

FREE

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Santa Monica Daily Press

The city's only daily newspaper

City deciding how, where to cut budget

BY ANDREW H. FIXMER
Daily Press Staff Writer

These are tough economic times for Santa Monica.

Unfilled hotel rooms and unsold merchandise in 2001 led to the first decline in tax revenue for the city in more than a decade. The shortfall has produced one of the most severe budget shortages in Santa Monica since the recession of the early 1990's.

The city council began a series of detailed budget hearings Tuesday night to discuss the depth to which city services and departments will be cut. The hearings continue tonight at 6 p.m. An optional hearing has been scheduled for Thursday night if needed.

Senior city staff are suggesting a series of \$23.1 million in reductions as part of next year's \$387.3 million budget.

"We tried to select the cuts that would be least painful to the public," said city

manager Susan McCarthy. "Our goal was to continue with all the services we could."

Furthermore, if economic conditions continue to sour over the next two years, or if the state takes back the amount of money slated for Santa Monica after the November election, the city may have to raise taxes for the first time since 1994, McCarthy said.

If taxes must be raised, they would likely target areas that would not affect residents directly, she said, including an increase in the tax rate on occupied hotel rooms, business license taxes, building permit fees and downtown parking rates.

"We are looking hard at all of these variables, and if over the next two years things do not improve, we will have to look at those possibilities more seriously," said McCarthy.

But Mike Dennis, the city's finance director, said tax increases that would

See BUDGET, page 3

Accidents will happen



Carolyn Sackariason/Daily Press
A woman checks the damage to her car Tuesday at the intersection of Fourth Street and Arizona Avenue after a fender-bender.

Congressman receives \$150,000 from Hollywood

By The Associated Press

LOS ANGELES — A mix of Hollywood moguls and musicians have contributed more than \$150,000 to the campaign of Rep. Howard Berman, election documents show.

When it comes to donations from entertainment's elite, Berman, D-Los Angeles, is outpacing other congressmen whose districts are near Hollywood. As of April 15, Berman raised about \$916,000 for his re-election campaign with more than \$150,000 raised by Hollywood stars, according to the Federal Election Commission.

By comparison, Henry Waxman, D-Los Angeles, listed a single \$1,000 contribution from the Walt Disney Productions Employees Political Action Committee. Adam Schiff, D-Pasadena, has received \$1,000 each from DreamWorks SKG co-founders David

Geffen and Jeffrey Katzenberg.

Brad Sherman, D-Los Angeles, has taken a \$1,000 donation from Jack Valenti, president of the Motion Picture Association of America and \$500 from singer Barbara Streisand.

Star power may help land candidates free publicity but does little to get them elected, said Martin Kaplan, director of the Norman Lear Center at the University of Southern California's Annenberg School of Communications.

"I don't think celebrity endorsements make much of a difference," said Kaplan, a former Disney production executive and chief speechwriter for former Vice President Walter Mondale. "A candidate can give substantive speeches from sunrise to sunset and never get a story out of it. But a star can get a candidate attention, maybe a photo, maybe a sound bite."

See CONGRESSMAN, page 5

Police charge transient with attempted murder

By Daily Press staff

A 28-year-old man was charged with attempted murder after a late-night dispute between two transients turned ugly, police said.

Russell David Johnson was being held at the Santa Monica Jail with his bail set at \$500,000.

Police were called to the 1200 block of Third Street at 12:16 a.m. on Tuesday, where the victim told them he had been involved in a fight with Johnson a little more than an hour before.

The victim said Johnson struck him in the face with his fist several times, then

walked away, according to Lt. Frank Fabrega, Santa Monica Police Department spokesman.

While the victim was sleeping in his sleeping bag shortly after the fight, Johnson returned with a two-foot-long metal bar and began swinging it at him.

The victim was struck several times and sustained a large bruise to his knee and a small cut on his hand, police said.

Police found Johnson on the 200 block of Wilshire Boulevard. The victim and witnesses identified him as the attacker.

Johnson is scheduled to appear in court Thursday.

The victim was listed in good condition.

Rastafarianism no defense for importing marijuana

BY DAVID KRAVETS

Associated Press Writer

SAN FRANCISCO — A federal appeals court ruled Tuesday that a man accused of importing marijuana to Guam cannot invoke religion — Rastafarianism — as a defense.

The 3-0 decision overturns the Guam Supreme Court, which had said marijuana use was fundamental to the practice of Rastafarianism. The territory's Supreme Court also ruled that Guam's drug prosecution of a

Rastafarian violated his right to freely exercise religion.

But the 9th U.S. Circuit Court of Appeals reversed, saying Guam could prosecute Benny Guerrero for allegedly importing marijuana.

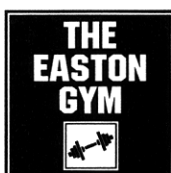
Guerrero, whose chosen name is Iyah Ben Makahna, was arrested in 1991 after he allegedly was found with about 7 ounces of marijuana at A.B. Won Pat International Airport. He claimed he is a member of the Rastafarian religion, and that use of marijuana is a required canon of his faith.

The appeals court has acknowledged in the past that Rastafarianism is a legitimate religion in which marijuana "operates as a sacrament with the power to raise the partakers above the mundane and to enhance their spiritual unity."

The San Francisco-based appeals court also has ruled that Rastafarianism is no defense to selling marijuana, and on Tuesday said it was not a defense to importing it, either.

"We are satisfied that Rastafarianism does not require

See MARIJUANA, page 3



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★★-So-so ★-Difficult

♈ ARIES (March 21-April 19)

★★★★ You move to the head of the class! Don't think others aren't somewhat envious. If you find others making requests that almost seem like demands, try to understand. No one can question your efficiency or leadership; they only wish they were in your position. Tonight: In the limelight.

♉ TAURUS (April 20-May 20)

★★★★ Reach out for others, returning calls and perhaps making inquiries. Each conversation shows potential for more discussions and understanding. You are able to mobilize others' energy and enthusiasm. Tonight: Try a new spot for dinner.

♊ GEMINI (May 21-June 20)

★★★★ You hear from another about what he or she wants financially. What do you desire? Give up fantasies of finding a money tree in your backyard. Carefully investigate different money-making opportunities. Consider what works for you. Tonight: Allow another to treat you.

♋ CANCER (June 21-July 22)

★★★★ You greet the day much as a poppy opens in the sun. You're ready for nearly anything. Listen attentively to others; still, be willing to claim your power and head in the direction you want. Laughter surrounds you. Enjoy. Tonight: Accept an invitation out.

♌ LEO (July 23-Aug. 22)

★★★ Emphasize details. Take time to check in with a specialist, whether you're dealing with a personal or a professional matter. Disclose to a trusted friend or adviser what might be racing through your mind. Get feedback from someone you respect. Tonight: How 'bout a game of tennis? Opt for exercise.

