

FREE

THURSDAY, MAY 15, 2003

Volume 2, Issue 157

Santa Monica Daily Press

A newspaper with issues

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SUPER LOTTO PLUS

2-7-20-42-45

Megamatch: 26
Jackpot: \$13 million

FANTASY 5

23, 33, 34, 36, 37

DAILY 3

Afternoon picks: 8, 0, 4
Evening picks: 6, 1, 4

DAILY DERBY

1st Place: 09, Winning Spirit
2nd Place: 02, Lucky Star
3rd Place: 05, California Classic
Race Time: 1:45.04



NEWS OF THE WEIRD

by Chuck Shepard

A 35-year-old man was uninjured but his Jaguar mangled after he momentarily lost control at 70 mph on Interstate 15 near Pala, Calif., in January and drove underneath an 18-wheeler, with the car getting stuck under the axle and being dragged for a half-mile before another motorist signaled to the driver of the rig.



QUOTE OF THE DAY

"Honesty is the best image."

— Ziggy (Tom Wilson)



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Forever Young



Photo courtesy
Former 49er quarterback Steve Young spent Tuesday night and Wednesday morning on the Venice boardwalk, raising money for his Forever Young foundation through a "shower-a-thon." The showers cost \$10 a pop and the cash will go to kids in need.

July 4 fireworks may return to Santa Monica

City asks residents to foot the \$50,000 bill

BY JOHN WOOD
Daily Press Staff Writer

The City Council on Tuesday asked residents and businesses to pick up the tab for a Fourth of July celebration in Santa Monica.

"Celebrate America," which for the last 20 years has been held at Santa Monica College, was canceled earlier this month because of the school's dire financial state.

School officials said it didn't seem right to stage the \$50,000 celebration at a time when teachers are losing their jobs and entire departments are being eliminated.

But Santa Monica City Council members said the bad financial news shouldn't spell the end for the festivities.

"I think we're all painfully aware of the multiple budget crises

that effect the college, the school district and the community," Mayor Richard Bloom said. "But I don't see how that kind of pain translates into a need to forego happy occasions and celebrations."

More than 20,000 people attended last year's event.

SMC's event, which is held annually at Corsair Stadium, has been the sole Independence Day celebration in Santa Monica for more than a decade.

The city canceled its popular Fourth of July celebration in 1991, citing liability concerns. Controlling the hundreds of thousands of revelers that converged each year on Palisades Park and the beaches below became too difficult, officials said.

"It just got out of hand," Councilman Herb Katz said.

Council members on Tuesday directed city staff to begin working

See FIREWORKS, page 6

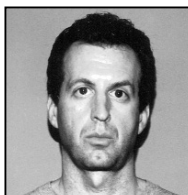
Ex-con accused in Johnson death appears in court

BY CAROLYN SACKARIASON
Daily Press Staff Writer

A convicted felon accused of killing a 21-year-old Santa Monica woman he allegedly lured with the promise of a photography session was ordered held without bail Wednesday.

Victor Paleologus, 40, was ordered by Los Angeles Superior Court Judge Jeffrey Harkavy to remain in jail without bail until his arraignment on May 29. Paleologus was scheduled to be arraigned on Wednesday, but his public defender, Jennifer Friedman, requested the hearing be delayed two weeks.

"I wanted to review the discovery," said



Victor Paleologus

Friedman, who was assigned by the court on Wednesday to defend Paleologus. "(Santa Monica Police) have been investigating for quite some time and I need to review the case."



Kristine Johnson

Paleologus is charged with killing Kristine Johnson, 21, along with the special circumstance allegations of lying in wait and murder during an attempted rape, which could make him eligible for execution.

"We won't make that determination until after a preliminary trial," said Los Angeles District Attorney's Office spokeswoman Sandi Gibbons. "It definitely has the potential."

If convicted, it would be Paleologus' third strike, making him eligible for life in prison without parole.

Paleologus is expected to plead not guilty at

See ACCUSED, page 7

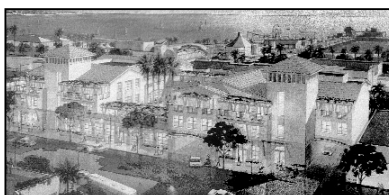
McDonald's on Second Street gets approval for facelift

But city-imposed restrictions may hinder development

BY JOHN WOOD
Daily Press Staff Writer

After eight years of work, developers were given the go-ahead Tuesday to give McDonald's on Second Street a facelift.

Council members voted to approve a three-story building at the intersection of Second Street and Colorado Boulevard, a corner that is largely considered the gateway connecting downtown to the pier.



The proposed McDonald's building.

The new building will have two to four retail shops on the ground level, office space on the upper levels and a renovated McDonald's, all housed in a Spanish-style structure, said Tom

Landau, architect for the project.

But that's only if it gets built.

Developers said that one condition of the approval — which follows a Planning Commission denial and an earlier recommendation by city staff to deny the project — threatens to kill the project.

The City Council voted not to allow cars to enter the building off of Colorado Boulevard, something developers said is necessary to keep McDonald's profitable. The chain outlet currently has a 25-foot-wide driveway off of Colorado Boulevard.

"The project is in jeopardy based on the

See McDONALD'S, page 6

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JACQUELINE BIGAR'S STARS

The stars show the kind of day you'll have:

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

HAPPY BIRTHDAY for Thursday, May 15, 2003:

You often find bosses to be difficult and emotional. You might need to cater to those in authority more often, even a parent. How you manage your life and how you project yourself transform this year. The Full Moon and today's eclipse promise changes in the area of relationships. You will find that others respond quite differently this year. If you're single, your status could be up for grabs. Someone important enters your life late in the year. If you are attached, your partner could change right in front of your eyes. Allow more creativity and ease in your interactions. SCORPIO often challenges you.

♈ ARIES (March 21-April 19)

★★★★ You could easily wake up on the wrong side of the bed. Review an important decision that could impact a key relationship or money partnership. Give yourself a week to make sure you see everything clearly. Now, that's a lot better. Tonight: Togetherness counts.

♉ TAURUS (April 20-May 20)

★★★★ You could be pulled in different directions. Come to terms with a loved one or friend. A boss could change his or her tune. Give this person space to do just that. You might find that your relationship's in a process of change. Work with an existing situation. Tonight: Say "yes." Be easy.

♊ GEMINI (May 21-June 20)

★★★★ Work demands extra time and effort. Though you could be most tired of what is going on, you need to absorb different ideas. Try hard not to be as reactive. Solutions come to those who are open. News from a distance in the next few months could highlight a need to travel. Tonight: Easy does it.

♋ CANCER (June 21-July 22)

★★★★ Call on your creativity. Find answers through the way you deal with others. Push comes to shove if you're not careful with a money matter. Understand your limits within reason. An associate could be touchy, to say the least. Tonight: Get into weekend mode.

♌ LEO (July 23-Aug. 22)

★★★★ Deal with the basics quickly. You might be somewhat reactive to a partner, or he or she might be reactive to you. Others could lose their temper. Be careful, as someone could reverse his or her direction. Act wisely; you could clear out a problem. If you feel lucky, buy a lottery ticket. Tonight: Head on home.

♍ VIRGO (Aug. 23-Sept. 22)

★★★★ Reach out for those around you. You might not be delighted with a roadblock you hit at work. Take your time and look past it. See what is causing this problem. All types of options come forward if you stay open. Tonight: Plans rapidly change.

♎ LIBRA (Sept. 23-Oct. 22)

★★★★ Expenses could grow quickly. Think in terms of positive actions within a relationship. Your laughter and devil-may-care attitude could be OK for some situations, but not for all. Remain sensitive. The Full Moon highlights different points of view. Tonight: Your treat.

