

FREE

MONDAY, MAY 6, 2002

Volume 1, Issue 150

Santa Monica Daily Press

Picked fresh daily. 100% organic news.

Cinco de Mayo celebration!



Andrew H. Fixmer/Daily Press

Dancers with Herencia Mexicana performed for a large crowd celebrating Cinco de Mayo at Virginia Avenue Park Sunday. The dance group, which rehearses at the park, performed a folk dance representative of the Mexican state of Jalisco. Hundreds of people showed up for the city-sponsored celebration, which marks the day when, on May 5, 1862, Mexican soldiers defeated French troops.

Telemarketer triumphant in Santa Monica court

BY ANDREW H. FIXMER

Daily Press Staff Writer

A Santa Monica man sick of listening to sales pitches left on his answering machine claims one telemarketer violated his rights as a consumer.

However, Deverin Karol's attempt to sue Nowalk-based Bolsa Financial, Inc. Thursday failed to convince Santa Monica Small Claims Judge Pro Tem Richard Shcolnek that the telemarketer violated federal laws.

Karol said two pre-recorded messages left on his answering machine in January by the company within two weeks of each other violated the Federal Telephone Consumers Protection Act.

The law prohibits companies from calling consumers randomly and trying to sell unsolicited goods and services over the phone. Violators can be forced to pay the consumer up to \$500 for each infraction. Karol was asking for \$1,000.

Christopher Wells, a Bolsa sales repre-

sentative, argued his company complied with the law because the messages did not try to sell services but only offered a free financial analysis. If the messages were returned, callers would then be pitched a home loan, he said.

"We identify ourselves at the beginning of the message so the listener knows right away who the business is," he said.

Wells denied that his company used pre-recorded messages or that it made more than one call to Karol.

However, Karol shot down that claim quickly when he produced the tape from his answering machine which had both messages left by Bolsa Financial, as well as his caller ID box that showed Bolsa made two calls to him.

Not clear on the law, Judge Shcolnek took the case under advisement. After researching the statutes, Shcolnek ruled last week that Bolsa wasn't to blame because no sales pitch was actually made

See COURT, page 3

City crime on the rise

BY CAROLYN SACKARIASON

Daily Press Staff Writer

(This is the first story in a two-part series that looks at crime statistics in Santa Monica over the past year. On Tuesday, the city's police chief will offer some perspective on crimes committed in Santa Monica.)

For the first time in eight years, major crimes have increased in Santa Monica.

There were 4,909 incidents last year, 215 more than the previous year — a 4.6 percent increase, according to the police department's annual report.

Burglaries saw the largest increase — up 19 percent, from 602 in 2000 to 720 last year. Although burglaries increased, last year was the fourth lowest since 1956, when crime reports were made available. Residential burglaries increased 10 percent while non-residential burglaries increased 30 percent.

Robberies also increased significantly — up 16 percent over last year. In 2000,

there were 268 incidents and last year there were 312. Just over half the robberies were committed using physical force and about 31 percent were committed with a gun.

Most of the robberies took place in streets, alleys and other public places. Commercial locations experienced 90 robberies and residential had only six.

But despite an increase, more violent crimes decreased slightly or remained the same. Rapes declined from 31 in 2000 to 24 in 2001, making it the second lowest year since 1966 when there were 11 incidents.

Two homicides occurred last year, the same as the previous year.

Aggravated assaults in 2001 decreased 8 percent, with 316 incidents. It hasn't been that low since 1983 when there were 294.

Crimes against persons rose slightly, about 1.4 percent when compared to 2000, which saw an increase of 2.7 percent.

Crimes against property increased 5.1

See CRIME, page 3

City's mice epidemic puzzles local officials

City denies construction is behind increased mice activity

BY ANDREW H. FIXMER

Daily Press Staff Writer

Downtown Santa Monica's recent mouse infestation has business owners and city officials baffled as to where the rodents came from.

The Los Angeles County Health Department last week temporarily closed five downtown restaurants for having mice in their buildings. The restaurants were allowed to reopen in 48 hours after passing a subsequent health inspection.

What's troubling to businesses leaders and restaurant owners is that none of the restaurants had previous rodent problems. Every restaurant, except one, had received the highest rating from the health department.

"Our restaurants aren't dirty," said Kathleen Rawson, executive director of the Bayside District Corporation. "They have been caught in this situation and we're trying to help them deal with it as best we can."

Many downtown restaurant owners

believe the recent rodent problems stem directly from the high volume of construction in the city's commercial core over the past year.

City government has been ripping up its streets to create a downtown transit mall, making sidewalks wider and trying to make the city's downtown core more pedestrian and mass-transit friendly.

The transit mall construction has coincided with a public works project replacing 100-year-old water mains under downtown streets, as well as a lot of private construction projects near the city's core. At least four commercial construction projects are active on Second and Fourth Streets and there are at least another three housing projects underway near the Promenade area.

"I first started noticing the problem about the time when all this construction began," said George Rifold, owner of George's Bistro, a small eatery located near the center of the Promenade. "It stands to reason if you disturb their habitat (the mice) are going to move somewhere else."

The mice moved further downtown and to the beach, Rifold said, and moved into the building where his restaurant and Bravo

See MICE, page 3

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Community Yoga Classes offered to students of all levels. \$6, Monday through Friday 8:30 a.m., 12:30 p.m., and 3:30 p.m. Saturday 2 p.m., Santa Monica Yoga, 1640 Ocean Park Blvd., (310) 396-4040.

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★★★★★-Dynamic ★★★★★-Positive ★★★-Average
 ★★-So-so ★-Difficult

♈ ARIES (March 21-April 19)
 ★★★ Where your friends are is where you want to be. But where you need to be is at work, moving along a key project or two. You accomplish the most in the early part of the day. By midafternoon, your temper and fatigue punctuate your mood. Ouch! Tonight: Go for some extra Zz's.

♉ TAURUS (April 20-May 20)
 ★★★★★ Your efforts come back in multiples. It is as if you have a "magic" touch. No matter what you handle today, success will follow you. Review a matter that is close to your heart. Focus on the end results, but be aware of the cost of your drive to the finish line. Tonight: Let off steam with friends.

♊ GEMINI (May 21-June 20)
 ★★★ You don't need to convince someone that you're right. You do need to take charge and expedite work. Express your extravagance in a positive manner. Treat the office to doughnuts. Be careful when letting another know you're disappointed. Tonight: Chill out as soon as you can.

♋ CANCER (June 21-July 22)
 ★★★★★ Be more in touch with what you desire. How you say what you feel might radically change in the next few months, once you see how others react. You don't need to muzzle yourself. You do need to take a workshop in diplomacy! Tonight: Detach and relax.