♍ VIRGO (Aug. 23-Sept. 22)

★★★★ Meetings provide unusual opportunities for success. Zoom in after what you want. Don't hem and haw as you attempt to make what you want happen. Loosen up with a friend who sometimes pushes you hard. Think success. Tonight: Where the gang is.

♎ LIBRA (Sept. 23-Oct. 22)

★★★★ Your family demands your attention. Reflect on what is ultimately important to you when dealing with another. Question more of what you want. Stay on top of work. A new position or pay raise stars in the near future if you mind your P's and Q's. Tonight: Work late.

♏ SCORPIO (Oct. 23-Nov. 21)

★★★★ Screen calls if you want to get your work done. Communication could be a bit stifling or overwhelming. Clear out your errands and must-dos before you deal with others. You just might enjoy yourself too much if you reverse the process in order to get anything done! Tonight: Join a pal.

♐ SAGITTARIUS (Nov. 22-Dec. 21)

★★★ Handle finances with your customary strength. You know a good investment when you see one. Follow that knowledge, and don't plunge into wild situations or escapades. Think before you venture too far off. Another goes out of his or her way for you. Tonight: Dote on someone.

♑ CAPRICORN (Dec. 22-Jan. 19)

★★★★ You might discover that others give you enormous credit and feedback. Don't feel intimidated by another. Rather, loosen up some. Those around you have a case of spring fever. Why not join in on some of the fun? Tonight: The world is your oyster.

♒ AQUARIUS (Jan. 20-Feb. 18)

★★★ The difference between success and loss lies in doing your own thinking and independent research, and keeping quiet for now. You're working with a great idea, which easily could turn into a home run. Please go for what you want. Tonight: Get a good night's sleep.

♓ PISCES (Feb. 19-March 20)

★★★★ Allow your imagination to play into a brainstorming session or meeting. You're on the right path. Don't allow another to distract you. Focus on your long-term objectives. Schedule a long lunch to relax and catch up on a pal's news. Tonight: Don't hem and haw. Go for it.

QUOTE of the DAY

"The goal of all inanimate objects is to resist man and ultimately defeat him."

— Russell Baker

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LOCAL



CrimeWatch

Man pays price for bargain bicycle

■ A man walking through Palisades Park on May 19 was approached by another man selling a green bike for \$30. The man bought the bike and continued walking through the park with his friend.

Some time later, the man who bought the bicycle and his friend were approached by two men. One of the men claimed the bike belonged to him.

The man with the bike explained he just purchased it. The other man responded by again saying the bike was his, punching the man with the bike in the eye, then riding off with it.

Before riding off, the suspect pulled out an identification card and showed it to the victim. He explained to the victim that he had his license number engraved on the bike, pointed to an area on the frame, then he rode off on the bike.

The victim couldn't recall the numbers. He described the suspect as a white male between 35 and 40 years old, six-feet tall, 150 pounds with dark hair and a mustache. He was wearing a green sweatshirt and blue pants.

■ At 11:04 p. m. on May 19, a Santa Monica police officer on patrol was flagged down by a man who said he was just robbed on the 2900 block of the beach.

The man was walking down Ocean Front Walk when he was approached from behind by a group of four to five men. One of the men bear-hugged the victim, threw him to the ground, pulled out a metallic object, and demanded the victim's money.

The victim handed over about \$5 in loose change, which was all he had with him. The man with the metal object and one other man from the group took the change, then ran off down the beach.

Suspect One was described as a Hispanic male, 18 to 20 years old, five-foot-seven-inches tall, 140 pounds, wearing a white T-shirt, black socks and a hat.

Suspect 2 was described as a black man, 21 to 22 years old, five-foot-ten-inches tall, wearing a dark jacket.

Only the two suspects took part in the incident, police said. The others in the group kept walking as the two suspects committed the crime.

■ A woman told police she was raped May 24 on the beach by a man she accompanied to a party earlier in the evening.

The victim reported the incident to police at a Los Angeles hospital on May 27.

She told officers she met the suspect about a month ago and went to a party in Los Angeles with him that Friday night, then to a Santa Monica beach, where she said he sexually assaulted her.

No other information was available.

If you have any additional information regarding these crimes, contact the Santa Monica Police Office of Criminal Investigations at 310-458-8451.

City may have to increase taxes if conditions worsen

BUDGET, from page 1

negatively affect downtown businesses would not be considered until the local economy improves.

Just to get through this year, the city had to tighten its belt to come up with an \$8 million gap between what it needed to spend and what it made in taxes.

A hefty decrease in sales and hotel room taxes, which stemmed from a drop-off in tourism resulting from the recession and the Sept. 11 terrorist attacks, was one of the major causes for the drop-off in revenue.

Taxes the city collects on occupied hotel rooms are down by over 16 percent, from \$19.2 million last year to \$16.1 million this year. Sales tax revenue dipped about \$1.4 million, from \$26.2 million last year to \$24.8 this year — a 5.4 percent decrease.

Next year, city officials are predicting those taxes will rebound by a little more than \$3 million.

"We think we are as on target as anyone can be at this point," Dennis said.

More than \$2 million is being cut from

the city's departmental operating budgets, and about \$20 million in capital improvements will be cut from what was budgeted last year.

As a result, planning for several projects, like the \$148 million civic center redevelopment plan, the \$1.8 million Santa Monica Pier improvement plan, more affordable housing and general improvements around the city most likely will be put on hold indefinitely.

What won't be cut from the capital budget, however, is the Virginia Avenue Park expansion, the Santa Monica Library redesign and a new park at the airport.

Fourth of July celebrations have been canceled, neighborhood and street improvements will be delayed, and organizations will receive less money.

Also, vacant city positions won't be filled, city employees will receive minimal raises and benefits won't be enhanced.

"There's no magic wand to wave," McCarthy said. "That's why the spoon full of medicine — the budget cuts in this case — is going to be a bitter pill to take."

Religion no defense for drugs

MARIJUANA, from page 1

importation of a controlled substance, which increases the availability of controlled substances and makes it harder for Guam to control," Judge Diarmuid O'Scannlain wrote.

Guam, a U.S. territory in the Pacific Ocean, is about 3,700 miles southwest of Hawaii.

One of Guerrero's attorneys, Graham Boyd of the American Civil Liberties

Union, said he would ask the U.S. Supreme Court to review what he termed a "bizarre" ruling.

"The court is saying it's OK for you to possess and cultivate yourself as a Rastafarian, but not to bring it in from outside of Guam," Boyd said.

The Guam attorney general's office, which appealed the case to the circuit court, was not immediately available for comment.

