

FREE

WEDNESDAY, JUNE 16, 2004

Volume 3, Issue 185

Santa Monica Daily Press

A newspaper with issues

LOTTO

FANTASY 5

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DAILY 3

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Evening picks: 5 8 4

DAILY DERBY

1st Place: 11 Money Bags

2nd Place: 12 Lucky Charms

3rd Place: 09 Winning Spirit

Race Time: 1:42.71



NEWS OF THE WEIRD

by Chuck Shepard

Nuanced Views of Ethics: Convicted wife-poisoner Paul Agutter (who served seven years for his crime) was hired by the University of Manchester (England) earlier this year to teach adult-education courses in ethics; an Imperial College London lecturer, asked to comment by Reuters news service, said that people who do criminal acts are also qualified, "logically," to think about ethical questions. And in January, John Harris (a professor of "bioethics" at Manchester University), speaking at a conference, argued there is no moral distinction between aborting a fully developed fetus at 40 weeks and killing the child after birth a few weeks later; although his position could be seen as antagonizing both sides of the abortion debate, anti-abortionists appeared to be the more outraged.



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Samohi coach to appear in court

Mike Hearn was arrested on underage sex charges

BY JOHN WOOD

Daily Press Staff Writer

LAX COURTHOUSE — A Santa Monica High School coach who allegedly slept with an underage student is expected to appear before a judge here next month.

Prosecutors said on Tuesday they will decide any day whether to file felony sex charges against Mike Hearn, 37, an assistant coach at Samohi. Hearn was arrested June 2 for allegedly sleeping with a student from outside of the Santa Monica-Malibu school district.

"(Deputy District Attorney Robin Katzenstein) does have all the paper work now, she's reviewing it and hopefully we'll have a decision in a couple of days," said Sandi Gibbons, a spokeswoman for the Los Angeles District Attorney's Office.

Hearn, a Samohi graduate and community member with children in local schools, could not be reached for comment. Colleagues willing to discuss the matter described him as an energetic football and basketball coach that got along well with everybody.

"He was very nice, outgoing. Great guy with the kids, great guy with the parents," said Jose Corral, founder of the local chapter of the Pop Warner youth football league. Hearn, whose son played Pop Warner football and whose daughter was a cheerleader, coached in the league for four years, as recently as last year, according to Corral.

"I've known him for awhile, as a result of his coaching in our program, and I found him to be respectful and very caring with kids," added Corral. "As far as I'm concerned, he has good relationships with the parents, and has always had great rapport with the kids."

"He's just one of those great people-people that I know."

The victim, whose identity is protected because she is a minor, has been taken to the Stuart House in West Los Angeles, which cares for sexual abuse victims. The

Stuart House is overseen by officials from the Rape Treatment Center, which is based in the Santa Monica-UCLA Medical Center on 16th Street.

"It's basically a facility that enables young victims of sexual abuse, children, not to have to go to several different places — for treatment, for psychological evaluation, for interviews by police, for interviews by prosecutors," Gibbons said.

Hearn was arrested at Samohi on June 2 after a three-week investigation by Santa Monica police. He was released on \$42,000 bail and is scheduled to appear in court July 2. Hearn's bail was doubled because he had an outstanding warrant for traffic citations. He also apparently had been in trouble with the law years before — Gibbons said a Michael David

See HEARN, page 6

SMC class of 2004



G. Bruce Smith/Special to the Daily Press

Kristyn Houchen of Santa Monica (standing) receives special recognition at the Santa Monica College 74th Commencement Exercises Tuesday afternoon at Corsair Stadium. She was one of about 500 students attending graduation ceremonies.

New monument to take flight

By Daily Press staff

SM AIRPORT — It's too big to fit inside a new aviation museum here, and too important not to be left out. That's why officials plan to park a DC-3 airplane on Airport Avenue as a monument to Santa Monica's flying heritage.

Elected leaders on Tuesday accepted the historic gift from David G. Price, chairman of the board of the Museum of Flying. The DC-3 to be given to City Hall was built by the Douglas Aircraft Company at the Santa Monica Airport in 1942.

About 1,000 DC-3s are known

to exist worldwide. The important plane made commercial air travel affordable and accessible to a vast majority of the public. Some 13,000 DC-3 were built by Douglas, beginning in 1935. A DC-3 is still used to deliver mail to Catalina Island twice a day.