♌ LEO (July 23-Aug. 22)
 ★★★★★ Deal with another directly, expressing your bottom line. Your instincts help you work with someone on a one-on-one level. Trust your intuition and follow through on key matters. Do nothing halfway that involves a partnership or your financial status. Tonight: Togetherness works.

♍ VIRGO (Aug. 23-Sept. 22)
 ★★ Let others follow through and help you with an issue. You could push another beyond his or her limits without being aware of it. Worse yet, it could be a boss who doesn't hesitate to express his or her anger. Tread with care, because you might burn a bridge otherwise. Tonight: Flow with others.

♎ LIBRA (Sept. 23-Oct. 22)
 ★★★ Pace yourself with someone. You have a lot of ground to cover. Think in terms of what might happen. News from a distance takes you into another realm. Think about your expectations and what might help you in dealing with someone. Tonight: Get some physical exercise.

♏ SCORPIO (Oct. 23-Nov. 21)
 ★★★★★ Your creativity and attractiveness could hit someone with a sour note, especially if he or she is attached to you. Work with finances and deal on a one-on-one level. Your senses of direction and humor goes far, but if you're not careful, they might not be able to heal an impending rift. Tonight: Play away.

♐ SAGITTARIUS (Nov. 22-Dec. 21)
 ★★★★★ Listen carefully to another shares. You might not always feel in synch with someone, especially about your domestic or personal life. Others, though very agreeable in the a.m., could become veritable tigers by the end of the day. Steer clear. Tonight: Turn on the answering machine and do your thing.

♑ CAPRICORN (Dec. 22-Jan. 19)
 ★★★★★ Others present a plethora of ideas, which you like. Yet instrumenting change could be more than a handful. You easily could become frustrated. You don't have to act on others' projects. Do your own stuff until you're good and ready! Tonight: Let off steam at a favorite place.

♒ AQUARIUS (Jan. 20-Feb. 18)
 ★★★ Your finances demand your attention. Others might be receptive to new ideas and different approaches, but when it comes to following through, you could be uncomfortable. Charge your ingenuity where it counts. Don't get distracted. Tonight: Treat yourself well.

♓ PISCES (Feb. 19-March 20)
 ★★★★★ You're unusually misdirected, not exactly sure what to do or where you're coming from. Allow yourself to have what you want. Someone who might be close to you could give you unusual flack. Listen to another's suggestions; however, you don't have to follow them. Tonight: Take it easy.

QUOTE of the DAY

**"I have so little sex appeal that
my gynecologist calls me 'sir.'"**

— Joan Rivers

Santa Monica Daily Press

Published Monday through Saturday
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LOCAL

Experts say mouse population has not increased

MICE, from page 1

Cucina are located. Both restaurants were recently cleared by the health department.

Rifold is remodeling his kitchen and restaurant extensively to prevent the mice from getting in.

"I'll have to redo the entire restaurant," he said. "It's costing me a fortune, but it's either that or we get closed down."

Rifold believes city officials need to acknowledge that construction is the cause of the problem and he wants them to help downtown businesses control the mouse population.

But city officials refuse to accept

responsibility. They also deny claims by some that the city's open dumpsters and dirty alleys are attracting mice.

"If the general upheaval of street construction were related, we would have seen the same phenomenon on Main Street during sewer construction," said city spokeswoman Judy Rambeau. "That was not the case there and we do not think there's a connection on the Promenade."

El Segundo-based Innovative Pest Management was hired by the city to handle pest control matters on the Promenade, downtown alleys and dumpster rooms in the public parking structures.

The company recently added additional bait stations — little green boxes with poison inside — along the Promenade. So far, the investigation has found that mouse activity has not increased at any location.

"We've ruled out construction and dumpsters," Rambeau said. "And our pest management company continues to attend to the public areas."

Carl Doucette, an Innovative Pest Management employee, said the mice may be living under the sidewalks of the Promenade. He said when the city filled in holes where trees grow out of the sidewalks along the walkway, they may have left gaps where mice could get in and nest.

Doucette said the company has concentrated its efforts on the center islands of the Promenade, adding several new bait stations and increasing the total number to 23 along the Promenade. The company has installed between three to four bait stations in every public parking structure.

"I have seen a steady level of problems and in the city it fluctuates depending on where you are in the city," he said. "It's a battle the city recognizes and any time we have a problem we address it."

Two Santa Monica-based pest control services agree that the level of mouse activity downtown has not increased in



Carolyn Sackariason/Daily Press
23 rodent bait stations, like the one shown above, have been placed downtown.

recent months.

"I don't know that it's any worse than it ever is," said Robert Schwartz of Pest Control Services. "They aren't hard to control, use the proper bait and you'll get them."

They said mice live close to their food sources and typically will not travel farther than 15 feet from their nests, even if there is heavy construction nearby.

"Mice usually stay within a short range," said Phil Noud of Pestforce 1. "I don't believe the city is responsible, and besides there is no real way to prove it."

Piñata or bust



Andrew H. Fixmer/Daily Press

Children and adults alike were taught how to make their very own Piñata's at the Cinco de Mayo celebration at Virginia Avenue Park Sunday. First participants inflated a balloon, covered it in newspaper strips dipped in starch and decorated with it colored paper. At the end of the night, event organizers said they would give the one with the nicest Piñata a bag full of goodies to fill it with.

The Q Line

Plenty of coastal cities throughout southern California allow dogs on their beaches, with strict regulations.

But not in Santa Monica, which leaves pet owners with few options with where

they can take their dogs for exercise.

This week's Q-Line wants to know:

"Do you think Santa Monica needs a dog-friendly beach area?"

2001 Crime stats released

CRIME, from page 1

percent, which partially reflects the increase in burglaries. Still, the 4,255 crimes against property is the second lowest since 1959 when 3,988 were reported.

Larceny, which includes crimes like shoplifting, bicycle theft, purse snatching and pickpocketing, rose 2 percent. Theft from autos rose significantly —

from 1,157 in 2000 to 1,230 in 2001.

Bicycle thefts almost doubled — 196 in 2000 to 359 in 2001.

Motor vehicle thefts increased 6 percent, although the 515 incidents is the second lowest number recorded since 1965 when 477 were stolen.

Of the vehicles stolen in 2001, 218 were recovered and 103 of them were recovered within Santa Monica.

No sales pitch over phone equals no case in court

COURT, from page 1

to Karol.

"It was a pretty cut and dry case," Karol said Friday. "I can't understand why the judge disagreed with me."

Wells said Shcolnek probably realized Karol was trying to take advantage

of the company.

"We have called millions of people and there are predatory people out there taking advantage of the law for their own profit," he said. "There are a number of Web sites out right now that are trying to teach people how to make a profit out of cases like this."