The Q Line

The city of Santa Monica is facing an \$8 million revenue shortfall this year. City administrators have proposed slashing more than \$2 million from City Hall's departmental operating budgets. And millions of dollars in capital improvements will be cut from what was budgeted last year. That means many projects will be put on hold indefinitely.

Some residents have suggested that the city could run a much tighter ship.

City officials are meeting this week to begin figuring out how painful the cuts are going to be.

So this week Q-Line wants to know, "Where would you cut from the city budget?"

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.



Tuesday's southwest swell builds toward a peak today, with surf increasing at those exposures. Northwest activity also continues, with those spots reaching waist-height this afternoon.

A strong southeast swell, showing today and peaking Thursday, will miss L.A. completely. It may affect combo breaks farther south, adding one -to-two-feet of surf to exposed Orange County beaches.

Information compiled by Jesse Haley

Location	Wednesday	Thursday	Water Quality
County Line	1-3'/Fair	2-4'/Fair	A
Zuma	1-3'/Poor-fair	2-3'/Fair	A
Surfrider	1-3'/Poor-Fair	2-3'/Fair	A
Topanga	1-3'/Poor-Fair	2-3'/Fair	B
Breakwater	1-3'/Poor-Fair	2-3'/Fair	A
El Porto	2-3'/Fair	2-4'/Fair	A



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OPINION

LETTERS

Attacks profoundly tax resident's psyche

Editor:

Thank you for your article in [the Thursday, May 23] Santa Monica Daily Press regarding the possibility of large corporate jets at the Santa Monica Airport being banned from the municipal airfield.

Although I was a long time Santa Monica resident living in a quiet residential area, I have lived fairly close to the Santa Monica Airport since December 1998. There has been a steadily increasing number of jets flying over head in my area, whereas when I first moved here, there was very little noise associated therewith.

Every time now, since the September 11, 2001, attacks on the World Trade Center, and the Pentagon, that I hear a plane fly overhead, I stop in my tracks until it is out of sight and sound. That is the profound affect that those events have had on my psyche living here 3,000 miles away from the tragedy. That is not to say that it could not have happened here, as I have read about the foiling of attempts to bomb LAX.

I rarely heard the sound of a plane, small or otherwise during the first year or so of my residence in this area. However, it is now becoming more commonplace to hear the sound of those large jets. You can understand my delight, then, as well as a great sense of relief, at the possibility of the practice of large corporate jets landing and taking off from the airport coming to end.

I can fully understand the apprehension of residents whose homes and lives could be destroyed by an accidental, or otherwise, plane crashing into their homes. I believe this has actually happened in the past when one or more small planes crashed into homes near the airport.

Especially important, I think, at this point in time is to consider the possibility of the airport being used by terrorists, which, I do not think is an unlikely possibility.

So, once again, thank you for your article of timely importance.

Julia Reeves
Santa Monica

Affordable housing flies under radar screen

Editor:

First, I agree with letter-writer Julia Reeves (05/23) that the city's excessive spending is one reason for its big budget deficit. But what drew my attention to that front-page article was what City Hall put on "indefinite hold." Affordable housing. And this in a city known for its cool breezes, lovely beaches and utterly unaffordable apartment rents.

Interestingly, the U.S. Conference of Mayors made affordable housing the cornerstone of its recent DC meeting. "The issue is under the radar screen," acknowledged the mayor of Boston on National Public Radio. He headed the conference.

Affordable housing may be moving above the screen in Boston. But it looks like it will remain below the screen in Santa Monica for a long, long time.

Joanne Gamlin
Santa Monica

Opinions expressed are those of the writer and do not necessarily reflect those of the Santa Monica Daily Press staff. Guest editorials from residents are encouraged, as are letters to the editor. Letters will be published on a space-available basis. It is our intention to publish all letters we receive, except those that are libelous or are unsigned. Preference will be given to those that are e-mailed to 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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STATE



Pharmacy fined \$90 million for Internet prescriptions

BY JESSICA BRICE
Associated Press Writer

SACRAMENTO — The state is demanding nearly \$90 million from a Los Angeles pharmacy and two pharmacists for allegedly filling more than 3,500 illegal Internet prescriptions, state officials announced Tuesday.

It marks the first time the state has taken action under a new law that makes it illegal to fill prescriptions without a "good-faith medical examination" in which the prescribing doctor has full access to a patient's medical records.

The State Board of Pharmacy issued three citations against Total Remedy and Prescription Center II in Los Angeles and pharmacists Barry Irvin and William Charles Packer, said board Executive Officer Patricia Harris.

Irvin and Packer could not be reached for comment Tuesday.

According to documents obtained during the eight-month investigation, the prescriptions were issued for so-called "lifestyle" drugs, such as Viagra for male impotence and Propecia for hair loss.

Harris said the drugs were obtained using Web sites that often solicit customers by barraging e-mail accounts with adver-

tisements offering cheap Viagra or other prescription drugs. Customers can obtain the drugs by filling out an online questionnaire and providing a credit card number.

The prescriptions were written by doctors who were not licensed in California and did not have access to the patient's medical records, including information regarding other prescription drugs being taken by the patient, Harris said.

The investigation was launched shortly after the Medical Practice Act became law in January 2001. The law gives the Board of Pharmacy the right to fine people or organizations up to \$25,000 for each illegal prescription filled.

The board is seeking fines totaling \$54.9 million from the pharmacy, \$33.1 million from Irvin, who is co-owner of the pharmacy, and \$697,500 from Packer.

Harris said the board has not cited or warned other California pharmacies, but hopes the case against Total Remedy and Prescription Center II will send a "very strong message."

Investigators identified at least six physicians illegally prescribing the drugs using the Internet, but the board does not have the jurisdiction to fine them. They have not decided whether they will go after the Internet sites that provide the prescriptions.

CBS employees evacuated as gunman enters complex

By The Associated Press

LOS ANGELES — Employees at the CBS television complex were safely evacuated Tuesday as police negotiated with a gunman threatening suicide.

Officers received reports about 5 p.m. of a gunman inside the complex, said Officer Jason Lee, a police spokesman. It was later determined that a possibly suicidal man had barricaded himself inside an office, Lee said.

"Everybody is out, he's the only guy in there," Lee said. "There are no hostages and no shots have been fired."

Dozens of employees congregated in the CBS Television City parking lot as police officers entered the complex where "The Price is Right" and other shows are filmed.

The man was reportedly armed with a gun, but the weapon could be a BB-gun or a toy replica, Lee said.

The Police Department dispatched its SWAT team to the television complex, located in the city's Fairfax District.

The man was lying on the floor with a gun to his head and threatening suicide,

Deputy Chief David Kalish said. Police had the man surrounded and were talking to him, he said.