♏ SCORPIO (Oct. 23-Nov. 21)

★★★★ Know what you want. You might discover that some obstacles lie ahead that you might not be aware of. Stay open to others, especially someone close. This person might exhibit a different side of his or her personality. Consider what might be happening. Tonight: You're personality plus.

♐ SAGITTARIUS (Nov. 22-Dec. 21)

★★ Slow down, because the Full Moon might hit you quite hard. Think about another's information. It might not be anchored. Much comes up for you. You might be more jittery than you realize. Evaluate what might be going on. Tonight: Do something relaxing.

♑ CAPRICORN (Dec. 22-Jan. 19)

★★★★ You will see more of what you want in the next few weeks. The Full Moon brings these issues to the forefront. What you believed was a sure thing might not be. Confusion underlines a money decision. Think through a decision. Tonight: Where your friends are.

♒ AQUARIUS (Jan. 20-Feb. 18)

★★★★ Stay on top of a decision even though you might have mixed feelings. Others assume a lot of responsibility. Whether or not you agree, changes are afoot. You might want to sit back and do some thinking before you take action. Give yourself the gift of time. Tonight: A

♓ PISCES (Feb. 19-March 20)

★★★★ Reach out for a loved one who might need your attention. Your evaluation of information needs to be questioned. You might not see a situation in the same perspective. Balance news with reality. Your perspective could change dramatically as a result. Tonight: Try a new spot.

Santa Monica Daily Press

Published Monday through Saturday
Phone: 310.458.PRESS(7737) • Fax: 310.576.9913
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LOCAL



COMMUNITY BRIEFS

Santa Monica homeless to be featured tonight on TV

By Daily Press staff

Santa Monica officials will appear on KCET's "California Connected" from 8 to 9 p.m. tonight to discuss the city's homeless population.

The channel 6 piece, called "Santa Monica Homeless," will feature Green Party member and councilman Mike Feinstein who voted with fellow Green and councilman Kevin McKeown against an ordinance last fall that puts restrictions on outdoor food programs serving the homeless.

The ordinance requires groups who feed the hungry in public parks to go through a rigorous government process to get a permit from the city and the Los Angeles County Health Department to provide meals in a public place.

Some people said by making it more difficult to serve food, it would reduce the number of charity groups who come to Santa Monica to help the homeless. City officials say the law is designed to protect the public from potential health problems associated with distributing food as well as to prevent one group from dominating a public space.

The ordinance passed by a vote of 5-2 last October.

The City Council also passed a law forbidding people from sleeping in downtown doorways from 11 p.m. to 7 a.m.

SMC offers free 'Journeys of Marco Polo' lecture

By Daily Press staff

Award-winning National Geographic photographer Michael Yamashita will present a free slide-lecture called "Journeys of Marco Polo" on May 30 at 7 p.m. in Room 214 of the Santa Monica College Art Complex.

Yamashita has been a regular contributor to the National Geographic since 1979 and has worked in such locations as Somalia, Sudan, England, Ireland, New Guinea and New Jersey.

He has received a number of professional awards, including the National Press Photographers Association Pictures of the Year Competition, New York Art Director's Club and the Asian-American Journalists Association. His work has been displayed at such venues as the National Gallery of Art and Los Angeles County Museum of Art.

The lecture is SMC's annual Rocky Young Lecture, named after long-time former SMC professor and administrator who is currently president of Los Angeles Pierce College in Woodland Hills.

The lecture is sponsored by the SMC Associates, a private organization that funds speakers and special programs on campus, and the SMC history department.

Super SMASH Saturday is school's biggest fundraiser

By Daily Press staff

Santa Monica Alternative School House will be holding its annual Super SMASH Saturday event this weekend from 2 to 7 p.m. at the corner of Ocean Park Boulevard and Fifth Street.

The carnival is the biggest fundraiser of the year for the Ocean Park public school, a K-8 learning center committed to progressive education. As of now, SMASH faces the elimination of the principal position under the school district's budget cuts, so fundraising is especially important this year, according to the school's PTSA.

The celebration features a silent auction, kids games and crafts, a BBQ, live music and other entertainment.

Admission is \$8 for adults and \$4 for kids.



The swells are changing, but the surf should stay about the same. Just watch out for the wind. It hasn't let up for weeks now, and by afternoon it will be blowing strong.

Good news: A new SW swell will build slowly through the day.

Bad news: The SSW swell we enjoyed the past few days is nearly dead today.

Outlook: It's more waist- and chest-high surf for us lucky ones. Keep an eye on a NW wind swell that will fill in later in the day.

Today the water is:

60°

Sunrise: 6:00 a.m.
Sunset: 7:58 p.m.

	LOW TIDE				HIGH TIDE			
	Morning	Height	Evening	Height	Morning	Height	Evening	Height
SATURDAY	5:17	-0.2	4:15	2.0	11:41	3.4	10:34	5.3
SUNDAY	5:56	-0.1	4:33	2.3	(12:32)	3.1)	11:02	5.2
MONDAY	6:43	0.0	4:48	2.6	(1:45)	2.9)	11:35	5.0
TUESDAY	7:41	0.2	N/A	N/A	N/A	N/A	N/A	N/A
WEDNESDAY	8:50	0.3	N/A	N/A	12:19	4.7	N/A	N/A
THURSDAY	10:01	0.2	9:40	3.2	1:27	4.4	6:10	3.5
FRIDAY	11:01	0.1	11:22	2.7	3:06	4.2	6:24	3.9

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There's a movement building in California to throw Gov. Gray Davis out of office.

Big-money politicians throughout the state, most of whom are Republicans, are financing the recall effort. They criticize Davis for leading the state into a \$35 billion deficit, giving more money to prisons than to schools and showing a general lack of leadership.

So, this week Q-Line wants to know: "Do you think Gov. Davis should be recalled from office? Why or why not?"

Call (310) 285-8106 with your response before Thursday at 5 p.m. We'll print them in Friday's paper. Please limit your comments to a minute or less. It might help to think first about the wording of your response.

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OPINION

LETTERS

Insight on the MTA fare hike proposal

Editor:

I don't know where Joanne Gamlin has been (SMDP, May 5) but a public hearing on the MTA fare proposals was held Saturday, April 12 at the MTA Headquarters behind Union Station where I presented my public testimony in a written statement before the MTA Board of Directors and CEO Roger Snoble. My comments offered a compromise on some of the fare proposals.

The hearing was attended by approximately 150-175 people and was publicized in brochures on MTA buses and in the LA Times (Kurt Streeter, transportation writer for the LA Times was sitting next to me during a good part of the meeting). The hearing was also publicized on the MTA Web site.

I am a daily transit rider (Culver City Bus, Big Blue Bus, MTA, etc.) and I am affiliated with many of the rail, bus and transit advocacy groups throughout California — and SMDP readers might be interested in my statement which follows.

My name is Ken Ruben and I am a newly re-elected director-at-large for RailPAC, (Rail Passenger Association of California), a statewide rail passenger advocacy group and I am also a member of Southern California Transit Advocates, and a 56-year daily transit rider of MTA and related transit systems.

My personal comments in regards some of the MTA Fare proposals:

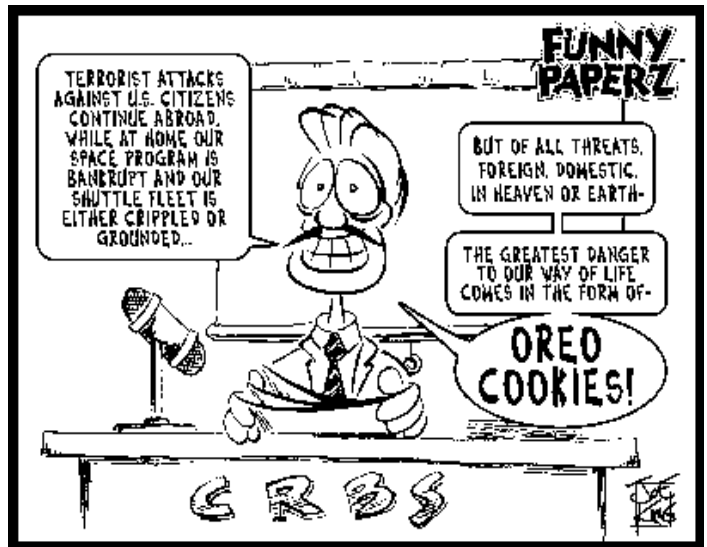
In regards to the monthly pass: It should be either \$45 or \$50, not an odd amount of \$52; passengers/patrons prefer payments that end in 0s or 5s.