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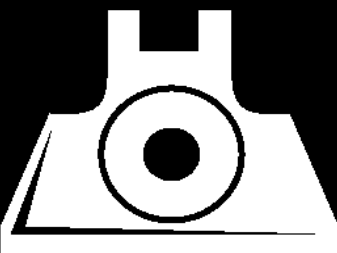
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OPINION

LETTERS

Land owners can get massive tax breaks

Editor:

I was very happy to hear about John Paul DeJoria's generous donation of land to be added to Topanga State Park in your May 3 article, "Millionaire sells land in SM mountains for cheap."

I can only assume that Mr. DeJoria was aware of, and took full advantage of, the California Natural Heritage Preservation Tax Credit Act of 2000. I write to make sure other owners of undeveloped space are made aware of the incentives California has established for those contemplating donations as environmentally important as Mr. DeJoria's.

The Act provides a tax credit to donors of property for conservation, including donors of perpetual conservation easements. The credit is limited to 50 percent of the fair market value of the land donated. For example, since Mr. DeJoria sold land worth \$13 million for \$1.4 million, his donation of \$11.6 million should earn him \$5.8 million worth of state tax credits. Land owners should get in on it early, because the entire amount creditable under the act is limited to \$100 million, and no further tax credits may be awarded subsequent to fiscal year 2004-05 without further statutory authorization. Thank you again to Mr. DeJoria, and I look forward to hiking and biking in what makes Santa Monica so special, its mountains. (Owners of potential donations of any size should feel free to contact me for more information through the SMDP.)

Ofer Lion
Graduating student
UCLA School of Law

Opinions expressed are those of the writer and do not necessarily reflect those of the Santa Monica Daily Press staff. Guest editorials from residents are encouraged, as are letters to the editor. Letters will be published on a space-available basis. It is our intention to publish all letters we receive, except those that are libelous or are unsigned. Preference will be given to those that are e-mailed to sack@smdp.com. All letters must include the author's name and telephone number for purposes of verification. Letters also may be mailed to our offices located at 530 Wilshire Boulevard, Suite 200, Santa Monica, 90401, or faxed to (310) 576-9913. All letters and guest editorials are subject to editing for space and content.



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LOCAL



The FunHog

By Dan Dunn

Road trip to OK Corral celebration continues

(This is the second segment of the FunHog's travels to the OK Corral where he went to cover the 118th anniversary of the bloodiest shoot-out in the history of the Wild West. Last week, the FunHog had arrived and immediately belied up to the bar, where he met Daniel Austin, a jack of all trades.)

While I was awaiting my shot of Jameson, I knew trouble would find me. Instead, it was Daniel Austin that grabbed my ear and filled my head with lies.

"You writing about politics," the scruffy-looking stranger seated next to me asked, looking over my shoulder at my notes.

No, I told him.

"You ought to," he replied.

I went about writing even more frantically, trying to appear busy and slightly crazy so as to thwart the stranger's attempt at conversation. I'd learned a few things in my lifetime, and one of them was that nobody enjoyed messing with a certifiable loony.

It didn't work.

"What's your politics," he interrupted, studying me from beneath two gray tufts of brow.

Huh?

"Your politics. You a Democrat or a Republican?"

"Neither," I told him. "I've got one agenda — my own, and it changes every day, depending on my mood."

The guy grinned, introduced himself as Daniel Austin, then rapidly proceeded to tell me the story of his life, which may have been a total pack of lies. I sincerely hope the stuff he said was true, though, because I'd hate to think the most interesting person I met on my roadtrip was a total and unrepentant fraud.

Daniel Austin told me he was the man who penned the famous line, "Today is the first day of the rest of your life."

He also composed the catchy department store jingle, "You'll love it at Levitt's." He and one his former band played at Trish Nixon and David Eisenhower's wedding reception. Austin was a drummer. His teacher? None other than Gene Krupa, who instructed Dan on the finer points of slapping the skins back in 1965 at Davey Jones' Locker in St. Paul, Minnesota. Among the many fascinating folks he'd befriended in his 50 years on this planet were such luminaries as Waylon Jennings, the Native-American author Willie Whitefeather and the late Steve McQueen. In his spare time Austin piloted experimental airplanes, of the sort

that did in singer John Denver — whom he also claimed to have known.

Daniel Austin also wrote a seven-page children's book called the "Book Of Givens" that opens with the message, "To honor your mind, think for yourself."

I must admit that at the time I was thinking, "why don't you think for yourself to somebody else, my man." Daniel Austin must have picked up on that, because he suddenly stood and smiled.

"Your writing," he said, gesturing to my notepad, "any good?"

"Nah ... it's just madness."

Then Daniel Austin leaned in close and whispered, "There is no great genius without a mixture of madness."

"Who said that?" I asked.

"I just did," he said, then he shook my hand and walked out the door.

After Austin left, I took to the streets and did a bit of thinking for myself, mostly about the fabled OK Corral, which is the reason I had come to the town too tough to die. What I did was I figured out why they called it that — the OK Corral. Families show up, pay \$6 a piece to "stand where they fell," then one of the parents says, "OK, let's corral the kids, load the mini-van and get outta here."

That Tombstone wasn't the same Tombstone of Cathy the bartender, Anita Skinner and the drunken waiter, and, certainly not Daniel Austin. Their way, Austin had told me, was the "kaw-way," a Native-American term that translates to "the four ways of life." According to the kaw-way, we all experience life with our eyes, ears, noses and mouths — and with two hands to protect us. Six ways, actually, but why get bogged down in specifics?

Whether or not he ever did or saw any of the things he claimed he did, Daniel Austin was no fraud — not to me, at least. He set something in motion for me that night at Johnny Ringo's Saloon, and my journey became much more than just a high-paying freelance gig to a tourist-infested western circus. I walked out of the bar and onto Allen Street, wary of drunk drivers, but ready for Helldorado to begin.

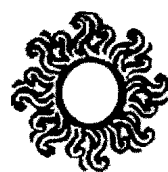
Then I remembered Bottomfeeder, and headed for the car to check on his condition. My friend hadn't been himself for quite a while. He blamed it on the Mexican water, but I knew that it was the first detour that had gotten the best of him.

(Dan Dunn is a Santa Monica resident and writes for Warner Bros. Online. For more FunHog fun, check out www.thefunhog.com).

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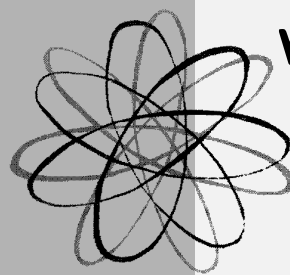
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STATE

Assembly bill could destroy wine businesses

BY STEFANIE FRITH
Associated Press Writer

SACRAMENTO — Small wine importers fear a bill that would limit distribution of wine into California, backed by a British beverage conglomerate and the wine industry's trade group, could monopolize the state's wine market and wipe out their businesses.