Sandra Williams, an employee in the network's legal department, told KCBS-TV that the security department asked employees to leave the building.

"There were a group of us gathered in the parking lot and we didn't know what was going on," Williams said.

"I talked to one of the technicians that I knew who said he saw a man holding a handgun," she added. "He did not recognize him as an employee."

She said the technician told her the man pointed the gun at him but did not shoot.

CBS Television City, which bears the CBS eye logo on its main building, is the entertainment industry's oldest studio built specifically for television. The complex has been home to numerous CBS fixtures, including: "All in the Family," "The Smothers Brothers," "The Sonny & Cher Comedy Hour," and "Hollywood Squares."

KCBS-TV news, produced by the network's affiliate, is located in a separate facility and was not disrupted by the evacuation.

Entertainment elite donate thousands to congressman

CONGRESSMAN, from page 1

Berman's opponent in the November election said he isn't surprised that his rival is being supported by the Hollywood community.

"Howard's always been strong in patents and related legislation," said David Hernandez, Berman's Republican opponent. "But I believe that, by

November, the real issue in our race won't be what Warner Bros. or DreamWorks needs. It will be Valley secession."

Berman is the ranking Democrat on several subcommittees that deal with the entertainment industry. He has used his posts to lead Congress' efforts to protect movie and music copyrights and fight piracy via the Internet.

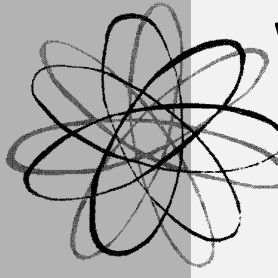


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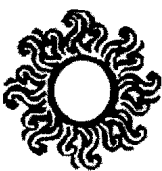
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Critically burned man says he caused explosion

BY SANDRA MARQUEZ
Associated Press Writer

LOS ANGELES — A critically burned man has admitted to fire officials that he disconnected a gas line and then lit a cigarette, setting off a fiery explosion at a San Fernando Valley residential complex, a fire official said Saturday.

Dennis Cohen, 47, remained in critical but stable condition Saturday at Grossman Burn Center at Sherman Oaks Hospital. He suffered burns to 60 percent of his body in the blast that damaged about a dozen apartments in a 140-unit complex Friday.

During interviews with arson investigators, Cohen twice said that he "disconnected the gas connection from the wall to the stove and then he went into the bathroom for an undetermined time and lit a cigarette," said city Fire Capt. Joe Castro.

What happened next reduced one wing of the housing complex to a pile of debris. Cohen was the only person to suffer significant injuries.

"I guess he kind of found himself in another dimension because there was a huge explosion," Castro said.

It was unclear why Cohen disconnected the gas line. Fire Chief William Bamattre told KTLA-TV that Castro smelled gas while working on his stove.

"Right now, we have concluded that the true cause of the explosion is the gas line," Castro said. "And now it's just a

matter of determining why the gas line was disconnected."

Cohen could be charged with a crime if investigators determine he acted with criminal intent, said Castro. He said Cohen has no criminal record and residents at the complex had complained of smelling gas earlier in the week.

The captain said Cohen offered consistent accounts of his actions during interviews on Friday and Saturday. Investigators then sifted through debris Saturday to locate the remains of his second-story apartment.

"We sifted through and found the stove. Everything supported his initial claim," said Castro, who spent 12 hours at the accident scene Saturday.

A piece of tubing that connected the stove to the wall was also recovered.

"Sometimes, in an explosion, the evidence either gets obliterated or burned. In this case, we sort of lucked out. It was all right there," Castro said.

Dr. Peter Grossman, a physician at the Grossman Burn Center, said Cohen suffered burns to his face, ears, head, chest, stomach, back, both arms, buttocks, both legs and right foot.

"He has a very long and difficult road ahead of him. His outcome at this point is still quite guarded," Grossman said. "He obviously was engulfed in flame."

Cohen was expected to undergo surgery Monday.

Hollywood parking garage not meeting expectations

By The Associated Press

LOS ANGELES — A 3,000-space parking garage intended to handle big crowds flocking to a new Hollywood shopping center has fallen short of expectations and costs about \$500,000 to operate each month.

The enormous parking garage was meant to handle crowds headed to the \$615 million Hollywood & Highland Project, which includes high-end shops and the Kodak Theater, the new home of the Academy Awards. The shopping center opened in November.

The six-level garage has not met revenue projections and its monthly bill totals about \$500,000 to its owner, the city of Los Angeles. The shortfall is eating up cash set aside to build other public parking facilities in downtown and the San Fernando Valley, city officials said.

"This is the parking lot that could eat all the other new parking lots in the city of Los Angeles," Councilman Jack Weiss said.

Other council members and parking specialists said the parking rates have not been affordable and the new shopping

center has a limited selection of stores.

"If you don't have things that will attract (customers) to the site, then lowering the parking rates won't solve the problem," Councilman Dennis Zine said.

City officials last month cut the rates at the Hollywood garage from \$10 to \$2 for the first four hours with validation. Their hope is that more people will park in the garage, slowly boosting revenues.

The garage cost about \$80 million — the most expensive in city history — that was financed by bonds to be paid off with parking revenue. Expected to break even by 2004, the garage has averaged about 50 percent below projected revenues. About 76,000 cars are parked in the garage each month, well below what is needed to meet financial goals.

"Without affordable parking, it won't work," said Lee Wagman, a spokesman for Trizec, which built the shopping center and parking garage. "We're absolutely sure that the new rate structure will be a boon to the tenants that rely on local business. The (parking) revenue will increase, not decrease, from this."

California retiree wins slot machine jackpot in Vegas

By The Associated Press

LAS VEGAS — A retiree from Covina, Calif. won the third-largest slot machine jackpot ever on Monday, hitting \$22.6 million on a Megabucks machine at a Las Vegas Strip casino.

Johanna Heundl, 74, a frequent visitor to Las Vegas, won the statewide progressive jackpot after putting \$177 into the \$1 Megabucks game at Bally's hotel-casino, an official with casino owner Park Place Entertainment said.

Heundl was staying at Bally's after having been awarded two free nights for her birthday, May 17.

Heundl was handed a check for \$907,799.33 from Ken Geiger, Park Place slot operations vice president.

She will have 60 days to decide whether she wants to receive the rest of the jackpot in 24 annual payments or a lump-sum payment, said Rick Sorensen, public relations manager for IGT, which operates the Megabucks machines and pays the winners.

Heundl, a widow, is a native of Vienna, Austria. She and her husband moved to the United States in 1956, and bought a home in the suburbs east of Los Angeles in 1957.