Price first offered to donate the DC-3 to City Hall in September 2003. The DC-3 has been part of the museum's collection, but the new museum, to be located at Hangar 33 Donald Douglas Loop North, is not large enough to display it.

"The Douglas Aircraft Company DC-3 is one of the most influential aircraft in the history of aviation and is routinely ranked as one of the top-10 most important aircraft of all time," reads a report prepared by airport manager Bob Trimborn and Jeff Mathieu, City Hall's director of resource management department. "The aircraft spawned the birth of the modern commercial air transportation system and was instrumental in the success of the Douglas Aircraft Company."



Photo courtesy

The historic DC-3 is still used to fly mail to Catalina Island twice a day.

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Upcoming Headliners

WEDNESDAY JUNE 16

8:00 FAREWELL TO YOUTH

THURSDAY JUNE 17

10:30 BOLTS AND CONVERSATION

FRIDAY JUNE 18

8:20 THE JOE BRESSLER BAND

9:20 INK PLOT

10:00 TEXTURE

11:00 DAVE SCOTT & THE PLOT



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Accept an invitation, Sag



JACQUELINE BIGAR'S STARS

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

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



ARIES (March 21-April 19)

★★★★★ Aim for what you want, mobilizing a friend's or associate's energy and ideas. Working as a team helps you realize long-term goals and desires. Let your imagination roll with others' creative efforts. Tonight: With your friends.



TAURUS (April 20-May 20)

★★★ You finally find some harmony when dealing with a higher-up. You discover that you are appreciated, even if someone has an odd way of expressing his or her admiration. Stop and buy a card or a token of affection for someone who has gone out of his or her way for you. Tonight: Indulge a little.



GEMINI (May 21-June 20)

★★★★★ Others finally grasp what you have been trying to share. You might see way beyond the vision of others, as far as motives and directions are concerned. Associates respond as you would like. Think positively about a potential venture. Tonight: Just ask.



CANCER (June 21-July 22)

★★ Know when to pull back and not get involved. Someone you meet today could weave quite a haze around you. Enjoy the rose-colored perspective, but understand that your shades are on. Use care with all choices right now. Tonight: Catch up on extra sleep.



LEO (July 23-Aug. 22)

★★★★★ Realize that your caring is important to other people. Understand how much a special person wants to give back to you as well. You might not see someone clearly. Unfortunately, although it might be OK right now, it could be important later. Tonight: Where the gang is.



VIRGO (Aug. 23-Sept. 22)

★★★ Bring others together and help cooperation flourish. A light touch goes a lot further than being intellectual and demanding. Inspire others by expressing your positive enthusiasm. Those around you look for your leadership. Tonight: A force to be dealt with.



LIBRA (Sept. 23-Oct. 22)

★★★★★ Share your perspective in a caring manner. Emotions drive you right now, allowing others to give more. Share more of your long-term ambitions. Others feel inspired by what you share and help make your desires real. A child or loved one plays a dramatic role. Tonight: Take in another view.



SCORPIO (Oct. 23-Nov. 21)

★★★★ Work with others on a one-on-one basis, getting the results you want. Your thoughtfulness and understanding touch someone on a profound level. With timing on your side, discuss finances and other touchy topics. Tonight: Togetherness works.



SAGITTARIUS (Nov. 22-Dec. 21)

★★★★★ Others finally let go of a very strong opinion. Ease up pressure and allow more sharing between you and others. Mend fences. You choose the right moment at the right time. Tonight: Accept an invitation.



CAPRICORN (Dec. 22-Jan. 19)

★★★★ Use your gentle ways to conduct business, and you'll achieve strong results. Still, be careful with money, as it could easily slip through your hands. You pull the wild card financially, but remember, your luck could go either way. Tonight: Choose a stress-buster.



AQUARIUS (Jan. 20-Feb. 18)

★★★★★ Your dreams inspire others. In some manner, you serve as a muse to many, encouraging accomplishment with ingenuity. Encourage creative brainstorming and stream-of-consciousness thinking. Tonight: Play away. Take a midweek break.



PISCES (Feb. 19-March 20)

★★★ Much goes on quietly or behind the scenes. You might feel gentler about a family member and his or her expectations. Choose a new item that could add to the quality of your life. Read between the lines. Listen to your intuition. Tonight: Order in.

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COMMUNITY BRIEFS

Kiwanis Club gives Samohi awards

By Daily Press staff

Local students will be honored today for excellence in music in a ceremony at the Four Points Sheraton on Pico Boulevard.