As for the Day Pass, the MTA proposal is a very good idea; such a pass is used in both Sacramento and San Diego and I have a San Diego pass here with me as an example. The day pass should be a "show me" type as the EZ Pass (which I currently use). It should be honored on the same basis.

Thanks to Roger Snoble and John Catoe, CEO and deputy CEO of MTA, respectively, for initiating the EZ Pass. It is a bargain, in my opinion.

The \$20 monthly pass proposed by the BRU (Bus Riders Union) is not feasible as no other major transit system anywhere in the country has such and it would not help MTA in any financial way and would hinder any current bus and/or rail operations.

Ken Ruben
Culver City



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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 1427 Third Street Promenade, Suite 202, Santa Monica, 90401, or faxed to (310) 576-9913. All letters and guest editorials are subject to editing for space and content.

Lady golfer's imminent failure hardly a foregone conclusion



TITTINGER'S TAKE

By Michael J. Tittinger

Fore!

It seems the sheltered and protected lives of golf's elite are again in danger of being struck with an errant shot of reality. Of course, we shouldn't be surprised anymore when members of the Professional Golfer's Association get their knickers in a bunch.

Earlier this year there was the fracas leading up to the Masters in Augusta, Georgia, with that club's president (nicknamed a somewhat fitting "Hootie") vowing he'd sooner die than allow a woman membership. Having persevered through that recent controversy, players and organizers appear undaunted. They still won't play nice.

Next Thursday, the greatest golfers in the world will be forced to tee off with, of all things, a girl. Yikes! Swedish superstar Annika Sorenstam is set to become the first female golfer to compete in a PGA Tour event since Babe Zaharias in the 1945 Los Angeles Open. Now, as the Colonial Open in Fort Worth, Texas approaches, the men are beginning to tee off on their own.

"What is she going to prove by playing?" AP golf writer Doug Ferguson was

asked this week by PGA star Vijay Singh, the most vocal and visibly upset player thus far. "It's ridiculous. She's the best woman golfer in the world, and I want to emphasize 'woman.' We have our tour for men, and they have their tour."

Singh seems to be saying that we're all better off sticking with our own kind, an ironic mindset for a native Fijian with the darkest skin on the PGA Tour. Of course, blacks and whites used to have their own water fountains and seats on the bus, too, and we all know how well that worked out.

Singh, currently ranked No. 7 in the world, went on to say, "I hope she misses the cut," and that he would not play alongside Sorenstam were he to be paired with her during the weekend tournament.

Keeping in the selfish tradition of the PGA Tour, the players pivoting on their divots are only worried about themselves, and the ultimate embarrassment of being beaten by a girl. There's little question Sorenstam has earned the opportunity. At 32, she is as dominant a player on the LPGA Tour as is Tiger Woods among the big boys. Last year alone she captured more than a dozen titles, and this past Sunday she brushed up for next week's Colonial with a cool-as-a-cucumber victory at the Nichirei Cup in Tokyo. If she is rattled by the boys' big talk, it ain't showin'.

In reality, Sorenstam really has much more to lose from competing at the Colonial than she does to gain. Sure it will be a publicity event drawing comparisons to the renowned tennis match between Billie Jean King and Bobby Ross in the

'70s, but in all likelihood she will miss the cut and never threaten the names atop the leader board.

She is the one taking the gamble here, looking to satisfy her own curiosity. She simply wants to see how good she can truly be and is not settling for the limits imposed on her by antiquated custom. If anything, she should be commended, not hung in effigy. Sorenstam is the one showing the heart of a champion through all of this, not once raising eyebrows in the media other than to say she wants to play.

No one begrudges a top amateur when they move on to the next level. No one questioned Woods' readiness after winning three straight amateur titles before he began showing up his PGA peers. This is the nature of sports, from Little League on up. When you out perform your competition on a regular basis, you look for a greater degree of difficulty, a greater challenge. That's what makes them the best they can be.

Why would the male players feel threatened by all this anyway? If they are so certain that Sorenstam can't compete with them on an equal playing field, then why not project an air of quiet confidence and allow their games to drive the point home? Personally, I could care less about the leanings of top golfers, a sport traditionally reserved for rich white men, and now, seemingly, by rich white men who feel threatened they are losing grip over who is allowed to play. They lost most of my respect during the Casey Martin lawsuit, fighting tooth-and-nail to keep a tal-

ented kid with a degenerative leg disease that made it excruciating to walk off their fairways because he needed a cart.

Martin wasn't the "athlete" these players seem to think they are, what with walking from hole to hole as someone carries their equipment for them and all. Of course, any sport you can play with a collared shirt and plaid pants isn't the most taxing.

PGA members are continually looking more and more like dinosaurs. They want to keep the game to themselves (Hello, Hootie). Woods would be reluctant to speak of it now, but there's little doubt he faced unrelenting envy and ill-will when he started out, not only because he was dominant, but also because he was young and dark-skinned and the fans' favorite. Why wouldn't he be? He's one of the few golfers with an actual athletic build, one who actually works out like elite athletes do.

Few begrudged Michael Jordan when he decided to return to the NBA at the age of 39 two years ago. He was saluted for his competitive drive, his desire to see if he could still hang with the NBA's best. Why not allow Sorenstam the same opportunity? She's earned it and then some.

Really, Vijay, when a woman can be an astronaut, a brain surgeon or Supreme Court justice in this country, I think they can manage trying to be something as lofty as a serious golfer.

(Mike Tittinger is a freelance writer living in Santa Monica. To reach him, e-mail to tooroam@aol.com).

YOUR OPINION MATTERS!

Send your letters to Santa Monica Daily Press Attn. Editor:

1427 Third Street Promenade Suite 202 Santa Monica • 90401 • sack@smdp.com

COMMENTARY



It's a sad day for teachers threatened by politics

In 1982, the California Teachers Association partnered with the Mexican American Educators Association in adopting the Day of the Teacher in California. This past Wednesday, teachers across the state were honored with luncheons, proclamations and maybe even apples.

Unfortunately, teachers aren't celebrating this year. In response to the state budget crisis, our elected officials in Sacramento, many of whom proclaim the importance of teachers on the campaign trail, have abandoned us during this year's budget cycle.

California legislators and our "education Governor" have slashed more than \$2.4 billion from the K-12 budget this fiscal year. Moreover, these same elected officials are on track to cut an additional \$3 billion from schools in the next 18 months. With these added reductions, school funding in California will be compared to states such as Alabama, Mississippi and Arkansas.

Somehow it's difficult to comprehend how a state which already funds its schools well below the national average can take such irresponsible action. However, not everyone in Sacramento thinks such budget trimming is sensible.

"Education is the core mission of state government. We ought to be willing to raise the revenues to educate children so that we have a competitive work force for the global economy of the 21st century," State Treasurer Phil Angelides said.

Unfortunately, most Sacramento politicians are more concerned with their re-election than they are in providing our students and teachers with the resources they deserve.

Tragically, the actions taken in Sacramento have already impacted our local teachers. Dozens of SMMUSD educators were handed "pink slips" in March. That is the polite way of saying they received lay-off notices for the 2003-04 school year. Rather than planning for a well-deserved summer recess, these teachers are headed for the nearest unemployment office. For these teachers and their students, this year's Day of the Teacher celebration will be marked by tears of sadness, not joy.