She told casino officials she wasn't sure what she'll do with all of her winnings, but said she will spend part of it to visit two brothers and two sisters still living in Europe.

Casino officials said it was the 57th jackpot awarded in the Megabucks game, and the first Megabucks win at Bally's.

The world-record slot jackpot was a \$35 million Megabucks win in January 2000 at the now-closed Desert Inn in Las Vegas.

Nevada Megabucks machines are linked in 157 casinos statewide. The game builds from a base amount of \$7 million and requires a \$3 bet to win the jackpot.

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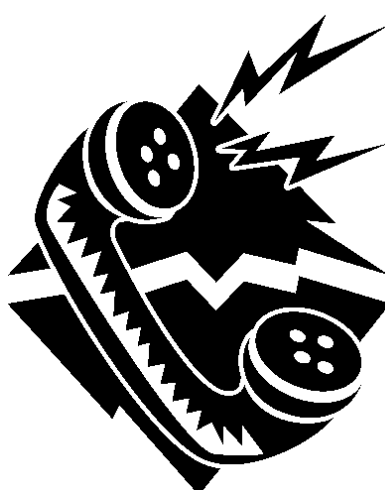
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NATIONAL



Consumer confidence inches higher in May

BY HOPE YEN
AP Business Writer

NEW YORK — Consumer confidence edged up in May, though not quite as much as analysts expected, and the outlook worsened for the rest of the year, suggesting a slow economic recovery in the months ahead.

The New York-based Conference Board said Tuesday its Consumer Confidence Index rose to 109.8 this month from a revised 108.5 in April. Analysts were expecting a reading of 110.0.

The industry group's index, based on a monthly survey of some 5,000 U.S. households, is closely watched because consumer confidence drives consumer spending, which accounts for about two-thirds of the nation's economic activity.

"Consumers' upbeat mood about current business and labor conditions underscores the economy's continuing recovery," said Lynn Franco, director of the Conference Board's research center.

The numbers "suggest that the pace of economic growth will not accelerate in the months ahead," she said.

The index compares results to its base year, 1985, when it stood at 100. The May figure falls slightly below the seven-month high of 110.7 reached in March

after confidence had tumbled following the Sept. 11 attacks.

"The numbers don't point to any risk that the recovery is going to peter out. They do point to a rate of growth in the economy that has slowed," said Mark Vitner, economist at Wachovia Securities, citing continuing concern over the jobs outlook.

On Wall Street, key stock indexes were lower on the news. The Dow Jones average fell 116 points to 9,988 and the Nasdaq composite index declined 26 points to 1,635 at midday.

The Conference Board said consumers' assessment of the current economic climate was slightly more positive in May than April. Consumers rating current business conditions as good increased to more than 21 percent from 19.7 percent in April.

Those expecting more jobs to become available in the next six months fell to 13.7 percent from 14.8 percent in April. Fewer consumers — 20.6 percent vs. 21.1 percent in April — expect their incomes to increase in the next six months, the report showed.

The Conference Board is a nonprofit research and business group, with more than 2,700 corporate and other members around the world.

Texas executes inmate for murder committed at 17

BY MICHAEL GRACZYK
Associated Press Writer

HUNTSVILLE, Texas — Napoleon Beazley, whose death sentence for a murder committed at 17 stirred national debate over capital punishment for youths, was executed Tuesday after the U.S. Supreme Court refused to spare his life.

Beazley was convicted of killing the father of a federal judge during a 1994 carjacking. He repeatedly expressed remorse for shooting John Luttig, 63, while trying to steal the man's Mercedes.

When asked by the warden if he had a final statement, Beazley, 25, looked toward Suzanne Luttig, the victim's daughter, and said "no" before he was given a lethal injection.

In a signed one-page statement released after his death, Beazley said the act he committed as "not just heinous, it was senseless."

"But the person that committed that act is no longer here — I am," he said.

He again apologized for the killing but said he was saddened the justice system would not give him a second chance. "No one wins tonight. No one gets closure. No one walks away victorious."

Texas is one of five states that allow the death penalty for crimes committed by 17-year-olds.

Before Tuesday, 18 inmates in the United States — including 10 in Texas — had been executed since 1976 for a murder committed when the killer was younger than 18.

"Texas must recognize that the brutal practice of executing children is in complete and utter defiance of international

law," said Sue Gunawardena-Vaught, director of Amnesty International USA's Program to Abolish the Death Penalty.

In Austin, about 100 death penalty opponents rallied at the governor's mansion to protest Beazley's execution.

Earlier Tuesday, the Texas Board of Pardons and Paroles voted 10-7 against recommending that Beazley's sentence be commuted to life in prison and 13-4 against a reprieve.

Beazley's lawyers made a last-ditch appeal to the U.S. Supreme Court, renewing questions about his age and challenging the makeup of the all-white jury that convicted their black client. The court turned down the appeal, and Gov. Rick Perry denied his request for a 30-day reprieve.

"To delay his punishment would be to delay justice," Perry said.

Luttig was the father of J. Michael Luttig, a judge on the 4th U.S. Circuit Court of Appeals and former clerk or adviser to Supreme Court Justices Clarence Thomas, David Souter and Antonin Scalia. All three did not participate in high court rulings on Beazley's case.

At the time of the slaying, Beazley was a popular student and athlete in Grapeland, where he had also been dealing drugs for several years. Prosecutors said he and two companions ambushed Luttig and his wife.

Beazley shot Luttig once, turned the gun on his wife but missed, then returned to the wounded man and fired again point-blank into Luttig's head. He stepped through a pool of blood to go through the man's pockets to get the car keys. He hit a wall while driving away and was forced to abandon the damaged vehicle.

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SPORTS

Bibby's shot gives Sacramento edge over Lakers

BY GREG BEACHAM

AP Sports Writer

SACRAMENTO — Mike Bibby made the big shot this time and the Sacramento Kings moved to the brink of eliminating the two-time defending NBA champions.

Bibby hit the winning jumper with 8.2 seconds to play as the Kings took a 3-2 lead in the Western Conference finals, beating the Los Angeles Lakers 92-91 Tuesday night.

Bibby scored 23 points, and Chris Webber had 29 points and 13 rebounds as the Kings moved within one game of the franchise's first trip to the NBA Finals since 1951.

Sacramento won by showing the late-game poise that has become the Lakers' hallmark during their run to two titles. Bibby scored the game's final four points, and Kobe Bryant, who scored 30 points, missed a jumper with one second left that could have won it.

Los Angeles took an 89-88 lead on Bryant's jumper with 2:09 left. Samaki Walker and Bibby traded free throws, and Vlade Divac blocked Bryant's shot.