The Santa Monica Kiwanis Club is hosting an awards ceremony for the 54th Annual Santa Monica-Malibu School District Music Competition. Over 600 students from Santa Monica High School, Malibu High School, Lincoln Middle School and John Adams Middle School have competed for 24 scholarships.

The competition is judged by professional musicians, who provide guidance to every student who participates. The scholarships are jointly provided by the Santa Monica Kiwanis Club and the First Federal Bank of California. The scholarships are presented at a banquet attended by the school district's music teachers and senior administrators and the parents of the award recipients. The event is highlighted by performances from each of the first-place winners, in six categories.

Keeping kids safe from Internet evils

By Daily Press staff

The National Association of Attorneys General and i-SAFE America will host a conference on Friday at the Fairmont Miramar Hotel in Santa Monica to introduce Operation Shield, a project that aims to combat Internet crimes committed against kids/teens within their states.

Currently more than 48 million children ages 5 -7 regularly use the Internet, and experts predict that the number will rise to 77 million by 2005. Studies show that 1 in 4 children have involuntarily been exposed to Internet pornography, and 1 in 5 children have been propositioned for sex online.

The meeting's sponsors hope to address these issues of Internet safety because of the rapid increases in the number of children surfing the Web.

The meeting will be held Friday, June 18 at 9:30 a.m. in the Fairmont's Starlight Ballroom at 101 Wilshire Blvd. near Ocean Avenue and after 2nd Street.

Youth volleyball kicks up summer sands

By Daily Press staff

The 11th annual Amateur Athletic Union Junior Beach Volleyball National Championships will be held July 10 and 11 on the north side of the Hermosa Beach Pier. With each year, the championships have added more events and have hosted more teams. The 2003 National Championships was the largest youth tournament in the country with 197 teams on 41 courts — a vast increase from the 1994 championships which hosted only 16 teams.

In other volleyball news, the Cobra Junior Beach Volleyball Tour will sponsor 14 events in six states this summer. The tournaments are open to boys and girls two-person teams, ages 9-18. A complete schedule, age divisions, rules, information and registration are available on-line at www.aaubeach.org.



SURF REPORT

The waves are pretty small and the cheese breeze hits early. But if you get up at the crack of dawn and rush down to the bay, you can find some little pulse out there. Expect the waist-high waves to hold steady today, with occasional chest-high sets.

Write us at wood@smdp.com and tell us what the surf is doing today at your local break.

Today the water is:

70°



LOW TIDES

HIGH TIDES

	Morning	Height	Evening	Height	Morning	Height	Evening	Height
SATURDAY	1:10	0.9	12:20	1.4	6:56	3.5	6:24	5.3
SUNDAY	1:57	0.4	12:56	1.7	7:59	3.4	7:26	5.7
MONDAY	2:36	0.0	1:29	2.0	8:52	3.4	7:54	5.8
TUESDAY	3:12	-0.3	2:00	2.2	9:39	3.4	8:23	5.9
WEDNESDAY	3:46	-0.5	2:30	2.4	10:20	3.4	8:52	5.9
THURSDAY	4:20	-0.6	3:00	2.5	11:00	3.4	9:22	5.9
FRIDAY	4:54	-0.6	3:32	2.6	11:40	3.4	9:54	5.9

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The Q Line

City Hall has now focused its efforts on making sure business owners are complying with the rules and regulations set upon them when they were approved to open in their locations.

After the business owner is visited in a surprise inspection by a building and safety code compliance officer, he or she is handed a bill for \$500. City officials say business owners have to be charged to offset the inspection program.

So this week, Q-Line wants to know, "Should business owners pay to have their property inspected by City Hall? Why or why not?"

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

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OPINION

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"LOOK FOR THE UNION LABEL"

Q

What's more ridiculous than the US Border Patrol's new uniforms bearing tags, "Made in Mexico"?

A

All the chuckle-heads who will go out and buy American flags for the Fourth of July that say, "Made in China."

Joe King

They're still Communists ya' know!!!

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LETTERS TO THE EDITOR

SMC needs to retake driver's seat

An Open Letter to the Santa Monica College Trustees:

Last week, the "Los Angeles Business Journal" published an article describing the impact the lack of qualified auto technicians is having on our economy. Entitled "Industry Wrenched by Demand for Qualified Auto Mechanics" (May 24), the article describes how major auto manufactures such as BMW, Ford Motor Co. and Toyota Motor Corp. are partnering with community colleges to train auto technicians.