Pushed by Diageo, the multinational corporation that owns Guinness, Seagram, Sterling and Beaulieu Vineyards as well as Burger King, AB 1922 would let only an importer designated by the winemaker bring its brands of wine into California. Diageo also has import rights for hundreds of French wine brands.

Called a "primary source" law, the proposal would benefit consumers by allowing greater quality control for wine, said a representative from the Wine Institute, an industry trade group.

Marketing experts and owners of small wine shops disagree, however. Instead of looking out for consumers, Diageo and its allies want to lock up a greater share of California's huge wine market.

Diageo is angling to create trade barriers to boost the prices they can get for their brands, said Ira Kalb, a Santa Monica-based marketing consultant.

With its purchase of Seagram's brands last year, Diageo can now claim the No. 1 or No. 2 make in each category of world's biggest spirits market, the United States. But financial analysts say Diageo paid a premium for those brands and must look for ways to improve its revenues.

So far, the bill by Assemblyman Marco Firebaugh, D-Los Angeles, has attracted the support of the biggest players in the state's wine industry. Along with Diageo, the bill is backed by giant wholesalers, such as Young's Market and Southern Wine and Spirits.

It is also supported by the Wine Institute, which represents more than 600 small wineries in California. Top Diageo executives are members of the Wine

Institute's board of directors.

Diageo officials did not return repeated calls for comment from The Associated Press.

Wholesalers and Diageo have donated thousands of dollars to Firebaugh and other members of the Assembly, including House Speaker Herb Wesson, D-Culver City, and Assemblyman Jerome Horton, a Los Angeles Democrat whose committee approved the bill April 15.

According to state campaign finance records, these wholesalers have donated more than \$80,000 to Wesson and funds he controls, \$15,000 to a fund controlled by former Assembly Speaker Bob Hertzberg, \$2,000 to Firebaugh and about \$6,500 to Horton.

Also, state lobbying records show, Diageo's United Distillers and Vineyards division has spent more than \$100,000 on lobbying expenses during this legislative session.

Opposing them is the recently created California Fine Wine Alliance, a coalition of small wine importers. They said the bill would cost more than \$100 million in retail wine sales each year, and California would lose \$10 million in sales taxes.

The bill would expand California's primary source law to include wine, meaning importers would need to pay taxes on all wines they bring into the state.

The law now applies only to distilled spirits, which can only be brought into the state by wholesalers authorized by the alcohol maker. California is one of the few states that does not have a primary source law for wine, said Mike Falasco, a legislative analyst for the Wine Institute. The bill would just make California comply with the rest of the country, he said.

Thirty-two states have primary source laws for wine, said Bob Frohling, an analyst at the National Conference of State Legislatures.

The bill, Falasco said, would also let wineries better determine who is selling their products and give wineries more control over quality.

Cops torn about returning medicinal marijuana

By The Associated Press

SAN FRANCISCO — Police officers are conflicted about whether to return marijuana to someone who's legally entitled to use the drug for medical reasons.

Under federal law, marijuana use for any reason is illegal, but under state law, growing and using pot with a doctor's recommendation is legal.

In at least three cases in Northern California, police have balked at returning marijuana to people who successfully pleaded that they shouldn't be prosecuted because their pot use is covered under Proposition 215. Police argue that giving back the pot could leave them liable to prosecution under federal law against distributing illegal drugs.

"There is no legal answer to this conundrum," said Rory Little, a professor at the University of California's Hastings College of the Law in San Francisco and a former federal prosecutor.

In Yuba County, Sheriff Virginia Black defied an order by a judge last week to

return 37 medicinal marijuana plants to Doyle and Belinda Satterfield, who were arrested in August but later had marijuana charges against them dismissed.

"If I deliver marijuana to the Satterfields, technically I place myself in violation of federal law, and I'm not inclined to do that," Black said. "So I find myself in a Catch-22."

Jesse Choper, a constitutional law professor at UC Berkeley's Boalt Hall School of Law, agreed with the sheriff. "I think it's pretty clear to me that they could be charged under federal law," Choper said. "It's unlikely, but technically it's possible."

That leaves the Satterfields wondering whether they'll get their marijuana back. Doyle Satterfield, 52, said he uses marijuana for insomnia and arthritis, and his wife has used it for chemotherapy treatments for breast cancer.

Under state law, controlled substances are usually destroyed after trial, or if charges are dismissed, unless they were found to be "lawfully possessed" by the defendant.

STATE



People meter promises better TV, radio ratings

BY GARY GENTILE
AP Business Writer

LOS ANGELES — In a world with 500 television channels, it's getting harder and harder to figure out who's watching what.

For decades, data used to rate programs has been collected through devices attached to TVs and radios, and by having people in thousands of homes tediously fill in paper diaries during the crucial "sweeps" periods in May and November.

But that decidedly low-tech system is about to get a major upgrade.

The two major companies that produce television and radio ratings are testing next-generation technology to give advertisers the data they need to decide where to spend their billion-dollar budgets.

The most promising is the "portable people meter," a beeper-like device being developed by Arbitron that logs programming seen or heard anytime, anywhere by whoever is wearing it.

It requires nothing of participants other than to wear it during the day and place it in a home docking station each night so data can be collected and transmitted to Arbitron.

The device uses sensitive microphones to pick up codes embedded in television, radio and even streaming Internet broadcasts.

"With the portable people meter, we know that you carried it and what it was exposed to," said Thom Mocarsky, a spokesman for Arbitron, which compiles radio ratings.

Arbitron just completed the first phase of testing, strapping meters on 1,500 participants in Philadelphia.

The results were more comprehensive than data collected by current means — in large part because viewing and listening outside the home was included.

There was also more information on viewing and listening by young males — a key demographic group for advertisers — who are notoriously sloppy about recording their habits in diaries, Mocarsky said.

Nielsen Media, which provides television ratings, is watching the tests closely, with an eye toward forming a joint venture with Arbitron to roll out the technology nationally.

Nielsen is testing its own meter to monitor similar embedded codes. Unlike

the Arbitron device, the Nielsen meter attaches to individual television sets.

Both systems could become essential as digital television eventually replaces the analog technology now in use. Digital splits channels into several distinct signals carrying program information.

"Digital changes the way television is transmitted, so the channel-based measuring system goes away," said Nielsen spokesman Jack Loftus. "Everyone is going to encoding, and the race is on to see whose code is better."

Advertisers are carefully monitoring both prototypes in their search for more accurate ratings data.