After the ball was tipped out of bounds on the other end, Bibby inbounded the ball to Webber, who set a pick while handing it back to Bibby — and the Kings' point guard buried a 21-footer as Arco Arena exploded.

Game 6 is Friday night in Los Angeles. If necessary, Game 7 will be back at Arco Arena on Sunday.

It was yet another impossibly dramatic game in a series that has easily lived up to the possibilities of the NBA's best regular-season team facing the defending champs. Neither team took a significant lead all night, and the lead changed hands five times in the fourth quarter.

Shaquille O'Neal played another remarkable game, but foul trouble kept him stewing on the bench with an infuriated frown for much of the night. O'Neal had 28 points — 16 in a phenomenal third quarter — and seven rebounds, but he fouled out with 3:22 left.

Sacramento didn't show any lingering effects from the heartbreak of Robert Horry's buzzer-beating 3-pointer that gave Los Angeles a series-evening victory in Game 4.

Bibby hit the game-winner this time.

"Chris usually draws all the attention. I told Chris if he hands it to me I'm going to shoot it and make it," Bibby said. "My confidence level is high right now. Everybody told me to keep shooting the ball and be more aggressive."

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The Lakers haven't faced a playoff elimination game since the 2000 conference finals, when they memorably rallied from a 15-point deficit in the fourth quarter to beat Portland in Game 7.

The return of All-Star Peja Stojakovic, who missed six games with a sprained ankle, didn't help the Kings much. Rick Fox, who struggled in the series' previous two games, held Stojakovic to two points while scoring 16.

But the Kings won behind the steady outside shooting of Bibby, who scored seven points in the fourth

quarter. It's easy to forget that this is the first playoff experience for Bibby, who won a national championship in college at Arizona, but spent his first three NBA seasons with Vancouver before last summer's trade for Jason Williams.

It didn't start out as a promising night for Sacramento. The Kings, so fluid and exciting during the first halves of their weekend games at Staples Center, returned to tight, overanxious play in front of their frenzied home fans.

The only constant in this wild series has been outstanding, pressure-free play by the visiting teams early in every game. Los Angeles shot 65 percent in the first quarter Tuesday night, moving the ball to create open shots with a fluidity they never showed at home over the weekend.

But the Lakers quickly blew their early lead by going without a field goal for more than seven minutes during the second quarter. The Kings made a 13-1 run, stepping it up when O'Neal acquired his third foul nearly six minutes before halftime.

Sacramento had a 10-point lead in the third, but O'Neal and Bryant erased it with their customary flair. Los Angeles went back ahead on Slava Medvedenko's dunk late in the third to close a 16-6 run.

O'Neal made his final eight shots before fouling out.



National Basketball Association playoff schedule

By The Associated Press

ALL TIMES EDT CONFERENCE FINALS

(Best-of-7)

Saturday, May 18

L.A. Lakers 106, Sacramento 99

Sunday, May 19

New Jersey 104, Boston 97

Monday, May 20

Sacramento 96, L.A. Lakers 90

Tuesday, May 21

Boston 93, New Jersey 86

Friday, May 24

Sacramento 103, L.A. Lakers 90

Saturday, May 25

Boston 94, New Jersey 90, Boston leads series 2-1

Sunday, May 26

L.A. Lakers 100, Sacramento 99, series tied 2-1

Monday, May 27

New Jersey 94, Boston 92, series tied 2-2

Tuesday, May 28

Sacramento 92, L.A. Lakers 92, Sacramento leads 3-2

Wednesday, May 29

Boston at New Jersey, 9 p.m.

Friday, May 31

New Jersey at Boston, TBA, if necessary

Sacramento at L.A. Lakers, TBA

Sunday, June 2

Boston at New Jersey, TBA, if necessary

L.A. Lakers at Sacramento, TBA, if necessary

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INTERNATIONAL



Bush expresses concern to pope about scandal

BY RON FOURNIER

AP White House Correspondent

ROME — President Bush, in a one-on-one meeting inside the Vatican, told Pope John Paul II he is concerned about the Roman Catholic church's standing in America where the church has been rocked by sex-abuse scandal.

The frail 82-year-old pontiff reaffirmed "his faith in the spiritual resources of American Catholics," a spokesman said, describing the leaders' private discussion Tuesday.

In a brief session before news cameras, John Paul labored to stand to bid Bush farewell with a quiet "God Bless America."

His parting words to the president: "I hope to be able to meet you again."

There have been reports that the ailing pope might consider resigning should his health worsen, although Vatican officials have denied that he has any such plans.

Swiss Guards in red-plumed helmets stood at attention, with 15th-century halberds at their sides, as Bishop James Harvey, an American ordained in Milwaukee, escorted the president through Vatican corridors of marble.

"I will tell him that I am concerned about the Catholic Church in America, I'm concerned about its standing," Bush told reporters before the meeting.

"I say that because the Catholic Church is an incredibly important institution in our country."

Indeed, Bush has assiduously courted Catholic support — often meeting with local bishops when he travels outside Washington, inviting members of the church hierarchy to the White House — after splitting Catholic voters with Democrat Al Gore in the 2000 election.

Roman Catholic voters are highly sought after because they tend to switch party allegiances from election to



Massimo Sambucetti/Associated Press Pool

President George W. Bush shakes hands with Pope John Paul II during their meeting at the Vatican on Tuesday. In background is the Pope's secretary, Stanislaw Dziwisz.

election depending on the candidate, and they often can tip the balance at the ballot box.

Polls show Americans are disappointed by the church's handling of accusations of sexual abuse of children by priests.

Bush's comments were his first on the scandal since

March, when he said he was confident the church would "clean up its business."

At that time, he backed embattled Cardinal Bernard Law of Boston, who has become a lightning rod for criticism since. "I respect him a lot," Bush said in March, shortly after Law gave prosecutors the names of at least 80 priests accused of sexually abusing children.

The president had no public comment after his meeting with John Paul, but White House press secretary Ari Fleischer confirmed that Bush delivered the message of concern as he said he would.

Vatican spokesman Joaquin Navarro-Valls said the pope, in turn, "wanted to express, despite difficulty of the moment, his faith in the spiritual resources of American Catholics committed to bear witness to the values of the Gospel in society."

Bush, in Rome for a NATO-Russia meeting earlier in the day, described John Paul as "a man of enormous dignity and compassion."

He presented the pope with a hand-painted silver medallion of the Madonna. John Paul gave Bush a pink coral statue of the Madonna and child.

In the noisy clatter of camera shutters that accompanied their greeting, John Paul jokingly raised his hands to cover his ears and the president teased him: "They'll make you look good, your Holy Father."

They briefly discussed the pope's recent trip to Azerbaijan and Bulgaria. Behind closed doors, their discussion also included Russia and violence in the Middle East, Fleischer said.