It's truly a sad day when the wealthiest state in the most prosperous country on the face of the earth chooses to lay-off teachers.

"Education is the food that nourishes a community's soul. When public officials refuse to provide adequate school resources for the young, it's the same as parents refusing to feed their children. It's unconscionable, it's criminal, it's wrong," wrote New York Times columnist Robert Herbert.

Try telling that to the politicians in Sacramento. By the way, Happy Day of the Teacher!

(Harry M. Keiley is the president Santa Monica Malibu Classroom Teachers Association.)

Guest Commentary

By Harry M. Keiley



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LOCAL

Donations needed for Fourth of July fireworks

FIREWORKS, from page 1

with the college on how to resuscitate this year's festivities. In the meantime, they are asking community members to pitch in to raise the cash needed to put it on.

"It would really mean something great if the bigger corporations and the residents in our town really pulled together and kicked in," said Katz, adding that donations can be mailed to the city or to SMC. "It wouldn't be that difficult to raise \$50,000 or \$60,000."

While city officials figure out how to collect donations, interested donors can call City Hall or SMC to find out where to send their checks.

Bruce Smith, a spokesman for SMC, said the college is working with the city, which in the past has kicked in \$15,000 towards the event, on ways to bring back the celebration. The city has allocated funds for this year, but a lot is still needed.

Smith said the school will consider staging the event — despite its concerns over celebrating in the face of the cut-backs — but only if the city raises the lion's share of the expenses.

Some money is likely to be available from longtime SMC donors, Smith added. Beyond that, Smith said SMC needs to focus on financial concerns of its own.

The SMC Board of Trustees is expected to vote today on whether to finalize a March proposal to eliminate 10 academic programs, lay-off 13 full-time teachers and reassign about 13 administrators to

the classroom.

About 2,000 students would be effected by the proposed cuts.

"I think we're all painfully aware of the multiple budget crises that effect the college, the school district and the community. But I don't see how that kind of pain translates into a need to forego happy occasions and celebrations."

— RICHARD BLOOM
Mayor of Santa Monica

SMC cut \$13 million from its budget and 7.5 percent of its classes in the 2002-2003 school year. It faces an additional \$15 million in cuts and a 30 percent reduction in classes for 2003-2004, Smith said.

SMC's entire budget is about \$115 million and 85 percent of it is state funded, he added.

Celebrations in neighboring communities are expected to go on as scheduled. Last year, several cities, including Marina del Rey, sponsored events that featured fireworks.

Developer: New McDonald's needs driveway on Colorado

MCDONALD'S, from page 1

direction of City Council," said Norman Kravetz, the head developer on the project. "It doesn't seem fair to me and I don't think it is good planning. Period."

"We tried hard," he added. "We tried to do the best quality project. The best materials, the finest architecture, great roof lines. We exceeded the landscaping requirement, kept the foliage and trees in place, for the most part, and tried to comply with all of the goals of everybody we met with. We're proud of what we presented and we're disappointed with the outcome — even though our project was approved."

Kravetz, who earlier in the process scrapped plans for drive-through service on the site, said he would consider a host of alternatives, but said blocking access outright would be too detrimental to profitability.

A spokesman for McDonald's echoed that sentiment.

Council members who voted against allowing access from Colorado Boulevard pointed to traffic and safety concerns.

"That McDonald's has more customers from pedestrians than from cars," Councilman Herb Katz said. "You can look at the parking lot and see that."

"It's one corporation saying, 'We won't do it unless you do it our way.' And why would the city cave in to one corporate entity? Especially our city. It has got to be good for the city and good for downtown for the next 50 or 100 years."

Councilman Bob Holbrook, one of three who voted to allow access, cautioned his fellow council members that denying entrance to the building off of Colorado Boulevard could preclude the

development altogether.

"What we're looking at is a wonderful rejuvenation of that corner," he said. "And I think we ought not lose the opportunity to do something positive" by not allowing any cars to enter the project off of Colorado Boulevard.

"It's one corporation saying, 'We won't do it unless you do it our way.'"

— HERB KATZ
Santa Monica City Councilman

The City Council is expected to formally adopt its approval of the project at its next meeting May 20. Council members don't typically change their approvals at that point.

While Kravetz works out a strategy to save his project, local residents and businesses have spoken in favor of the proposal.

The Pier Restoration Corp., the Bayside District Corp., the Santa Monica Chamber of Commerce and several homeowner groups have all voiced support for the building.

A handful of members praised the project Tuesday night, saying it should serve as a model for future development in Santa Monica.

"This developer deserves an award for public spiritedness and flexibility," said Art Harris, a Bayside board member. "This is a plus. This is a plus in many ways."

LOCAL

Father says death penalty appropriate for alleged killer

ACCUSED, from page 1

his arraignment, Friedman said. Paleologus has been in custody since Feb. 17 when he was arrested for stealing a BMW at a Beverly Hills dealership — just two days after he allegedly lured Johnson at a shopping mall by claiming to be a publicity photographer. He then allegedly killed her and dumped her body in Laurel Canyon, a remote neighborhood in the Hollywood Hills.

Paleologus has an extensive criminal rap sheet including luring and victimizing young, attractive women by claiming to be a photographer in the entertainment industry. His criminal history dates back more than a decade and he is described by Santa Monica Police Chief James T. Butts Jr. as a smooth-talking predator.

Paleologus got three years probation after a jury deadlocked on charges against him in 1991 for attempted rape, assault and false imprisonment. He allegedly lured a woman into a hotel room after telling her she would meet famous people, including Madonna, at a party for record executives. Paleologus then allegedly tied the woman to a hotel bed and attempted to rape her but she was able to escape.

Paleologus has been convicted of six felonies since 1998 ranging from grand theft, burglary, assault, fraud, battery and assault with attempt to commit rape. He was released from state prison on Jan. 20, just three weeks before Johnson disappeared.

Johnson was found by hikers on March 3, her body partially clothed, wrists bound and covered in a sleeping bag on a steep hillside off of Skyline Drive, a remote neighborhood in Hollywood Hills.

"What she went through the last hours ... I cannot fathom it," said Johnson's father, Kirk Johnson, who lives in Michigan.

Johnson, a student at Santa Monica College, disappeared on Feb. 15 after telling her roommates she was going to Beverly Hills to meet a man claiming to be a publicity photographer. She apparently had met Paleologus while shopping at the Century City Mall.

Along with the capital murder charge, the DA's Office on Monday charged Paleologus with six counts relating to the Beverly Hills case including identity theft, filing a false financial statement, burglary, grand theft auto, forgery and receiving stolen property.

Paleologus allegedly tried to buy a car at Beverly Hills BMW using the name, social security number and credit history of Robert Wasvary, who owns a home on Wonderland Park Avenue in Hollywood Hills — just blocks away from where Johnson's body was found.

Paleologus allegedly stole Wasvary's

mail containing his credit information from a property he rents out in Hollywood Hills, Wasvary told the Daily Press this week. As Paleologus attempted to complete the transaction at Beverly Hills BMW, dealership sales personnel became suspicious and asked for identification, according to Wasvary, who was informed by police of the incident. Paleologus then fled the sales office and allegedly stole the car off the lot, Wasvary said. Police arrested him a short time later.

"I said I would face this guy and I would be ready. I'm angry at the guy. If the DA properly presents this case, I'll give her all the opportunity to do it."

— KIRK JOHNSON
Father of Kristine Johnson

Santa Monica Police were able to identify Paleologus as a possible suspect in Johnson's disappearance more than a week after she vanished based on anonymous tips and evidence gathered from her car. Police also were able to confirm that Paleologus had been at the Century City Mall on the day Johnson disappeared.