The Business Journal reported that the auto industry nationally will need 35,000 new technicians each year through 2010, according to the U.S. Bureau of Statistics.

What a shame Santa Monica College dismantled its successful automotive program last year and displaced dozens of students from their majors — all in the name of predicted budget cuts that never materialized.

What a crime the college administration — only months after claiming to be so impoverished it needed to permanently eliminate this program — liquidated the auto technology department's inventory by giving away over \$1 million worth of equipment.

For 50 years, SMC's automotive program trained young men and women who went on to work in auto shops in Santa Monica. Now it's gone.

I implore you to seek a partnership with one of these national auto makers to restore our college's automotive program. Our students deserve it, our community needs it, and our economy demands it.

Lantz Simpson
President, SMC Faculty Assn.

Guardians of the Constitution deserve praise

Editor:

Betty A. Darling's vitriolic letter (SMDP, June 5) calling the ACLU a "...parasitic, hate-mongering, ignorant, shortsighted organization" demonstrates clearly that she woefully lacks knowledge of all the fine works the ACLU does in protecting the mandates of our cherished Constitution.

The ACLU does not pass any laws. All it does is challenge authorities in court when it feels laws are being broken. That is the American way. Instead of being chastised, the ACLU should be honored for its diligence into seeing to it that our laws are obeyed.

As a World War II overseas veteran, I thank the ACLU for defending the Constitution that I and millions of others fought for.

Edmund J. Wiannecki
Venice

Bush push for defense: Boon or boondoggle?



INCITES

BY ED SILVERSTEIN

Authors note: Since I wrote this piece in February 2003 there have been several new developments. The Bush Administration, citing national security concerns, quashed a whistle-blower lawsuit by Nira Schwartz. Schwartz was the scientist who was hired to test the system and who contends that it is fatally flawed and will never work.

To avoid further criticism, the Administration has cloaked the project in secrecy obscuring its budget (over \$10 billion annually) eliminating oversight, (there have been numerous allegations of impropriety in awarding contracts) and hiding the system's effectiveness (inside sources claim that the Pentagon continues to rig the tests). Even in the unlikely event that this system is successful, according to the LA Times, Russia has already developed a missile that would defeat it.

With budget deficits approaching \$500 billion, it is more important than ever to spend this money on homeland security and our children's education rather than wasting it on political pork.

July 4, 2001. I was arguing with my brother-in-law, Donny. It was heated. It always was when it came to politics: he a Rush Limbaugh Republican, me a centrist Democrat. In a way, Ralph Nader was right, we were both the same. We both scared the kids.

We were arguing about missile defense. I felt it was a waste of money and a political payoff to big defense contractors, the money better spent employing out of work Russian scientists, securing our borders against terrorists bringing in a suitcase bomb or a biological agent. Donny thought it was needed to protect against rogue nations that might someday have long-range nuclear capabilities. I couldn't understand his thinking. He, of all people, should have understood the risks of terrorists having actually been in the World Trade Center tower when it was bombed in 1993.

In December, Bush announced that he intends to deploy a limited Missile Defense system by 2004. The cost for the initial research and deployment will be about \$9 billion a year and the cost for the fully implemented system is estimated at upwards of a quarter trillion dollars. That's if it works.

Many scientists and even some of the joint chief s of staff question whether the system can overcome the technical hurdles of "shooting down a bullet with a bullet." Only five of eight tests have been successful and those under conditions that are akin to expecting North Korea to call the Pentagon with time and coordinates

before launching a missile. When failures started to erode support for the system, Rumsfeld granted the agency overseeing the project unprecedented exclusions from normal weapons development oversight. He essentially eliminated all checks and balances and allowed them to proceed with a high degree of secrecy and nearly a blank check. But even Rumsfeld admits that the proposed system in 2004 will only offer "modest protection."

Actually, it offers great protection, but not against nuclear missiles. Maura Reynolds of the L.A. Times quotes James Lindsay, of the Brookings Institution, who suggests that the reason the administration wants to rush a questionable missile defense into operation in two years is because, once deployed, it will be very hard for a new administration to eliminate the system. Some critics believe Bush is rushing to deploy so that he can claim he fulfilled his campaign promise when he runs for re-election. Whatever the reason, the question remains whether this system is really needed at present. According to the Times, U.S. intelligence agencies concluded that in the next decade it was more likely the U.S. would be attacked by terrorists with biological, chemical or nuclear weapons than an intercontinental missile.