"The (paper) diary is incapable of picking up detailed cable information," said Susan Nathan, senior vice president and director of media knowledge at Universal McCann, part of the Worldwide McCann advertising agency. "There are too many choices. We know the diary is inferior. We have lived with it forever, and it's time to get off it."

Currently, national and local television ratings are measured by Nielsen Media Research using electronic devices supplemented four times a year by paper diaries.

Nationally, 5,000 randomly selected homes are equipped with a meter on each television in the house to log which channels are watched.

A second measurement is made by assigning each household member their own button on the device, which is turned on and off when the person starts and stops watching television.

The data is turned into detailed demographic statistics for various age groups.

Radio ratings are collected entirely using paper diaries.

The new personal people meters, which likely won't be used nationally for three to five years, also promise a solution to the thorny issue of tracking how people use personal video recorders to time-shift programs and zap advertising from shows.

The code system will reveal if a person is watching live or taped shows and can detect gaps that indicate fast-forwarding through ads.

Advertisers are excited about the reams of new data being generated by the systems and say they can't wait for the technology to be perfected.

Hollywood Hills fire kills four

By The Associated Press

LOS ANGELES — Arson and homicide investigators searched for clues Sunday to a Hollywood Hills house fire that killed four people.

The fire was reported late Saturday night by the husband and father of three of the victims who said he arrived home at 11:15 p.m. to find the house in flames, said Jim Wells, a spokesman for the Los Angeles Fire Department.

The man said his wife, daughter, son and mother-in-law were in the house. Names were not immediately released.

The bodies of a 43-year-old and 63-year-old woman, along with a 16-year-old girl and an 18-year-old man were discovered inside the one-story hillside home on the 2900 block of Lakeridge Drive, said Wells.

No details of the investigation were being released Sunday.

"We will conduct a very thorough investigation," said Capt. Jim Tatreau, of the Los Angeles Police Department. "We have a good number of witnesses we want to speak to."

Police were also checking video surveillance cameras at nearby houses for video that might help explain what happened.

Firefighters arrived at the house less than three minutes after the fire was reported, Wells said. The structure was "fully involved" when the fire department arrived, making rescue efforts "very difficult," he said.

Neighbors who reported the fire screamed that people were inside, and 20 firefighters were on scene in less than three minutes, Wells said. It took fire crews 30 minutes to put out of the fire.

Relatives gathered at the house Sunday and told investigators there were working smoke detectors inside the house.

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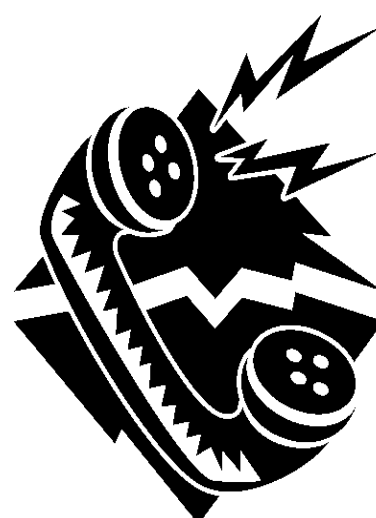
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NATIONAL

Boston's Cardinal Law acknowledges pain of abuse victims

BY KEN MAGUIRE

Associated Press Writer

BOSTON — Cardinal Bernard Law on Sunday acknowledged the anguish caused by the archdiocese's withdrawal from a settlement with 86 alleged victims of sexual abuse and said he would seek an "equitable solution."

In a rare, detailed accounting of the church's legal affairs, Law explained that the archdiocese's Finance Council had rejected the agreement because of what he called a "laudable" concern about the growing number of victims and the church's diminishing resources.

He disclosed that the number of additional sexual abuse claims against priests and the archdiocese had grown from 30 to 150 in recent weeks.

"I trust you can understand the disappointment, the anger and even the sense of fresh betrayal which may be in the hearts of the 86 persons," Law told parishioners at the Cathedral of the Holy Cross on Sunday.

"Nonetheless, I pray that, as time goes on, they may be willing to help in the framing of a wider settlement which can include the victims who have only recently come forward," he said.

The embattled cardinal did not apologize to the 86 Geoghan plaintiffs, all of whom signed the mediated settlement.

Outside the cathedral, demonstrators gathered at the door where Law exits and chased his car down the street, waving signs and chanting: "First things first, pay the victims now."

One parishioner, who would not give his name, confronted Law as the cardinal greeted people leaving the



John Bohn/ Associated Press

Cardinal Bernard Law speaks to the congregation during Mass at the Cathedral of the Holy Cross in Boston Sunday. Law acknowledged the anguish caused by the archdiocese's withdrawal from a settlement with 86 alleged sexual abuse victims and said he would seek to reach an "equitable solution" in coming weeks.

church. "No real healing will take place ... as long as you are the archbishop here," the man said.

Law's hand-picked advisers on the archdiocese's Finance Council outraged victims' advocates Friday when they refused to approve a settlement worth an estimated \$15 million to \$30 million with 86 people who have accused former priest John Geoghan of sexual abuse.

Geoghan was convicted in January of fondling a boy

and is serving a nine-to-10 year prison sentence.

Law said he had learned only Friday that the settlement with Geoghan's accusers, which he endorsed in March, had to be reviewed by the 15-member finance council, made up mainly of lay business people.

The council denied his request, the cardinal said, because "the dramatic increase in the number of cases has substantially altered the situation."

Plaintiff's attorney Mitchell Garabedian said he had told the archdiocese for years that the number of claims would escalate. During almost a year of negotiations, he said, the archdiocese's lawyers never mentioned that the settlement would be contingent upon the Finance Council's approval.

Garabedian said he would contact a judge Monday to set a court date to continue the litigation, including an immediate deposition of the cardinal.

Law, who has refused calls to resign over his handling of priests accused of sexual abuse, addressed this latest controversy Sunday as he launched his annual appeal to raise millions to help cover the archdiocese's day-to-day operating expenses and charitable mission.

Law told parishioners that the "constant crisis" will "very likely have an effect" on the amount raised for the church.

He has repeatedly said the money would not be used to cover settlements. Last year's appeal raised \$16.1 million.

The archdiocese is considering mortgaging some of its real estate to raise the millions of dollars needed to settle with alleged victims, the archdiocese's chief financial officer, Chancellor David W. Smith, told the Boston Sunday Globe. He said it likely would take months to determine how much would be needed to pay the claims.

Jefferson descendants vote against accepting Hemings kin

BY MICHAEL BUETTNER

Associated Press Writer

CHARLOTTESVILLE, Va. — An organization for descendants of Thomas Jefferson voted Sunday not to extend membership to descendants of one of Jefferson's slaves reputed to have borne several of his children.