Kirk Johnson said he will come to Los Angeles for Paleologus' preliminary hearing and is ready for his daughter's alleged killer to face severe consequences — including death.

"I've been patient in getting to this point so justice can be done," he said. "I feel (the charges) are appropriate."

Kirk Johnson, who said he is still in disbelief that his daughter is dead, said his job now is to help the case against Paleologus be as strong as possible.

"I said I would face this guy and I would be ready," he said. "I'm angry at the guy. If the DA properly presents this case, I'll give her all the opportunity to do it."

Since the day Johnson's co-workers and mother, Terry Wark, reported her missing on Feb. 17, Santa Monica Police detectives have worked around the clock to solve what was first a missing person case and then a murder investigation.

"The police department are just filled with incredible people," Kirk Johnson said. "They developed an incredible passion in this case ... I'm so impressed with that police department from the chief all the way through the ranks."

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STATE

Educators: Revised budget is better, but difficult

BY JENNIFER COLEMAN
Associated Press Writer

SACRAMENTO — Schools were largely spared from across-the-board cuts in the revised budget plan put forth by Gov. Gray Davis Wednesday, but education officials said they would still have to make sacrifices.

The new plan restores money for class-size reduction, special education and nutrition programs, but focuses cuts on other programs, such as books, teacher and principal training and reading assistance.

Davis' revised budget proposal would raise taxes on vehicles, tobacco and the wealthy and make a long list of cuts to close an estimated \$38.2 billion shortfall through July 2004.

Schools account for the largest share of the state's general funds, thanks in part to Proposition 98, the voter-approved initiative that dedicates about 40 percent of state revenues to education.

Under Davis' revised spending plan, education would get about \$45.6 billion of \$95.8 billion budget. That's \$1.5 billion less for education than last year.

These cuts are targeted to specific programs, instead of across-the-board cuts the governor proposed in January, said Susan Murai, president of the California Association of School Business Officials.

"It makes a whole lot more sense," Murai said. "But cuts are still of a magnitude that we're going to see per-pupil cuts in discretionary funds."

Brett McFadden, a legislative advocate for the Association of California School Administrators, said educators had been bracing for even larger cuts, possibly as much as \$2.3 billion.

"It's still painful, but it's workable. It's like taking off a few fingers versus taking off a whole arm. We could have lost a limb here," McFadden said.

Because the governor wants to impose new taxes, lawmakers will have to approve legislation that would keep that

new revenue from being shared with schools under Proposition 98. Educators said they'd support that move.

"We have a strong feeling that we should get 40 percent of every penny that comes in here," said Barbara Kerr, vice president of the California Teachers Association. "But sometimes you have to look at the overall picture."

"It's still painful, but it's workable. It's like taking off a few fingers versus taking off a whole arm. We could have lost a limb here."

— BRETT MCFADDEN
Legislative advocate

The governor's plan also allows schools to dip into their reserves to pay for day-to-day operations, which could help spare programs such as class size reduction and would stave off a lot of predicted teacher layoffs, Kerr said.

Among the specific cuts Davis proposed are:

■ \$75 million less for books and other instructional materials, a cut of about 25 percent.

■ \$85 million less for summer school and other supplemental education programs.

■ \$60 million cut from two reading programs.

■ A 10 percent reduction to school improvement programs, amounting to about \$42 million.

■ \$22.5 million cut from a principal training program. The administration will continue the program, however, to maintain eligibility for a matching grant for the Gates Foundation.

■ \$114 million less for two programs that train and recruit teachers.

Total moon eclipse expected

By The Associated Press

LOS ANGELES — Moonwatchers across North America will be treated to a lunar eclipse Thursday, weather permitting.

The total eclipse will be the first visible across the United States in three years. It will also be visible in western Europe and southern Africa.

A total lunar eclipse occurs when the full moon passes into the shadow of the Earth and is blocked from the sun's rays that normally illuminate it. During totality, or the height of the eclipse, the sun, Earth and moon line up in space.

Unlike solar eclipses, lunar eclipses are safe to view with the naked eye. Astronomers recommend use of even a

modest telescope or binoculars to enhance the moon's color.

In North America, the moon will remain totally eclipsed for 53 minutes but won't appear totally blacked out. Instead, it should turn a ruddy red color, darkening along with the sky as it approached totality at 8:40 p.m. PDT, or 11:40 p.m. EDT.

The eclipse will start at 8:13 p.m. PDT, or 11:13 p.m. EDT. On the West Coast, the eclipse gets underway just as the sun sets and the moon rises.

A second lunar eclipse on Nov. 8 will be visible from North and South America.

For Thursday's eclipse, astronomy groups around the country plan star parties to view the celestial show.

FIND OUT YOUR FORECAST IN TODAY'S
HOROSCOPE'S ... PAGE 2

Santa Monica Daily Press



STATE □ NATIONAL



Lawyer says he's dropping suit against Oreo cookies

BY RON HARRIS
Associated Press Writer

SAN FRANCISCO — The move to outlaw Oreo cookies in California crumbled Wednesday when the lawyer who tried to ban the tasty snack foods said he had decided to drop his suit.

San Francisco attorney Stephen Joseph told The Associated Press he would not pursue the action any further, and only wanted to get the word out about the dangers of unlabeled fats contained in the popular black and white cookies.

"We have received thousands of e-mails expressing support for what we

have done in advising the public of this problem," Joseph said. "But it's no longer necessary to continue the lawsuit because at the time the lawsuit was filed nobody knew about trans fat. Now everybody knows about trans fat."

He expressed no remorse for using California courts as a publicity tool. Kraft spokesman Michael Mudd, however, saw things differently.

"We really don't believe that the courts are the place to make nutrition policy," Mudd said. "That's best handled by nutrition professionals and regulatory agencies."

Mudd said though the suit was filed May 1 and amended four days later, the

company was never served with a copy.

Joseph made national headlines earlier this week after word surfaced he had filed suit in a Marin County Superior Court seeking a ban on Oreo sales in the state.

Joseph argued in his suit that the trans fats that make the filling creamy and the cookie crisp are too dangerous for children to eat. Trans fat is the artificial substance contained in many packaged foods but not

listed with other nutritional information.

Mudd said Northfield, Ill.-based Kraft Foods North America Inc., the parent company of Oreo-maker Nabisco, continues to research ways to get trans fat out of Oreos while preserving the flavor.

Kraft received more than 250 e-mails concerning trans fat in the days following news of the suit. Most of those e-mails were in support of the company, Mudd said.

Scientist proposes Manhattan Project to reach earth's core

BY ALEX DOMINGUEZ
Associated Press Writer

Actress Hilary Swank isn't the only one who wants to ride a terra-ship to Earth's molten center.

On the heels of Swank's Hollywood thriller, "The Core," a California researcher is proposing to send a probe that would surf a wave of molten iron on a weeklong journey to the center of the Earth.

CalTech geophysicist David Stevenson knows his proposal is far-fetched. But billions of dollars are spent exploring space every year, he says, and the planet's interior is equally mysterious and deserves similar study.

The Earth's core, after all, creates the magnetic field that keeps compasses pointing north and deadly radiation in space from reaching the planet's surface. Scientists know from seismic data that the core is solid, and the outer core is molten, but many questions remain.

"We will learn about the Earth, the planet we live on, the composition of the Earth's core, the temperature of the Earth's core ... These are among the most exciting questions," said Stevenson, whose proposal appears in Thursday's issue of the journal Nature.

"They have implications for why we have a magnetic field, why the magnetic field has existed for so long."

The process of getting the probe to the center of the earth would resemble a volcano in reverse, Davidson said.

The grapefruit-sized probe would have to be made of a special alloy that could withstand the molten iron as well as the intense pressure and heat at the center of the Earth. The iron — enough to fill an office building — would find its way 1,800 miles to the outer edge of the molten core through a gravity-driven crack, started by a nuclear bomb or other force equaling an earthquake of 7.0 on the Richter scale, the CalTech researcher said.