Despite recent threats from North Korea, it still seems obvious that a good portion of these missile defense funds could be more effectively spent to protect our ports, airways and borders, securing deadly chemicals at industry sites throughout the country, to improve intelligence both abroad and here at home and to employ out of work foreign scientists so they are not engaged by terrorists and rogue nations to develop weapons of mass destruction. While missile defense may have a place in the future, we should proceed cautiously, with reasonable expenditures and proper oversight. We need to ensure that this system works before we start dumping billions into what could easily turn into a bottomless pit.

But I have a more personal reason for being skeptical of this huge expense. On the morning of September 11, our phone rang. My wife and I turned on the television and watched the world change. Donny was in the second tower on the 89th floor. He managed to reach his wife on his cell phone and told her he wouldn't make it out this time. To tell the kids that he loved them. Donny was a nice, generous man and a great father. We had good times and I miss him.

I often think back to our argument and wonder, had the U.S. allocated just a small portion of those billions squandered on 'Star Wars' and other missile defense programs for more immediate threats, would Donny be alive today?

(Ed Silverstein is a freelance writer living in Santa Monica. Comments may be e-mailed to: incites@incites.net)

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.

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OPINION



GUEST COMMENTARY BY DIANNE L. DURANTE

“Harry Potter” series give us strength to face real enemies and adversity

With a long-term war in progress and threats of further terrorist attacks on American soil, is it mere escapism to go to movies such as Harry Potter? Not at all; such movies provide something just as essential to winning a war as weapons and soldiers.

Harry Potter lives in a world where hats and paintings speak, broomsticks fly and goblins run banks — but these are nonessential details. The essential element is the inspiring depiction of a boy's triumphant struggles. The series tells the story of an eleven-year-old orphan, despised by the relatives he lives with, who discovers he has a rare talent and works hard to develop it. In the course of his education he learns to think for himself, to be honest and to be self-confident. He finds friends who share his values and he earns the respect of his teachers. He battles the class bully as well as the most evil wizard on earth, and we rejoice when, with considerable effort and courage, Harry prevails.

What is the educational value of this? A child needs to learn concrete facts, of course, but that is not enough. In order to organize and utilize such facts, a child urgently needs as a framework a basic, abstract view of life — and he needs it in the form, not of an abstruse treatise, but of a concise, easily graspable presentation.

This is what literature provides. By means of the theme, plot and characterization — particularly as they involve the hero — every children's story implicitly addresses such broad questions as: Is the world fundamentally a benevolent or a malevolent place? Can one rely on one's own mind or not? Is life to be eagerly embraced or fearfully skirted? Can the good succeed or does evil ultimately win?

The Harry Potter series appeals to so many children (and, incidentally, adults) because the answers it gives to these questions are overwhelmingly positive. It shows a world in which happiness can be achieved, villains can be defeated, and the means of success can be learned. When my seven year old races around the dining room table swathed in an old bathrobe, with a broomstick made of a mini-blind wand and cardboard, she is not expressing an interest in witches or the supernatural. Rather, she is trying on the personality of an independent, courageous, intelligent individual who conquers evil. She is enthusiastically endorsing a positive philosophic perspective on herself and on the world.

It is a story's abstract meaning, not its physical setting, that influences the reader. The Wizard of Oz, for example, is set in a land inhabited by witches, munchkins and talking trees — but it really is about the determination of Dorothy and her friends to attain difficult goals. Little Lord Fauntleroy is not a manual for how to inherit an earldom, but a portrayal of a child whose honesty and integrity see him through adversity.

By contrast, consider the ghoulishly titled Say Cheese and Die! (from the popular Goosebumps series, by R. L. Stine). Here, a cursed camera causes death and destruction whenever it snaps a photo. The main character, who repeatedly capitulates to his friends' insistence that he use the camera, is cowardly, panic-stricken and ineffectual. The story ends on a foreboding note, as the hiding place of the indestructible camera is discovered by local bullies, who prepare to use the camera again.

This book is appalling not for its supernatural elements but for its sheer malevolence: the “hero” is powerless, innocuous-looking objects wreak devastation, evil is invincible. A child overexposed to the malevolent universe of Goosebumps — or “Beavis and Butthead,” or “South Park” — might well wonder why he should risk getting out of bed in the morning, nevermind why he should strive to master his schoolwork or to excel in sports.