The Monticello Association in a closed meeting decided to continue to restrict membership to Jefferson's descendants through his daughters Martha and Maria.

The group will continue to exclude descendants of Sally Hemings, a slave at Monticello with whom Jefferson has long been rumored to have had a sexual relationship.

The group heeded a recommendation from a committee of scholars that studied

the paternity of Hemings' descendants. The panel concluded that "there is insufficient evidence to establish that members of the Hemings family were descendants of Mr. Jefferson."

The group also rejected a proposal to create a separate organization for descendants of slaves and workers at Monticello.

The scholars' committee was formed at the behest of John Works Jr., a former Monticello Association president who has been a staunch opponent of admitting Hemings' descendants.

During Sunday's meeting, Lucian Truscott IV, a supporter of the Hemings claims, displayed a photograph of a black man with a zipper across his mouth, which he said Works e-mailed to him.

Works responded: "I am not a racist."

The exchange, overheard by a reporter

outside the room, was later confirmed by the participants.

After the meeting, Works said he regretted sending the photo, which he called insensitive. He said his intention was to remind Truscott of a pledge association members made not to discuss the Hemings issue with the media. He said Truscott had broken the pledge.

Shay Banks-Young, a Hemings descendant, shrugged off Sunday's decision. "We're not hurt by this," she said. "Not being part of the association doesn't remove us from this family."

The Monticello Association was creat-

ed in 1913 by Jefferson's descendants to promote the third president and preserve the cemetery where he is buried.

The group's annual meetings turned political in 1999, when Hemings family members began attending following a study that suggested Jefferson fathered Hemings' last child.

During his presidency, Jefferson was accused publicly of fathering several of Hemings' children after his wife died. DNA tests have showed a male in Jefferson's family — possibly the former president — fathered Hemings' son Eston.



National Basketball Association playoff schedule

By The Associated Press

CONFERENCE SEMIFINALS — EDT (Best-of-7)

Saturday, May 4

Sacramento 108, Dallas 91, Sacramento leads series 1-0

Sunday, May 5

New Jersey 99, Charlotte 93, New Jersey leads series 1-0

Detroit 96, Boston 84, Detroit leads series 1-0

L.A. Lakers 86, San Antonio 80, L.A. Lakers lead series 1-0

Monday, May 6

Dallas at Sacramento, 9 p.m.

Tuesday, May 7

Charlotte at New Jersey, 8 p.m.

San Antonio at L.A. Lakers, 10:30 p.m.

Wednesday, May 8

Boston at Detroit, 8 p.m.

Thursday, May 9

New Jersey at Charlotte, 7 p.m.

Sacramento at Dallas, 9:30 p.m.

Friday, May 10

Detroit at Boston, 7 p.m.

L.A. Lakers at San Antonio, 9:30 p.m.

Saturday, May 11

Sacramento at Dallas, 3:30 p.m.

Sunday, May 12

New Jersey at Charlotte, 12:30 p.m.

Detroit at Boston, 3 p.m.

L.A. Lakers at San Antonio, 5:30 p.m.

Monday, May 13

Dallas at Sacramento, 9 p.m., if necessary

Tuesday, May 14

Boston at Detroit, 8 p.m., if necessary

San Antonio at L.A. Lakers, TBA, if necessary

Wednesday, May 15

Charlotte at New Jersey, TBA, if necessary

Sacramento at Dallas, TBA, if necessary

Thursday, May 16

Detroit at Boston, TBA, if necessary

L.A. Lakers at San Antonio, TBA, if necessary

Friday, May 17

New Jersey at Charlotte, 8 p.m., if necessary

Saturday, May 18

Dallas at Sacramento, TBA, if necessary

San Antonio at L.A. Lakers, TBA, if necessary

Sunday, May 19

Charlotte at New Jersey, TBA, if necessary

Boston at Detroit, TBA, if necessary



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INTERNATIONAL



Newspapers urge French voters to protect their democracy



Laurent Rebours/Associated Press

French President Jacques Chirac and his wife Bernadette wave as they leave the polling station after voting in the second round of France's presidential election in Saran, central France Sunday. After a two-week campaign that mobilized France, conservative President Jacques Chirac appeared likely to win his re-election bid against far-right contender Jean-Marie Le Pen.

BY JAMEY KEATEN
Associated Press Writer

PARIS — Calling on citizens to protect France's democracy, newspapers across the political spectrum on Saturday urged readers to cast their votes for President Jacques Chirac in his improbable matchup against ultra-right leader Jean-Marie Le Pen.

Chirac, a conservative, is expected to easily defeat Le Pen in Sunday's presidential runoff, but it will take a while for France to recover from the shock of this year's presidential race.

Le Pen, leader of the National Front, has been widely accused of racism and anti-Semitism. His surprise qualification for the runoff, beating Prime Minister Lionel Jospin in the April 21 first round, stunned France.

Le Pen's success prompted a huge wave of popular protests across France. Anti-Le Pen marchers flooded the streets nearly every day after his first-round showing, culminating in a gigantic march by more than a million people on the May Day holiday.

The left-leaning Paris newspaper Liberation on Saturday published a front-page picture of a Chirac ballot entering a ballot box. Over it was an enormous one-word headline: "Oui!" The day after the first round, the paper had run a picture of Le Pen covered by a huge "Non."

The conservative daily Le Figaro featured the headline: "Chirac, of course."

In an editorial, the daily La Montagne of the central French city of Clermont-Ferrand said Sunday's elec-

tion was "first a question of assuring the preservation of our liberties, of the Republic and of serene democracy. On Sunday, only a ballot with the name of Jacques Chirac can guarantee it."

Chirac, a conservative, is expected to easily defeat Le Pen in Sunday's presidential runoff

The protests were expected to continue all the way up to the ballot box. Some leftists, so disgruntled about having to vote for Chirac, were planning to put on gloves to handle the ballot. The Constitutional Council warned that anyone casting ballots with gloves — or other improper behavior — could risk the annulment of their votes.

In a sign of possible problems on Sunday, some left-leaning poll workers who supervise the voting weren't expected to turn up on Sunday in protest of Le Pen.

"I'm missing 180 supervisors," said Francois Rysto, the chief of staff at the city hall in the southwestern town of Villeurbanne, on Friday.

Still a question is how many people will abstain — the first round had a record 28 percent abstention rate — or how those who previously abstained will vote on Sunday.

Liberation, in Saturday's editorial, urged voters to turn out massively for the vote "so that the percentage score of the leader of the National Front will be as low as possible."