The center of the planet is about 3,950 miles from the surface.

The probe would send information back to the surface by emitting high-frequency seismic waves, Davidson said.

Developing a probe would take an effort similar to the Manhattan Project that built the first atomic bomb during World War II, said Stevenson. While that may not happen, the researcher said he hopes the proposal makes people think of new and better ways to study the Earth's core.

Other earth scientists say Stevenson's plan is impractical, but intriguing.

University of Connecticut geophysicist Vernon Cormier said intense heat and pressure makes it impossible to drill down to the core. Stevenson's proposal "allows the hole to keep open because it is not really an open hole or an open crack — it is a crack filled by a fluid that is denser than its surroundings."

That density difference would allow the crack to continue to sink while sealing above itself, Cormier said.

However, the Comprehensive Test Ban Treaty bans all underground nuclear tests, he said.

The United States has not ratified the treaty, but the Threshold Test Ban Treaty with the former Soviet Union and other nuclear powers limits tests to below 150 kilotons, or about a 5.5-to-6.0 earthquake, Cormier said.

A more achievable goal would be adding deep-sea seismic stations to fill in holes in the current global network, Cormier said.

"If we had the same kind of coverage of the ocean ... we could learn quite a bit. It would still be very expensive, but a fraction of the cost," Cormier said.

Current top-down methods of studying the Earth's core don't have the resolution needed to obtain basic information about its composition, temperature, and flow, said Raymond Jeanloz, a geology professor at the University of California at Berkeley.

While there are many unanswered questions, "I can think of current high-profile government research programs that have little more substance motivating them," Jeanloz said.

Stevenson recognizes that elements of his proposal are futuristic.

"I'll be happy even if people just think it's funny," he said, "but I'll be happier still if some people take it somewhat seriously."

Town on sale for \$965,000

BY DAVID C. HENLEY
Lahontan Valley News and Fallon Eagle Standard

VALMY, Nev. — For sale: Tiny Nevada town complete with store, restaurant, bar, post office, six-room motel, fire station and recreational vehicle park.

Asking price: \$965,000.

Location: Valmy, a historic central Nevada community astride Interstate 80, just 203 miles northeast of Reno.

Population: About 150, if you include those living on area ranches and employees of the nearby power plant and several gold mines.

Initially named Stone House when it became a stop on the Overland Stage route, the community was renamed Valmy in 1915 by the Southern Pacific Railroad, which maintained a station here.

Although trains still rattle through Valmy, the railroad station is closed and the only local commerce is generated at the Valmy store-bar-restaurant-post office on the north side of the interstate and south of the Humboldt River.

Owner and "mayor" of Valmy is Bill Morrison, who has owned the town since 1994. He's also chief of the 10-member Valmy Volunteer Fire Department.

Morrison and his wife — also a volunteer firefighter — plan to continue living in Valmy, but he said it's time to let someone else run his store and the other enterprises he calls Valmy Station.

Morrison, 54, said he wants to leave the daily responsibilities of operating his businesses in Valmy and pursue other interests and hobbies.

"I want to develop a backhoe business I've been working at, help out with the growth of our fire department and have some time for travel and other pursuits," he said.

In addition to selling Valmy Station, Morrison also hopes to sell the 48-space mobile home park he owns on the south side of Interstate 80.

Valmy, a Humboldt County community 39 miles east of Winnemucca and 14

miles west of Battle Mountain — Valmy is between Pumpnickel Valley and Mote — is a nice place to live and work, Morrison said.

People who live on the ranches nearby and those who work at the power plant stop in regularly to eat, stock up on groceries and patronize the post office.

"Everybody who gets their mail around here must come to the post office," Postmistress Donna Austin said. "We have 70 boxes rented out but no local delivery. So we see just about everybody in the Valmy area on a daily basis."

"This is a real friendly place. We get visitors stopping in Valmy from all over the country, including many long-distance truckers, some of whom receive their mail in Valmy," she said.

Nobody knows why the town was renamed Valmy.

"Valmy was a town in France, where the French beat Austria and Prussia in 1793 at the Battle of Valmy. But we can't find out why the name Valmy was given to this community in Nevada," said historian and Nevada state Archivist Guy Louis Rocha. In addition to a small village in the Argonne region of France, there is also small village in central Wisconsin named Valmy.

Morrison said he hopes he will be able to sell his town soon and move on to other endeavors.

A former Nevada Army National Guardsman who served as a medic, Morrison said his consuming interest is the Valmy Volunteer Fire Department, which he has headed for several years.

Two of the four trucks are new \$155,000 tankers. The volunteer firefighters train at the Nevada State Fire Academy in Carlin and are qualified at fighting structure, rangeland and vehicle fires, Morrison said.

Two of the 10 volunteers, six men and four women whose ages range from 24 to 76, are EMT-qualified, he said.

They arrived at the figure by comparing the medical expenses of adults who are not overweight with the expenses of those similar in most ways but who were overweight or obese.

The difference in spending on people who are overweight and those of normal weight were, for the most part, not statistically significant by themselves. But major differences appeared for those who were obese: The average increase in spending over a person of normal weight was \$732 per year — 37.4 percent more.

Altogether, medical spending attributable to extra weight totaled \$78.5 billion in 1998, or \$92.6 billion in 2002, inflation-adjusted dollars.

The financial burden now rivals that attributable to smoking, the authors say, arguing that government and health insurance companies should offer incentives to help people lose weight.

The study examined a representative sample of 9,867 adults ages 19 and older, with data from the 1998 Medical Expenditure Panel Survey and the 1996 and 1997 National Health Interview Surveys. The research was paid for by the CDC.

Weight was assessed using body-mass index, a height-to-weight ratio. People with a BMI of 30 or above are considered obese; those between 25 and 30 are considered overweight.

Study: Obesity costs more than \$700 per person in medical bills

BY LAURA MECKLER
Associated Press Writer

WASHINGTON — Obesity is costing not only American lives, but dollars too. A study tallies that \$93 billion per year goes to treat health problems of people who are overweight.

About half that tab is picked up by the government through Medicare, which provides care to the elderly, and Medicaid, which serves the poor.

Overall, spending attributed to excessive weight made up 9 percent of all medical spending in 1998, researchers reported Wednesday on the Web site of the journal Health Affairs.



INTERNATIONAL

Israelis, Palestinians plan crucial summit on road map

BY MARK LAVIE

Associated Press Writer

JERUSALEM — Israeli and Palestinian leaders prepared for a week-end summit — their first in almost three years, but a senior Palestinian official said Wednesday that Prime Minister Mahmoud Abbas would not crackdown on militants until his Israeli counterpart accepts the “road map” peace plan.

Yet, in a sign regional peace moves might be starting, the Israeli and Qatari foreign ministers met in Paris in the first public meeting at that level between the two countries, which do not have diplomatic relations. Israeli Foreign Minister Silvan Shalom said he hoped the meeting would “give courage to additional Arab countries” to forge ties with Israel.

Despite the diplomatic efforts, violence continued in the West Bank, where Israeli soldiers killed two Palestinians, including a teenager.

Prime Minister Ariel Sharon and Abbas

plan to meet Saturday night at Sharon’s residence in Jerusalem, officials on both sides said. On Sunday, Sharon flies to Washington for a meeting on the road map with President Bush. The plan was drawn up by the Quartet — the United States, Russia, the United Nations and European Union.

The Palestinian official, who spoke on condition of anonymity, said Abbas’ goal will be to persuade Sharon to drop demands for changes in the peace plan and begin carrying out Israel’s obligations.

He said that until Israel formally accepts the plan, the Abbas government will not carry out its side of the bargain, the central part of which is a crackdown on Hamas, Islamic Jihad, the Al Aqsa Martyrs’ Brigades and other violent groups.