What crucial need does the Harry Potter series fill? In a culture where fear and cynicism are too often dominant, it provides a reminder that life is good — that it is challenging and full of exciting possibilities. The books are, in short, fuel for a child's maturing mind. As vitamins and minerals are essential to a child's healthy physical development, so literature with this view of the world is essential to a child's healthy mental development.

So take your child to see the Harry Potter movie, or curl up and read the books. It's not mere escapism. Wars aren't won only by superior weapons or brute physical force, but by the belief that one can win and deserves to win.

(Dr. Dianne Durante is a senior writer for the Ayn Rand Institute in Irvine, Calif. The Institute (www.ayn-rand.org) promotes the philosophy of Ayn Rand, author of Atlas Shrugged and The Fountainhead.)

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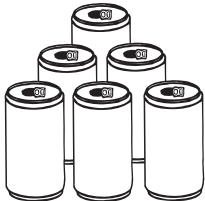
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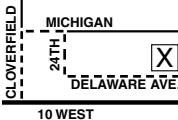
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LOCAL

Students express mixed reactions to Hearn's arrest

HEARN, from page 1

Hearn with the same birth date and the same physical characteristics was convicted of grand theft in Santa Monica 15 years ago.

District officials have put Hearn on "home assignment."

"Right now he has no duties, no job with the district at the moment," said John Deasy, superintendent of schools. "What is normally the case in personnel matters is there's no active employment until a resolution is made in the matter. So if he's

found innocent of the charges, the district will re-evaluate the case."

Students at Samohi had mixed reactions to Hearn's arrest. An article in the June 11 edition of The Samohi, the school newspaper, reported that while some of Hearn's athletes were shocked to hear of the alleged wrongdoing, others were not.

Said the article, "To summarize her reaction to Hearn's arrest, one girls varsity basketball player said, 'Why did everybody, when they heard on the radio that a Samo coach was arrested for statutory rape, did they automatically think, 'Mike Hearn?'"

Testimony in Peterson trial leads to a mistrial request

BY BRIAN SKOLOFF
Associated Press Writer

REDWOOD CITY — A crumpled throw rug, a wet mop, dirty towels. The items seemed out of place to police in the otherwise tidy household Laci Peterson kept.

But there was something else that struck one of the first officers at the scene: Scott Peterson's alibi.

Peterson told Modesto authorities he'd been fishing alone on San Francisco Bay, but couldn't say what he drove all that way on Christmas Eve morning to catch.

Modesto police added up the out-of-place items and Peterson's story and deemed the scene suspicious, a pair of officers testified at Peterson's capital murder trial Monday. A detective was soon called.

Their recollections dribbled out in a heated day of testimony that included a request for a mistrial, which the judge quickly denied.

Now in its third week, the case has entered the stage where lawyers joust over what the physical evidence may prove. The police investigation, prosecutors say, shows Peterson killed his wife — defense lawyers say authorities bungled it almost as soon as they responded to a report that Peterson had returned home to find his pregnant wife gone.

Two of the first officers to search the Petersons' house in the following hours said Scott Peterson became agitated after they questioned him.

Modesto police officer Derrick Letsinger said Peterson "threw his flashlight down on the ground," before mumbling a curse word.

Later, officer Matthew Spurlock testified, "I heard what sounded like a cuss word ... it came through what sounded like gritted teeth."

To this, defense attorney Mark Geragos loudly objected and the judge removed the jury from the courtroom.

Geragos said the claims did not appear in any police report and it was the first he heard them.

"It's all of a sudden fabricated," Geragos told Judge Alfred A. Delucchi, his voice pitched.

Under state law, he said, such revelations must be turned over to the defense prior to testimony.

"It's nothing but a cheap shot," Geragos replied angrily, "a never-ending series of cheap shots by this prosecution."

Prosecutor Rick Distaso tried to inter-

rupt, Geragos snapped back that he wanted to finish, and the judge admonished them to stop speaking over one another.

After asking that the testimony be stricken from the record, Geragos asked for a mistrial — a request greeted by an eruption of guffaws in the courtroom gallery.

"I don't need laughter from the audience," Geragos said, which he later referred to as the "peanut gallery."

Delucchi denied Geragos' mistrial motion and declined to strike the comments.

It was the angriest exchange yet in the double-murder trial of Peterson, who is charged with killing his wife in their home on or around Dec. 24, 2002. Police say he then dumped her body from his small boat into the San Francisco Bay on what he said was a solo fishing trip. His attorneys have asserted that someone else abducted Laci Peterson while she walked the dog.

