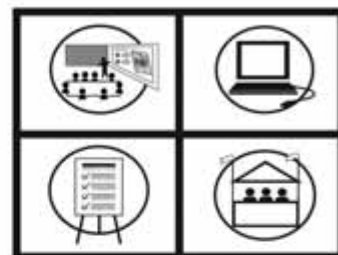
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Etheridge’s partner pregnant with twins

By The Associated Press

NEW YORK — Melissa Etheridge’s partner, Tammy Lynn Michaels, is pregnant with twins, the couple has announced on the singer’s Web site.

“We are thrilled to announce that Tammy is pregnant, and expecting our twins sometime around this fall,” they said in a statement. “To answer the obvious question: we used an anonymous donor from a (sperm) bank.”

Etheridge, 44, and Michaels, 31, held a commitment ceremony in 2003. The Grammy-winning singer has two children from her relationship with former partner Julie Cypher: daughter Bailey Jean and son Beckett. Cypher had the children through artificial insemination using a sperm donation from rock legend David Crosby.

In the announcement, posted Monday, Etheridge and Michaels said: “The twins will be a joyful addition to our loving home. We are a blessed family.”

Etheridge was diagnosed with breast cancer in 2004, but is now cancer-free. She last released a greatest hits album titled, “The Road Less Traveled.”

Michaels starred on the 2005 NBC comedy “Committed” and has appeared on Showtime’s “The L Word.”

LOS ANGELES — A judge has dismissed the defamation portion of a lawsuit filed by Aaron Spelling against his former nurse, but allowed the TV producer to pursue a breach-of-contract accusation.

Spelling, 82, and his wife in November sued the nurse, Charlene Richards, and her attorney for \$5 million for allegedly violating a confidentiality agreement and spreading rumors that Spelling sexually harassed her.

Richards, 56, later filed a sexual harassment lawsuit against the producer that alleged he asked her to have sex with him and “dress like a hooker.”

Richards and her attorney sent letters to more than 600 actresses as well as their agents and managers, inquiring whether Spelling had

sexually harassed them. Spelling argued that the letter titled, “Survey on sexual harassment by Aaron Spelling,” defamed him.

Superior Court Judge William Highberger ruled Monday that Richards was within her right to pursue litigation when she sent the letter. Highberger, however, dismissed the defamation portion of Spelling’s lawsuit.

Lawyers for Spelling and Richards said they planned to appeal the judge’s decision.

Richards signed a confidentiality agreement when she began working as a home nurse for Spelling in November 2004. She was fired in April 2005.

Spelling’s TV hits include “Charlie’s Angels,” “Beverly Hills, 90210,” “Dynasty” and “Fantasy Island.”

JERUSALEM — Pink Floyd bass player Roger Waters has moved his summer concert from Tel Aviv to the joint Jewish-Arab village of Neve Shalom, Channel 2 TV has reported.

Waters has lent his support to a pro-Palestinian movement urging removal of a barrier Israel is building along the West Bank. Israel says the barrier is necessary to keep suicide bombers out of the country, but Palestinians reject it as a land-grab.

The June concert had been set for Tel Aviv’s Yarkon Park. Neve Shalom is about halfway between Jerusalem and Tel Aviv in Israel’s coastal plain.

The TV report showed Mayor Rayak Rizik walking through the chickpea field while welcoming Waters’ planned performance there. The report on Sunday said about 50,000 people were expected to attend.

Pink Floyd reunited last year for a Live 8 concert in London’s Hyde Park. It was the first time guitarist David Gilmour, drummer Nick Mason, keyboard player Richard Wright and Waters had appeared onstage together since a concert at London’s Earl’s Court in 1981.

JERUSALEM — Pink Floyd bass player Roger Waters has moved his summer concert from Tel Aviv to the joint Jewish-Arab village

of Neve Shalom, Channel 2 TV has reported.

The June concert, which had been set for Yarkon Park, will be held in a chickpea field, the TV report said Sunday. Neve Shalom is about halfway between Jerusalem and Tel Aviv in Israel’s coastal plain.

Tensions have been evident in the village in recent years, coinciding with the latest round of Palestinian-Israeli violence.

Waters has lent his support to a pro-Palestinian movement urging removal of a barrier Israel is building along the West Bank. Israel says the barrier is necessary to keep suicide bombers out of the country, but Palestinians reject it as a land-grab.

The TV report showed Mayor Rayak Rizik walking through the chickpea field while welcoming Waters’ planned performance there. The report said about 50,000 people are expected to attend.

Pink Floyd reunited last year for a Live 8 concert in London’s Hyde Park. It was the first time guitarist David Gilmour, drummer Nick Mason, keyboard player Richard Wright and Waters had appeared onstage together since a concert at London’s Earl’s Court in 1981.

BOMBAY, India — Salman Khan, freed on bail after being convicted of killing an endangered animal, has started work on songs and dances he will perform at road shows, his brother says.

The Bollywood film star is practicing six hours a day for “Rock Stars,” which will tour the United States, Canada and Europe next month, his brother Sohail Khan told the Mumbai Mirror newspaper in Monday’s editions.