U.S. and European officials have been pushing the two sides to begin implementing the plan, which starts with an end to 31 months of violence, a freeze on Jewish settlements in the West Bank and Gaza and Israeli pullbacks from West Bank towns and cities.

Later stages include a Palestinian state with provisional borders and negotiations on final borders, the return of refugees and the status of Jerusalem — claimed by both sides as capital.

Israel wants Palestinian attacks to end before it embarks on the plan. On Wednesday an Israeli government official said Sharon believed Israel needed to take no action until after a serious Palestinian crackdown on terrorism was underway.

The official, speaking on condition of anonymity, said Israel hoped the Sharon-Abbas summit would lead to a meeting between Israeli Defense Minister Shaul Mofaz and Mohammed Dahlan, the Palestinian Cabinet minister in charge of security.

The summit will be the first since then-Israeli premier Ehud Barak met Palestinian leader Yasser Arafat on Sept. 25, 2000, days before the current violent conflict broke out. It will be closed to reporters.

On Sunday, Sharon plans to fly to

Washington for a meeting on the road map with President Bush.

In a visit earlier this week, Secretary of State Colin Powell failed to gain Israeli acceptance of the road map or any concessions on the settlements — an issue Powell said would be discussed in Washington.

Meanwhile, Sharon has come under criticism in Israel as well for stalling on the peace plan.

In a Cabinet meeting Tuesday, Justice Minister Yosef Lapid argued with more hard-line ministers, saying the government soon would have to remove illegal West Bank outposts, Israeli radio reports said.

And the Haaretz newspaper wrote in an editorial that Sharon’s recent actions and statements show that he “has yet to give up the vision of the settlements and the creeping annexation of the West Bank,” and charged that “Sharon refuses to make any significant Israeli gesture” to help implement the road map.

Treasury official says \$495 million found in Lebanon

BY JIM ABRAMS

Associated Press Writer

WASHINGTON — Lebanon’s central bank has located and secured \$495 million in Iraqi funds, a Treasury official said at congressional hearings on efforts to trace the billions of dollars that Saddam Hussein is thought to have hidden away.

David Aufhauser, general counsel in the Treasury Department, said the disclosure by Lebanon on Tuesday was a sign of the progress being made in the worldwide search for Saddam’s assets.

Aufhauser told the House Financial Services oversight subcommittee that the assets in Lebanon apparently came from Iraq’s central bank and other sources.

The United States has stressed that all recovered assets will be used to help the people of Iraq and rebuild the country. Much of the money was taken by Saddam and his family after the United Nations imposed sanctions on Iraq following the 1990-91 Gulf War.

Aufhauser said that trying to pin down how much Saddam amassed before being driven from power was “wild-eyed guesstimating.” Estimates run from \$2 billion to \$40 billion, and it’s not known

how much of that wealth still exists, he said.

The General Accounting Office, the investigating arm of Congress, has conservatively estimated that Saddam skimmed \$6.6 billion in illegal revenue from oil smuggling and kickbacks connected to the U.N. oil-for-food program.

E. Anthony Wayne, assistant secretary for economic and business affairs at the State Department, said the United States has reached out to about 30 countries that froze Iraqi assets after the first Gulf War, and has contacted some 20 others where Iraqi assets might be hidden. In addition to State and Treasury, the departments of Justice, Defense and Homeland Security are involved in the effort to identify hidden bank accounts and front companies.

Wayne praised Switzerland, saying the Swiss are committed to making frozen assets there available for the benefit of the Iraqi people.

President Bush, using new authority under the anti-terrorism USA Patriot Act, directed in March that \$1.7 billion in Iraqi assets — frozen by the United States since 1991 — be deposited in a special account at the Federal Reserve Bank of New York. Some \$90 million from that fund has been

Sticks and stones



Nasser Ishtayeh/Associated Press

A Palestinian woman lifts her hands to halt Palestinians hurling stones towards an Israeli army tank and an armored personnel carrier, background, as she and others walk past during clashes in the West Bank town of Nablus on Wednesday.

authorized for such purposes as helping Iraqi pensioners and paying the salaries of Iraqi civil servants, dockworkers and oil workers needed to restore Iraq’s infrastructure.

Wayne said that about \$6 billion was

frozen around the world in 1991, but some of that was used to pay down claims on Iraq’s debts. Another \$900 million worth of currency was found by U.S. troops in Baghdad last month.

Lawyer files war crimes complaint against U.S. general

BY PAUL AMES

Associated Press Writer

BRUSSELS, Belgium — A left-wing candidate in Belgium’s parliamentary elections lodged a war crimes complaint Wednesday against U.S. Gen. Tommy Franks, the commander of American forces in Iraq.

Lawyer Jan Fermon presented the complaint against Franks and a Marine officer he identified as Col. Brian P. McCoy to Belgium’s federal prosecutors’ office despite recent changes in the country’s war crimes law to prevent such charges against Americans.

Fermon said he was representing 17 Iraqi and 2 Jordanian civilians injured or bereaved by U.S. attacks, though he gave few details.

“This is not a symbolic action; my clients want an independent inquiry into what happened,” Fermon told reporters as he arrived at the prosecutors’ office. Fermon is running in Sunday’s elections for the small, far-left Resist group.

Fermon said the accusations against Franks focused on the bombing of civilian areas, indiscriminate shooting by U.S. troops when they entered Baghdad and the failure to stop looting. He charged McCoy with ordering troops to fire on ambulances.

The case has provoked anger from Washington. America’s most senior military officer suggested the complaint and earlier charges against other U.S. officials could jeopardize Belgium’s role as a host for NATO and European Union meetings.

“It’s looked upon by the U.S. government as a very, very serious situation,” Gen. Richard Myers, chairman of the Joint Chiefs of Staff, said Tuesday on a visit to NATO headquarters in Brussels. “It ... clearly could have a huge impact on where we gather.”

To head off such complaints, the government last month rushed through changes to the laws, which were introduced in the early 1990s to authorize Belgian courts to try genocide and other war crimes wherever they occurred.

Legal experts said the case against Franks and McCoy

would be a first test for the revised law, and predicted it would be thrown out by the prosecutors’ office.

“This could be just a spectacular way of catching attention in the media,” said Prof. Jan Wouters, director of the Institute for International Law at the University of Leuven.

The war crimes laws were first used to target suspects in Rwanda’s 1994 genocide who fled to Belgium, the former colonial ruler of the central African nation.

Since then, complaints have been brought against a string of world leaders including Fidel Castro, Yasser Arafat and Saddam Hussein, although none has gone to trial.

The Belgian parliament revised the law last month after complaints were filed against Israeli Prime Minister Ariel Sharon, former President Bush and U.S. Secretary of State Colin Powell.

Under the new amendments, Belgian courts should refer foreigners facing war crimes charges to their own countries if they are democracies with a record of fairness in justice.

SPORTS



L.A. Lakers face same predicament as last season

BY JOHN NADEL
AP Sports Writer

EL SEGUNDO — The Los Angeles Lakers faced the same predicament last year: They need two straight wins for a chance to extend their NBA championship run.

Kobe Bryant, Shaquille O'Neal and the rest of the three-time defending champions believe they're up to the task.

"Sacramento, San Antonio, whoever the opponent is, it doesn't really matter," Lakers guard Derek Fisher said Wednesday. "It's about us, if we do what we're capable of doing."

The Spurs took a 3-2 lead in the best-of-seven Western Conference semifinal Tuesday night with a 96-94 victory at SBC Center. They won despite blowing all but two points of the 25-point lead they held late in the third quarter.

Had it not been for a 3-pointer by Robert Horry rattling in-and-out with just over three seconds left, the Lakers would be up 3-2.