The remains of Laci Peterson and her fetus washed ashore nearly four months later, just miles from where Peterson claims he fished. Peterson, 31, could face the death penalty or life without parole if convicted.

Geragos continued hammering the officers, pointing out discrepancies in their stories.

Prosecutors have speculated that Peterson cleaned his kitchen after killing his wife. Though Letsinger said Monday that he didn't smell bleach and didn't notice any signs of a recent cleaning, he did say that he became suspicious after seeing the crumpled rug, dirty towels on the washing machine and a wet mop behind an otherwise "model home."

Later, though, Spurlock said everything seemed in order.

"It appeared to be a normal house," he said.

In another inconsistency, Spurlock said he was one of three officers who first entered the home, while Letsinger testified just he and Spurlock were first inside.

Geragos has charged police with conducting a sloppy investigation that focused too quickly on Peterson.

Under fierce questioning from Geragos, Letsinger acknowledged that police did not test the home that night with Luminol — a chemical that can detect unseen traces of blood and body fluids.

Letsinger said a crime scene technician didn't have what he needed to do those tests.

Spurlock said that what made him suspicious was Peterson's story.

STATE



National parks fee hike pending in Congress

BY MALIA RULON

Associated Press Writer

WASHINGTON — Fees to hike, swim or camp at national forests or parks could become a permanent part of the summer recreation scene under legislation pending in Congress.

Visitors are charged fees now at some places, including the Grand Canyon in Arizona and Mount St. Helens National Volcanic Monument in Washington state, through a pilot program started in 1996. Supporters say the money goes to pay for such things as repaving access roads, replacing boat docks and other needed maintenance and improvements.

A bill pending in Congress would make those fees permanent and extend the option to charge for recreation on federal lands that now are free.

Rep. Ralph Regula, the Ohio Republican who created the pilot program, says maintenance, such as clearing debris from trails and updating plumbing systems, is postponed each year due to lack of funding. The maintenance backlog ranges from \$13 billion to \$16 billion, most of it for National Park Service and U.S. Forest Service needs.

"Most of these park fees are very minimal, and the people who are going there are not people who are from poverty row," Regula said. He said there would be discounts for seniors or school groups.

The pilot program has been renewed each year without opposition, suggesting Congress would authorize a permanent program. It's not clear, however, whether lawmakers would even consider the bill during an election year.

Opposition to the proposal centers on complaints that the program has done nothing to eliminate maintenance backlogs while it essentially transforms vast tracts of land that used to be freely accessible into paid preserves.

"Out West, you just walk up over a hill and you are in federal land. You can fish, hike, hunt. And suddenly, you have to pay a fee for that. I think people are having a hard time understanding that," said Aubrey C. King, director of the National Alliance of Gateway Communities, which represents residents who live near federal lands.

The Park Service and Forest Service, the Fish and Wildlife Service and Bureau of Land Management have collected about \$1 billion through the pilot program, paying for trail maintenance, replacing fire rings with grills, installing new picnic tables and updating exhibits.

Visitation has remained constant in the last decade at about 360 million people to recreation areas maintained by the Park Service, Fish and Wildlife and Bureau of Land Management, according to a 2003 report from the those agencies.

The fees could be \$5 a day or \$35 a year, depending on whether visitors pay per car as they enter the land or buy an annual pass. Visitors could not be charged to enter the park and again to participate in activities there.

Reports from the Government Accounting Office, which is Congress' investigative arm, say it's not clear whether the fee program has helped agencies catch up on their maintenance needs.

But Tom Thompson, deputy chief of the national forest system, told lawmakers at a recent hearing that the money has

been crucial in allowing the agency to make repairs, improve facilities and safety, and provide educational services.

Thompson said officers at Ohio's Wayne National Forest used money collected last year to remove fallen trees along 92 miles of trails after an ice storm. Forest spokesman Gary Miller said the project cost \$176,000 of the \$232,000 raised in fees.

"That ice storm put down thousands of acres of trees. There were piles of debris taller than your head," Miller said. "We couldn't have opened the trails in time for summer recreation without those funds."

Still, some outdoor enthusiasts bristle over the notion that they might have to pay twice for services once in fees, and also in taxes.

"It's anti-American," said Robert Funkhouser, director of the Norwood, Colorado-based Western Slope No-fee Coalition. "We own the land. We pay our taxes each year to maintain it."

Tom Cowher, who enjoys taking his two stepsons on off-road motorcycles down trails at the Wayne National Forest, said the program is good in theory but some kinks need to be fixed.