The visit was Bush's last stop on a weeklong tour through Europe and Russia. He arrived at the White House on Tuesday evening and appeared happy to be home, scratching his two dogs, Spot and Barney, when they ran outside to greet him.

Infiltrator kills three Israelis at Jewish settlement

BY MARK LAVIE

Associated Press Writer

JERUSALEM — A gunman sneaked onto the grounds of an Orthodox Jewish high school in the West Bank late Tuesday and killed three teen-agers, even as Israeli troops continued their daily raids into Palestinian towns.

The man shot and killed three Israeli students outside a high school in the settlement of Itamar, near the Palestinian city of Nablus, settlers and rescue service officials said. The attacker was shot and killed by the settlement's security chief.

Hezi Katoa, a rescue service worker, told Israel Radio that they found one student hit by a number of bullets in the chest, and then two more "lying behind the building with bullet wounds all over their bodies." All three were dead at the scene, he said.

A few hours earlier, an Israeli motorist was killed and another wounded in a shooting attack, apparently by a Palestinian gunman, near the Jewish settlement of Ofra, said rescue services spokesman Yeruham Mandola.

The violence accompanied repeated Israeli incursions into Palestinian towns in the West Bank.

Late Tuesday, Israeli soldiers entered Beitunia, a suburb of the West Bank town of Ramallah, Palestinians said, and surrounded the house of a prominent Hamas leader. However, the leader, Hassan Yussuf, was not there. The Israeli military had no comment.

In another development, Israel launched the spy satellite Ofek-5, displaying advanced missile capabilities and restoring a military eye in the sky after its last spy satellite burned up in the atmosphere about a year ago.

Defense Ministry spokesman Yarden Vatikay confirmed it was sent into space from a seaside Israeli air force base. It was

launched by a Shavit missile, related to the long-range Jericho ground-to-ground missile. Foreign experts have said the Jericho can carry a nuclear warhead; Israeli officials have not commented on that.

Israel's latest sweep in the West Bank came after a Palestinian blew himself up outside an ice cream parlor and cafe crowded with women and children in a Tel Aviv suburb Monday, killing Ruth Peled, 56, and her 18-month-old granddaughter, Sinai Kenaan.

The Al Aqsa Brigades, linked to Palestinian leader Yasser Arafat's Fatah movement, claimed responsibility and identified the bomber as Jihad Titi, 18, a cousin of a leading Al Aqsa militant Mahmoud Titi, who was killed in an Israeli tank attack last week.

On Tuesday, troops in armored personnel carriers and jeeps drove into Jenin and a nearby refugee camp at about 3 a.m. and left by midday. They arrested eight, including the local leader of the Islamic militant group Hamas, Rami Awad. Soldiers also searched an Islamic school, seizing computer disks, residents said.

There were heavy exchanges of fire with Palestinian gunmen.

In one incident, a 55-year-old Palestinian civilian, who had come out of his home to watch the fighting, was shot in the leg before dawn Tuesday, witnesses said. Israeli troops opened fire on an ambulance trying to retrieve the wounded man, witnesses said; the army said it was checking that report.

"We couldn't bring him to the hospital until 8 a.m. and by then he was already dead," said Ibrahim Dabaneh, director of emergency services in the city.

In one deserted neighborhood, the sound of a Palestinian gunman's Kalashnikov assault rifle echoed through the streets as Israeli armored vehicles fired heavy-caliber mounted machine guns toward the source of fire, and sol-

diers dashed across open ground toward the cover of an empty building.

In its stairwell, about a dozen soldiers lay down and went to sleep. They had been up all night, waiting for order to enter Jenin, whose refugee camp was the scene of some of the bloodiest battles in Israel's six-week West Bank offensive, Operation Defensive Shield, that ended earlier this month.

In Bethlehem to the south, Israeli forces combed the town for the third straight day Tuesday, blocking off the Church of the Nativity to prevent gunmen from taking refuge there. During Israel's

earlier offensive, several dozen gunmen ran into the church ahead of Israeli forces, setting off a 39-day standoff that ended with the deportation of 13 of the militants.

On Tuesday, Israeli forces arrested four Palestinians and discovered a bomb and some weapons in the Dheisheh refugee camp next to Bethlehem, Palestinian security officials said.

The Israeli incursions have become an almost nightly occurrence. With the exception of the extended operation in Bethlehem, they usually last a few hours, resulting in the arrests of suspected militants.

Russia joins NATO



Fred Chartrand/Associated Press/CP

Russian President Vladimir Putin and members of his delegation smile as they are accepted into the NATO alliance in Rome, Italy on Tuesday. The NATO-Russia Council will include Moscow as an equal partner in the alliance's deliberations, but does not make Russia a full member with veto rights over NATO decisions.