Archaeologists find pyramid while excavating another tomb

By The Associated Press

CAIRO, Egypt — Archaeologists have discovered the 110th pyramid to be uncovered in Egypt — the 4,500-year-old tomb of a queen whose identity remains a mystery, the country's antiquities director said Sunday. "When we discover in Egypt a tomb or a statue, it's something important," said Zahi Hawass, director of Egypt's Supreme Council of the Antiquities. "But when we discover a pyramid, it's the most important thing."

Hawass said the last such discovery was four years ago, when he found another queen's pyramid at Saqqara, south of Cairo.

The latest discovery was made by a Swiss team excavating the tomb of the 4th dynasty pharaoh Redjedef, son and successor of Cheops — also known as Khufu — of Great Pyramid fame.

The Swiss archaeologists were clearing sand from desert around Redjedef's unfinished pyramid just outside Cairo when they found an unmistakable shape:

sharply cut blocks rising just a few feet above a square base of just 5-by-5 yards.

"When we discover in Egypt a tomb or a statue, it's something important. When we discover a pyramid, it's the most important thing."

— ZAHY HAWASS

Egypt's Supreme Council of the Antiquities director

The discovery "was completely by accident," Hawass said.

The site is just a few miles from Cheops' Great Pyramid, one of the world's best-known. Redjedef ruled for a few years after Cheops' death and may have been killed by his brother in an internecine power struggle.

The Swiss archaeologists, who completed a two-month excavation of the queen's pyramid last week, found it contained three chambers in addition to the tomb located about 15 feet underground. No mummy was found — ancient tomb robbers had been at work, Hawass said. Researchers did find a remnant of a limestone sarcophagus, some pottery and one alabaster jar of the type used to store organs removed from a body before it was mummified.

The new pyramid's proximity to the much larger pyramid of Redjedef and its small size indicate it was the tomb of a woman, probably the sister, daughter or wife of Redjedef.

In all, 110 pyramids have now been found in Egypt, Hawass said.

German union to launch first major strike in seven years

BY DAVID MCHUGH
AP Business Writer

SINDELFINGEN, Germany — The overnight shift at a major DaimlerChrysler plant on Sunday launched the first strike by Germany's largest industrial union in seven years, one that could slow the recovery of Europe's biggest economy.

The powerful IG Metall Union said 2,000 workers at the German-American auto giant's sprawling Sindelfingen works honored calls to stay home for the night shift, beginning one-day work stoppages at major employers in southern Baden-Wuerttemberg state, a heartland of German manufacturing.

The plant and its 25,000 workers make Mercedes-Benz C- and E-class luxury

models, among the company's most consistent profit-makers.

Leaders of the 2.7-million member IG Metall union, which also represents workers in electronics and engineering, have said the stoppage is to spread Monday to U.S.-headquartered tractor maker John Deere, which has a plant in Mannheim, and car makers Porsche and Audi as well as two more DaimlerChrysler plants.

Any wage settlement in Baden-Wuerttemberg is expected to set the pattern for workers across Germany. Most contracts are negotiated between unions and regional employer associations representing entire industries, not company by company.

Pay talks broke down April 19 after the union rejected the employers' offer of a 3.3 percent increase for 15 months.

Employers say they can't go any higher, and some economists say any increase over 3 percent endangers jobs and fuels inflation.

The union has said it wants a 6.5 percent increase as part of a one-year deal to compensate workers for moderate increases in the past, inflation and higher productivity, though observers expect it to settle for less. IG Metall members earn an average of around \$1,800 a month, plus benefits including six weeks of paid vacation and bonuses.

IG Metall head Klaus Zwickel said companies may be hit repeatedly with strikes at short notice, costing them millions of dollars a day in lost business.

"The more painful the strike, the quicker the employers will give ground,"

Zwickel said in an interview with Sunday's Bild am Sonntag newspaper.

The president of the Federation of German Industry, the country's main employers' body, said the unions' demands were "madness" given the country's feeble economic situation.

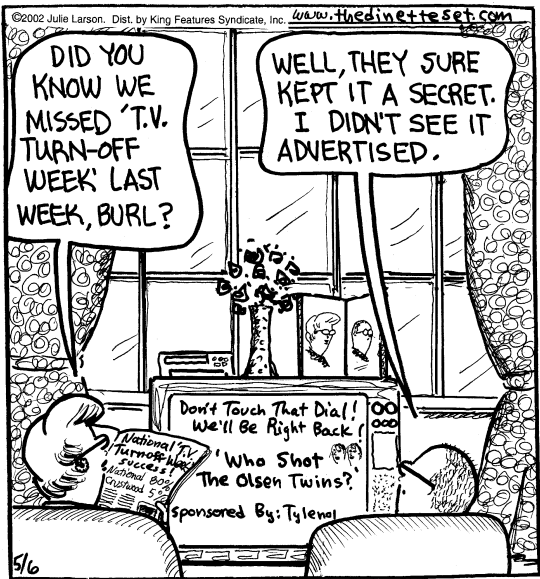
Strikes are "a weapon from the century before last and should be abolished," Michael Rogowski told the Bild am Sonntag, arguing that such disputes should be resolved by an arbitrator.

The union has called its first strike since 1995 despite appeals from Chancellor Gerhard Schroeder for a wage deal that doesn't snuff out the beginning of economic recovery in Germany, which suffered a mild recession in the second half of last year.