“He’s concerned about delays in the Rock Stars concert and is making every effort to get his schedules back on track,” said Sohail Khan. “It’s almost like a junoon (passion).”

Rock Stars, which had been scheduled to begin this week, will now start in early May.

Bollywood movie stars often perform song-and-dance routines at road shows, which are popular among South Asians who have settled overseas.

Santa Monica Daily Press

MOVIEGUIDE

SHOWTIMES FOR WEDNESDAY, APRIL 19, 2006

Broadway Loews Cineplex

1441 3rd Street

(310) 458-6232

Brick (R)

1:30, 4:05, 7:00, 9:45

Failure to Launch (PG-13)

2:10, 5:00, 7:40, 10:15

Phat Girlz (PG-13)

7:20, 10:00

Shaggy Dog, The (PG)

2:30, 5:30

She's the Man (PG-13)

1:50, 4:30

Stay Alive (PG-13)

8:00, 10:30

Mann's Criterion Theatre

1313 3rd Street

(310) 395-1599

Ice Age: The Meltdown (PG)

11:30am, 12:00, 1:50, 2:20, 4:10, 4:40, 6:30, 7:00, 9:00, 9:30

La Mujer de Mi Hermano (R)

12:20, 2:40, 5:10, 7:40, 10:10

Lucky Number Slevin (R)

12:10, 2:50, 5:20, 7:50, 10:30

Take the Lead (PG-13)

1:20, 4:20, 7:10, 10:00

V for Vendetta (R)

1:00, 4:00, 7:20, 10:20

AMC7 Santa Monica

1310 3rd Street

(310) 289-4262

Benchwarmers, The (PG-13)

11:50am, 1:10, 2:20, 3:40, 4:40, 6:00, 7:20, 8:30, 9:30

Inside Man (R)

11:40am, 12:30, 2:25, 3:25, 5:10, 6:40, 8:05, 9:50, 10:50

Scary Movie 4 (PG-13)

11:00am, 12:00, 1:00, 2:20, 3:20, 4:30, 5:30, 7:00, 8:00, 9:40, 10:10, 10:40

Wild, The (G)

11:10am, 1:20, 3:30, 5:40, 7:50, 10:00

Nuwilshire Theatre

1314 Wilshire Blvd

(310) 281-8228

Notorious Bettie Page, The (R)

12:00, 2:30, 5:00, 7:30, 10:00

Thank You for Smoking (R)

11:45am, 2:15, 4:45, 7:15, 9:50

Laemmle 4-Plex Theatre

1332 2nd Street

(310) 394-9741

Friends With Money (R)

12:45, 3:00, 5:20, 7:40, 10:00

Kinky Boots (PG-13)

11:45am, 2:20, 4:55, 7:30, 10:10

Maxx (NR)

10:00

Our Brand Is Crisis (NR)

1:00, 3:10, 5:30, 7:50, 10:00

Tsotsi (R)

11:45am, 2:10, 4:45, 7:10

Information: calendar@smdp.com



MORE TODAY IN HISTORY

In 1775, Paul Revere began his famous ride from Charlestown to Lexington, Mass., warning American colonists that the British were coming.

In 1921, Junior Achievement, created to encourage business skills in young people, was incorporated.

In 1942, an air squadron from the USS Hornet led by Lt. Col. James H. Doolittle raided Tokyo and other Japanese cities.

In 1945, famed American war correspondent Ernie Pyle, 44, was killed by Japanese gunfire on the Pacific island of Ie Shima, off Okinawa.

In 1946, the League of Nations went out of business.

In 1955, physicist Albert Einstein died in Princeton, N.J., at age 76.

In 1956, 50 years ago, actress Grace Kelly married Prince Rainier of Monaco in a civil ceremony. (A church wedding took place the next day.)