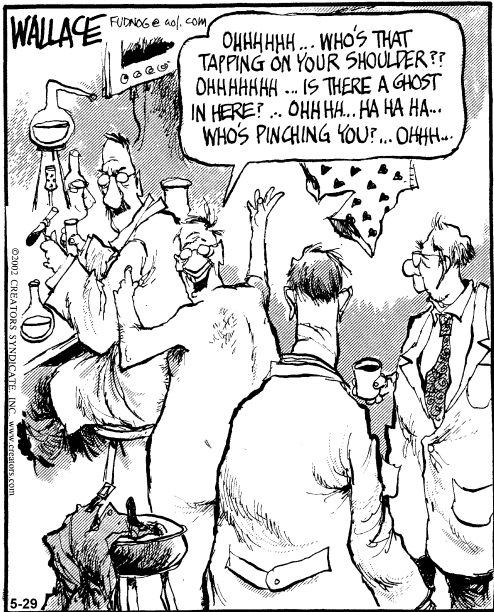


COMICS

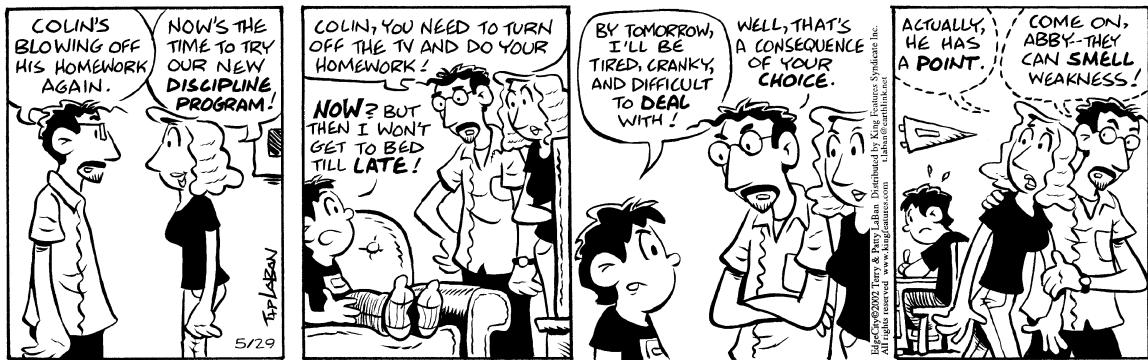
The Dinette Set by Julie Larson



Natural Selection® By Russ Wallace



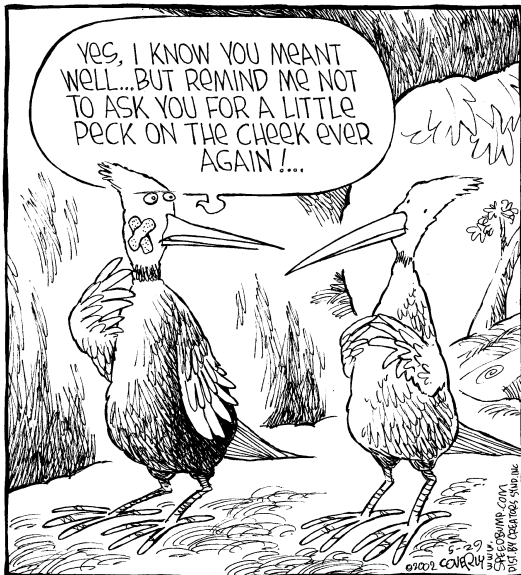
by TERRY & PATTY LABAN



Reality Check® By Dave Whammond



Speed Bump® By Dave Coverly



CROSSWORD By THOMAS JOSEPH

ACROSS
1 "Begone!"
5 Nuisance
9 Forum
11 Calendar
12 Bowl
13 Computer
14 Traveler's
15 Cornered
17 Inferred
19 Hearty
20 "Hamlet"
21 Mole,
22 Singer
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35 "The Kiss"
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Yesterday's answer

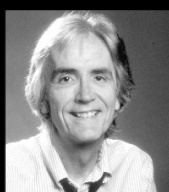
10 Cup
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11 Honey
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27 "Semper
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31 Fencing
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5-29

STUMPED?

For answers to today's crossword, call 1-900-226-3168! 99¢ per minute, touch-tone/rotary phones. (18+ only.) A King Features service, NYC.



NEWS OF THE WEIRD

by Chuck Shepard

Glue-sniffing children tutored on less-lethal sniffing practices

- A state legislative committee in Victoria, Australia, recommended that habitually glue-sniffing children as young as 7 be placed in special homes where they could be tutored on less-lethal sniffing practices (January).
- The British high-end apparel shop Argos started selling padded bras and g-string underwear for girls as young as 9 in its "Babies and Kids" section (April).

"THINK ABOUT IT"



NEWS ITEM - CITY SAYS "SCULPTING IS NOT AN ART FORM." WILL BE BANNED FROM PROMENADE & PIER.

*Apologies to Rodin

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BACK PAGE

ODDS & ENDS

Skateboarder clobbered by goose

By The Associated Press

WINNIPEG, Manitoba — If only Shawn Hacking hadn't forgotten to duck, he might never have been goosed.

The 13-year-old was knocked off his skateboard last Thursday after a Canada goose heading for a nearby pond misjudged its landing and slammed into his face.

"I was stunned," said Shawn, who hobbled home with two badly scraped knees, a sprained wrist, a ripped shirt and a red face where the bird's wing slapped him.

"It was so funny, but I felt sorry for him at the same time," recalled Shawn's skateboarding buddy Brent Bruchanski. "It flew out of nowhere and then . . . Wham bam!"

The goose just kept going, added the boys.

When he got home, Shawn's mother Kim Hacking was a little horrified at first with how badly he had been roughed up.

"When he came in, he said, 'I got hit by a goose,'" she said. "I thought that was some kind of car or something."

Goat-napping prank backfires

By The Associated Press

NEW GLASGOW, Nova Scotia — It was supposed to be a prank to get back at the owner of a goat that was munching on neighbors' flowers.

But the joke wound up costing a Nova Scotia man \$330 in fines after he pleaded guilty in the goat-napping case.

Authorities say the theft took place after Percy the

goat's owner got into a disagreement with a neighbor over the animal running loose and chewing on flowers. Vera Myers returned home the next day to find her pet missing.

Michel Andre Daviau, 41, admitted he took the goat as a prank while on a fishing trip and says a neighbor encouraged him to take it because it was a nuisance. Daviau told the judge it was all a joke and he didn't think it would come to this.

Provincial court Judge Clyde MacDonald says it was no joke to the goat's owner, who was deprived of her pet for two days.

Teen prefers cash over Britney

By The Associated Press

YAKIMA, Wash. — A 13-year-old boy decided he'd rather have \$475 in cash than see teen pop queen Britney Spears in concert.

After twisting off the cap from a bottle of Pepsi, Andrew Benson discovered he had won four tickets to a Spears concert and \$200 in spending money. His musical taste runs more to rap artists so the choice wasn't too difficult.

Andrew called the toll-free number on the cap and traded in the prizes for \$475, which he plans to share with his nine brothers and sisters and four cousins.

His mother said she will pitch in another \$25, so he can start with an even \$500.

Andrew said he felt lucky after he spent \$1 on a Pepsi at the school store.

"This might be a winner," he recalled telling his friends.

There are 4,800 bottle caps offering tickets to Spears'

Summer 2002 Tour concerts, and the odds of winning are 1-in-51,163, according to PepsiCo.

Turkey vulture moves right in

By The Associated Press

FLOYD, Iowa — An Iowa family has a new pet and it has a wing span of more than 3 feet.

John and Margaret Majerczyk said they have seen all kinds of animals wander onto their property in the 26 years they've been in rural Floyd County, but they had never befriended a large turkey before.

The bird is most likely a young turkey vulture, which is often called a buzzard.

The Majerczyks named him Buzz.

The bird follows John into his auto restoration shop and tags along with Margaret out to the clothesline. The animal is there when the Majerczyks awake in the mornings, often sitting on a flower box peering into the house, waiting for someone to come out.

And he anxiously awaits feeding time, which consists of about a half-pound of hamburger a day. When he's not eating, Buzz roosts in a dead tree or struts around the yard playing with whatever he can find.

Margaret Majerczyk said she was "a little shocked" when Buzz started following her around the yard.

At first, "I didn't know what to think," she said. "I was leery. At first I thought it was injured and couldn't fly. But then it does fly."

Fred Heinz, director of the Cerro Gordo County Conservation Board, said the vulture may have had prior human contact. He may have been blown out of a nest and been fed by someone else, because most turkey vultures are wary of humans.

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