COMICS

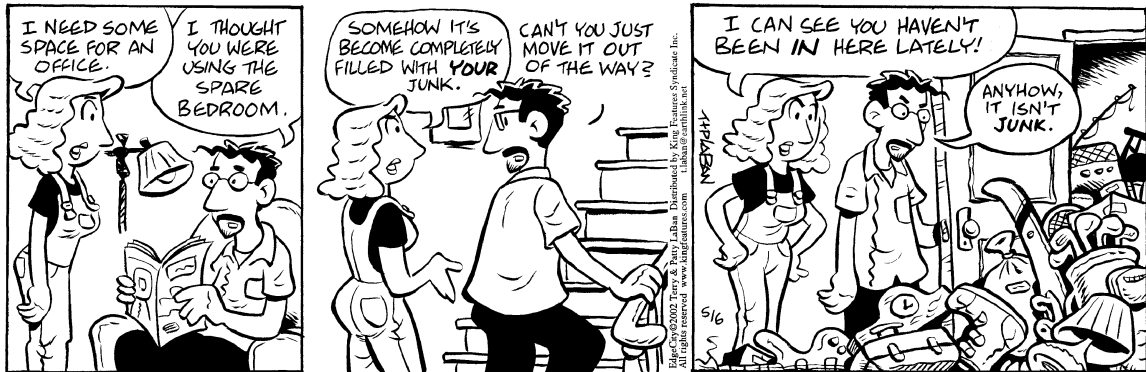
The Dinette Set by Julie Larson



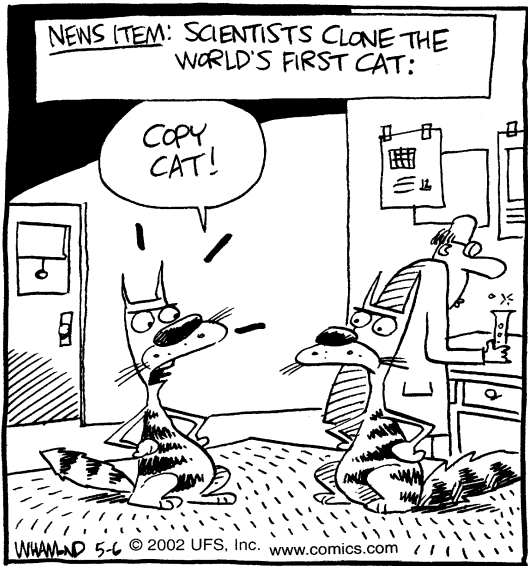
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 - 24 High place
 - 25 Telegraph user
 - 26 Chameleon, e.g.
 - 27 Like some training
 - 28 Rings
 - 29 Throw in the towel
 - 30 London theater
 - 33 Robe part
 - 35 Historic time
 - 36 Belief

B	A	B	A			F	A	D	E	S		
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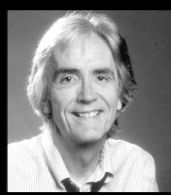
Saturday's answer

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	40					41				

5-6

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NEWS OF THE WEIRD

by Chuck Shepard

Cat washing machine ... for a mere \$20k

Spanish inventor Andres Diaz made the first U.S. sale of his \$20,000, side-loading, automatic cat-washing machine late last year to a Miami company, PetClean USA. The three-cycle, 37-nozzle machine processes the cat in 30 minutes, and Diaz swears the cat doesn't mind it. (And in March, Antrim, Northern Ireland, inventor Trevor Graham was awarded about \$8,500 from the Winston Churchill Foundation to study mobile dog-washing equipment in the U.S.)



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BACK PAGE

Egg bank allows women to save while awaiting Mr. Right

BY PAUL WILBORN

Associated Press Writer

LOS ANGELES — At age 38, Kat Wakula wishes she had a little something in the bank.

Married for three years and the owner of an eight-year-old horticulture business, Wakula is ready for what she put off for so long — a baby.

But after months of taking her temperature, timing her ovulations and putting sex on a schedule that leaves little room for romance and serendipity, she's still not pregnant.

Recent studies confirm Wakula's dilemma and that of millions of working women in their 30s and 40s: They may look and feel young, but their eggs qualify for a senior citizen discount.

A Los Angeles fertility clinic sees a marketing opportunity in such women.

Starting in December when its new lab is finished, the CHA Fertility Clinic on Wilshire Boulevard near Beverly Hills will open an on-demand egg-banking service, giving women a chance to freeze and store their eggs while they await Mr. Right.

The price, about \$9,000, includes treatment to induce egg production, harvesting and freezing. An annual storage fee of about \$500 is separate.

Wakula wishes there had been such a bank when she was 30, although she's not sure she would have had the foresight to make a deposit.

"It would be nice to have something to fall back on, now that it is not happening," she said.

Economist Sylvia Ann Hewlett found that the number of childless women in the work force is growing and that when working women older than 40 try to become pregnant, the odds are stacked against them. By 27, a woman's reproductive potential begins to decline and it sinks dramatically after age 35, according to her book "Creating a Life: Professional Women and the Quest for Children."

"The myth was you can have a baby from the late 30s to early 40s, but the reality is, the best time to have a baby is when you are in your late 20s," said Dr. Thomas

J. Kim, medical director of the CHA clinic.

The business is named after founder Kwang Yul Cha, who pioneered in vitro fertilization techniques in Asia and is well-known among U.S. fertility experts. He also operates hospitals and clinics in South Korea.

Existing slow-freeze methods often damage the fragile makeup of women's eggs. But Kim said his Korean partners have pioneered a new flash-freezing method

"It seems like a miracle to me."

— STACY WRIGHT
Potential customer

called vitrification that makes egg-banking viable.

"We feel we can offer this with a certain level of confidence that we can deliver the product," Kim said.

Other experts in the field aren't so sure.

Dr. Zev Rosenwaks, director of a reproductive center at Cornell University, said the CHA clinics in South Korea are well-known for egg freezing, but he has yet to see consistently positive results.

"Egg freezing is not very efficient, and women need to be aware of the fact that it doesn't ensure they will be able to reproduce," he said.

In the 17 years that traditional egg freezing techniques have been used, it has been reserved mostly for women facing chemotherapy or as a last resort during in vitro fertilization treatments. Only about 50 babies have been born worldwide using frozen eggs, Rosenwaks said.

Dr. Alan DeCherney of the University of California, Los Angeles said he wants to see some scientific evidence that the CHA clinic has a viable new freezing technique.

"If they have a new technology, they have to publish it and document it, and other people have to be able to replicate it," said DeCherney, a professor of Obstetrics and Gynecology and editor of the national medical jour-

nal "Fertility and Sterility."

Egg banking, when it is perfected, could be very helpful, DeCherney said, "but we're not there yet."

Kim counters that the vitrification technique is too valuable to women not to offer it.

"Although we need to make improvements in terms of efficiency, I think we have a product that can help a lot of people," Kim said.

One of those people could be Stacy Wright, a 27-year-old child psychologist who lives in Portage, Mich.

Wright suffers from endometriosis, a condition that causes scarring around the uterus, and faces a hysterectomy.

Wright was referred to the CHA clinic by her doctors. She wants to freeze her eggs in hopes of having a child with a future husband.

"It seems like a miracle to me," said Wright, who is single. "I had pretty much gone through the grief process of never being able to have my own child."

Embryos from flash-frozen eggs have been implanted in 28 women in Asia, Kim said. Of that number, four have delivered babies and two more are well along in their pregnancies.

"That's about 20 percent," Kim said. "I would be very happy if we could deliver 20 percent with this technology."

Freezing of fertilized embryos has been done for years but also carries its own set of problems.

An embryo belongs to both the man and the woman, creating legal and financial consequences if the couple divorce, experts say. Disposing of embryos, which many see as the beginning of life, also raises ethical and religious questions.

But an egg belongs to the woman and is only a building block of life, not life itself, said Kim, a soft-spoken, serious man, who works out of a sleek office done in charcoal gray, polished metal and curving bamboo shades.

He became a fertility specialist after he and his wife struggled to have a baby.

While the fast-freezing system isn't foolproof, Kim said it gives an option to women who are delaying starting families.

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