Game 6 is Thursday night at Staples Center. If Los Angeles wins, Game 7 will be Saturday at SBC Center, where the Lakers are winless in five games since the facility opened last fall.

"Tomorrow, that's all there is," Fisher said. "We're just going to get ourselves charged up to win tomorrow night. After that, it comes down to one game. We feel like we have just as good a chance as they do."

The Lakers trailed the Sacramento Kings 3-2 in the conference finals last spring after losing Game 5 92-91. But they advanced to the NBA Finals by winning 106-102 at Staples Center and 112-106 in overtime at Arco Arena.

Then they swept the New Jersey Nets for their third straight championship.

The Lakers are 4-0 when facing elimination since Phil Jackson became their coach in 1999. They have won 13 straight playoff series under Jackson, whose nine championships as a head coach tie him with former Boston coach Red Auerbach for the most in NBA history.

The Lakers didn't practice Wednesday, instead nursing their physical and emotional injuries from Game 5, although Fisher made it sound as if they were in good shape mentally.

Shortly after scoring 13 of his 36 points in the fourth quarter to spark the Game 5 comeback, Bryant said he had already put the loss behind him.

Jackson, obviously shaken by the death of former New York Knicks teammate Dave DeBusschere from a heart attack, spoke briefly with reporters Wednesday but didn't take questions.

"Today was a day that was very sad to me from a personal standpoint, losing a friend and a teammate that I played with for eight years, who I admired very much as a basketball player and a person in Dave DeBusschere,"

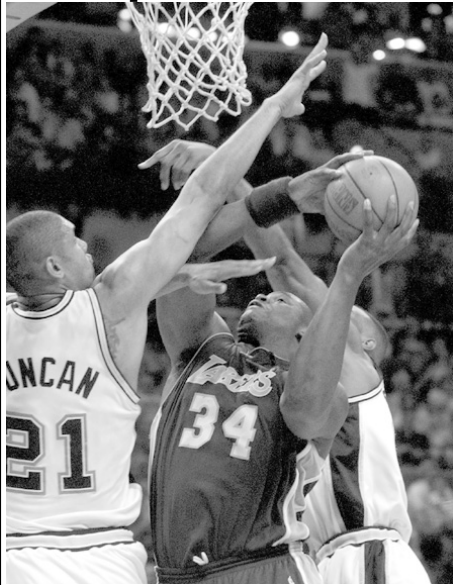
Jackson, 57, said.

Jackson, who had an angioplasty last Saturday to unblock an artery to his heart, didn't like his team's performance in Game 5.

"We did not play well, we were not happy with our effort, we were not active, San Antonio beat us to the punch," he said. "We were able to put doubt in their mind, have an opportunity to win."

"We need to play with that level of intensity in the first

In the pits



Eric Gay/Associated Press

Los Angeles Lakers' center Shaquille O'Neal (34) is defended by San Antonio Spurs' forward Tim Duncan (21) and center David Robinson during the fourth quarter of their Western Conference semifinal game in San Antonio on Tuesday. San Antonio won 96-94.

36 minutes to have an opportunity to win Game 6 and force a Game 7," Jackson added before returning to watch videotape with his assistants.

Fisher had an electric stimulator on his sprained left ankle while speaking to the media, and also displayed a swollen and discolored right pinky, dislocated in Tuesday night's game.

Fortunately, he's left-handed.

While healthy through last year's playoffs except for O'Neal's sore right big toe, which didn't stop him from big performances in Games 6 and 7 against Sacramento as well as the NBA Finals, the Lakers are banged up.

Rick Fox has already been lost with a torn tendon in his left foot, Devean George is playing on a sprained ankle that clearly limited him in Game 5, and O'Neal has a sore left knee.

San Antonio swept the Lakers in the 1999 conference semifinals en route to its only NBA championship. Los Angeles eliminated the Spurs in each of the last two years, sweeping them in the conference finals two years ago and beating them 4-1 in the conference semifinals last year.



briefs

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BACK PAGE

Thousands turn to the supernatural to fight SARS

BY AUDRA ANG

Associated Press Writer

BEIJING — Hiring sorcerers. Lighting firecrackers. Following advice reputed to be from a mystical talking baby. While China's government promotes science, thousands of its people are turning to the supernatural to fight SARS.

The resort to tradition has prompted efforts by China's state press and the officially atheist communist government to discourage it.

But multiple reports of what Chinese leaders consider dangerous superstition in widely scattered areas illustrate the scale of fear of a disease the Health Ministry said Tuesday has killed at least 262 people on China's mainland. More than 5,000 others are infected.

In the central province of Hunan, villagers hoping to avoid severe acute respiratory syndrome seek help from sorcerers in incense-infused rites, according to local officials and newspapers.

Scores of believers gather at temples or the sorcerer's home, kneeling in prayer before lighted incense and candles. Some burn fake money as an offering to the gods.

He Dazhi, a reporter for the newspaper Sanxiang Metropolitan News, wrote that believers are asked to bow to spiritual scrolls or a statue of Buddha. Gongs or drums occasionally accompany the ceremony.

"SARS is completely unknown to many farmers," Dazhi wrote. "Their fear of infec-

"Their fear of infection has been used by sorcerers to have them rely on superstition instead of science."

— HE DAZHI
Reporter

tion has been used by sorcerers to have them rely on superstition instead of science."

On Tuesday, World Health Organization investigators who visited northern Hebei province said migrant workers had carried the virus to rural areas from neighboring Beijing.

The announcement confirmed worries that SARS, still largely an urban disease in China, might spread to the countryside. Experts say a lack of doctors and hospitals there could make any outbreak a catastrophe.

Hebei has reported 191 cases and eight deaths, though the WHO experts did not say how many were in rural areas.

In Beijing, state media said quarantines on three hospitals and a residential neighborhood have been lifted, though a WHO specialist said it was too early to say the peak of the capital's epidemic was past.

"It is quite possible that in another week we'll see an upsurge in cases, if there are undetected clusters or outbreaks occurring," said Dr. Keiji Fukuda.

Gao Binzhong, a professor of folklore study at Peking University, said the popu-

larity of magic in response to SARS in China's vast countryside, and some cities, is natural.

"People not only need a medical explanation, but also a cultural and psychological explanation," Gao said. "It is understandable that people with various backgrounds explain the uncertainty in their own way."

China's communist leaders have tried since taking power in 1949 to stamp out belief in the occult, which they say damages social stability and national unity.

But belief in spiritualism has endured in rural areas, and fear of SARS has even city dwellers reviving traditions.

Farmers and urban residents in the provinces of Anhui in the east, Guangdong in the south and Fujian in the southeast are lighting firecrackers, long used to chase away evil spirits, according to police.

They also are consuming a sugary elixir of boiled mung beans meant to keep the virus away.

The ideas stemmed from a rumor about

a baby who purportedly spoke immediately after birth and said firecrackers and "green bean soup" could prevent infection, said an official at Anhui Provincial Public Security Bureau, who would give only his surname, He.

Hundreds of thousands of people in the province, including the capital, Hefei, received the rumor via text messages on their cell phones, the official said.

Different variations of the story, told in areas as far-flung as Guangdong and the northern region of Inner Mongolia, say the baby said the soup had to be consumed by midnight on May 7 and that he died after delivering the message, according to newspapers.

The rumor caused sales of mung beans and firecrackers to skyrocket in Guangdong, Fujian and Guizhou.

In Guizhou, firecrackers crackled throughout the city of Liupanshui after a rumor spread that a deaf man spoke after years of silence and said the virus would disappear if fireworks were set off May 6, the start of summer on the Chinese lunar calendar, according to a policeman who would give only his surname, Tang.

Similar displays were reported in other cities.

"People believe gunpowder could kill the disease virus and disinfect the air," said an official of the Guizhou provincial police who refused to give his name. "The public is still worried, although Guizhou has no cases of SARS at this moment."

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