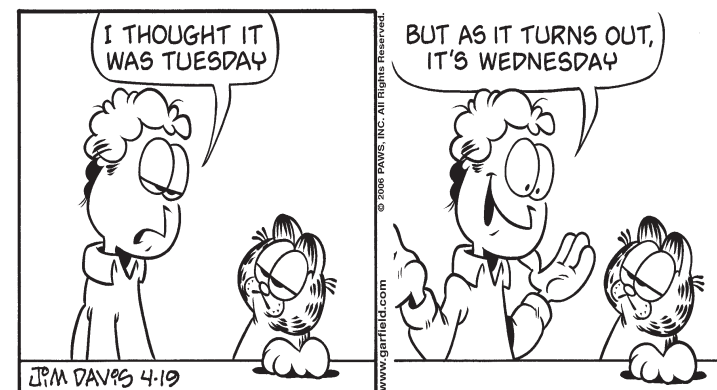


COMICS

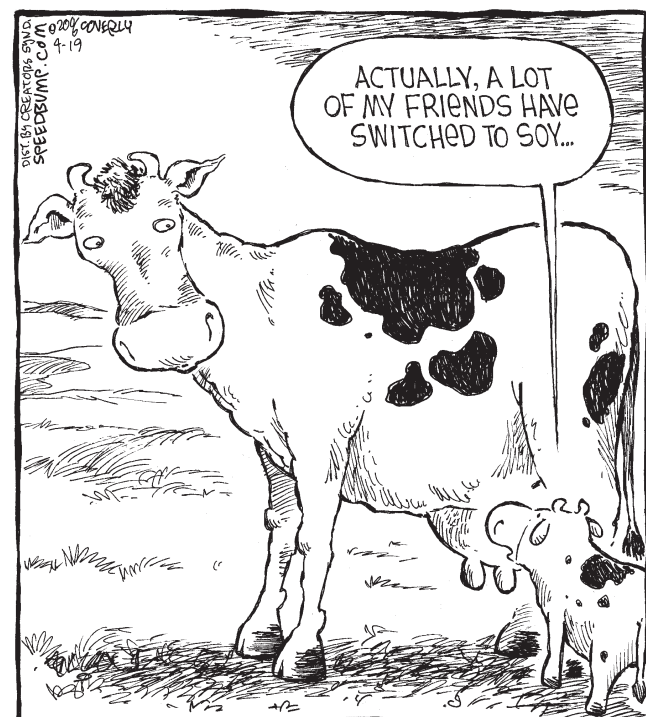
The Dinette Set by Julie Larson



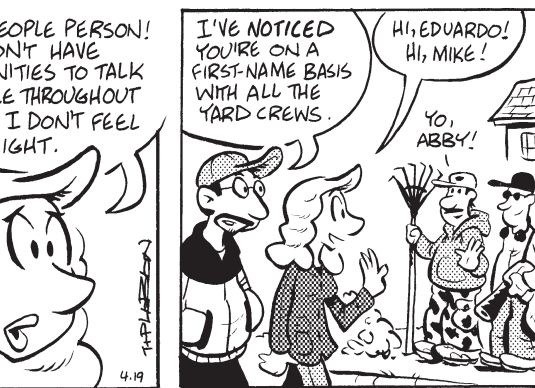
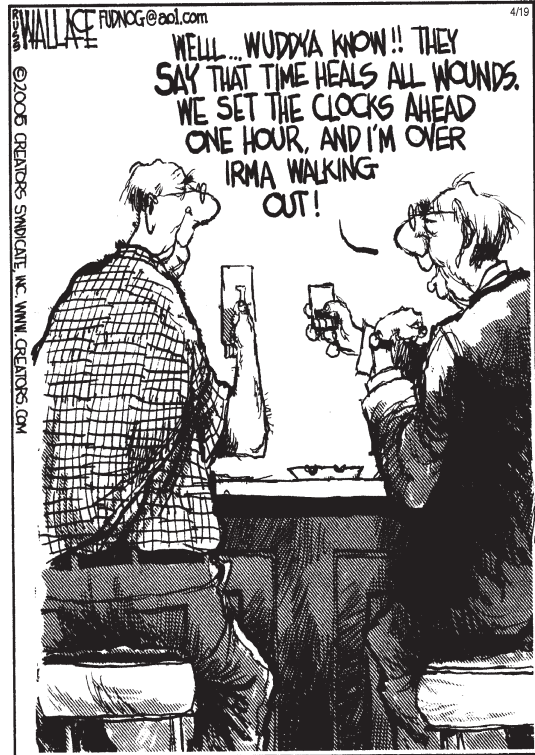
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ACROSS 45 Nerd's kin

- 1 Cook's creation
- 5 Where El Greco painted
- 11 "Beetle Bailey" dog
- 12 Primitive primate
- 13 Cab cost
- 14 Soybean, e.g.
- 15 Winter woe
- 16 Telescope piece
- 17 Wave part
- 19 Fixed
- 22 Words from the maestro
- 24 Mink's cousin
- 26 Border on
- 27 Singer Guthrie
- 28 Start of many toasts
- 30 Have life
- 31 Feller in the woods
- 32 Top story
- 34 Mystique
- 35 — Aviv
- 38 Without delay
- 41 Law of the movies
- 42 TV dinosaur
- 43 Spur on
- 44 Contemp-tuous looks

DOWN

- 1 Remove
- 2 Type type: Abbr.
- 3 Frame-work
- 4 Weed whacker
- 5 Yarns
- 6 Willing to consider
- 7 Staying power
- 8 Aussie bird
- 9 Reservoir maker
- 10 Early hour
- 16 Hire
- 18 Solemn act
- 19 Limitation

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Yesterday's answer

- 20 Snaky fish
- 21 Easy gait
- 22 Gag reflex?
- 23 Mountain goat
- 25 Head for the hangar
- 29 Cup holder
- 30 Greek vowel
- 33 Deuce beaters
- 34 James II's daughter
- 36 Advantage
- 37 Onion's kin
- 38 Sit-up targets
- 39 Leather hue
- 40 Raw rock
- 41 Moon-shine holder

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6 mos./6 mo. arm 3.375%
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