"The improvements haven't kept pace with the increased usage," Cowher said. "We haven't seen additional trail miles, which was one of the goals."

He also wants to make sure fee revenue can be treated as local matching funds when applying for federal grants. And he opposes the fact that off-road vehicle owners, who already must pay a separate fee to obtain a license to use their vehicles in Ohio, are charged usage fees at the forest while hikers are not.

Other park users agreed that some changes should be made to the program before it becomes permanent.

Roy Denner, president of the Off-Road Business Association based in Santee, Calif., said he's worried that officers at the Imperial Sand Dunes Recreation Area would use the fees for conservation programs and not maintenance or improvements that benefit visitors.

"It really makes sense for the people who pay the fees to have some say in how the fees are spent," he said.

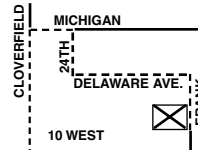
Others worry that the fees will eventually replace instead of supplement federal funding. Regula, who used to oversee funding for national lands, says the program is not designed to usurp regular appropriations.

Operating costs for the lands average about \$1.2 billion a year for each agency. The agencies' annual budgets range from \$1.3 billion for the Fish and Wildlife Service to \$4.5 billion for the Forest Service.

Under Regula's bill, 80 percent of the money from fees would have to be used at the park where it is collected. The pilot program also keeps the money at the collection point, and some users are starting to take notice, according to state tourism directors.

"From what we've seen and the comments that have come back, we're enthusiastic that the fees are providing a better experience for the visitors," said Carl Wilgus, director of tourism for the state of Idaho.

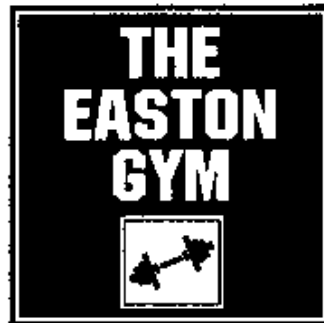
Idaho is one of 13 members of the Western States Tourism Policy Council, which supports the fee program. On the other hand, legislatures in California, Colorado, New Hampshire and Oregon and dozens of city councils in those states and Arizona and Utah have passed resolutions opposing the program.

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STATE

Father says pledge decision a blow to all parents

BY DAVID KRAVETS
Associated Press Writer

SAN FRANCISCO — The atheist father who challenged the constitutionality of the Pledge of Allegiance says the Supreme Court’s dismissal of the case represents “a blow for parental rights.”

But the decision was so narrowly crafted that its impact will be muted, legal experts said. Some scholars suggested the decision even bolstered parental rights by upholding a Sacramento County family court order granting the daughter’s mother absolute control of her upbringing.

The justices ruled Monday that because Michael Newdow did not have legal custody of his daughter, he had no standing to bring a lawsuit on her behalf challenging the words “under God” in the pledge.

Without addressing the merits of the case, the decision overturns a federal appeals court’s 2002 ruling that the pledge, with its 50-year-old reference to God, was an unconstitutional endorsement of religion when recited in public schools. The decision also overturned the appeals court that ruled Newdow could sue.

“When hard questions of domestic relations are sure to affect the outcome, the prudent course is for the federal court to stay its hand rather than reach out to resolve a weighty question of federal constitutional law,” Justice John Paul Stevens wrote for five justices in the majority.

It was an anticlimactic end to an emotional high court showdown over God in the public schools and in public life. It

“When hard questions of domestic relations are sure to affect the outcome, the prudent course is for the federal court to stay its hand rather than reach out to resolve a weighty question of federal constitutional law.”

Justice John Paul Stevens

also neutralizes what might have been a potent election-year political issue in which the Bush administration argued strongly that the reference to God should remain part of the pledge.

The outcome does not prevent a future court challenge over the same issue, however, and both defenders and opponents of the current wording predicted that fight will come quickly.

The mother, Sandra Banning, an Elk Grove Christian, wants her daughter to recite the pledge with the words “under God” and told the justices the girl, whose parents never married, does not object to it.

“The local court gave the decision-making authority to Ms. Banning. He tried to usurp that authority and do an end run around that with this constitutional claim,” said Douglas Kmiec, a Pepperdine University School of Law professor.

Richard Barry, president of the American Academy of Matrimonial Lawyers, said the decision left intact the

rights of parents.

“It seems to me it’s not going to make a big impact on parental rights,” Barry said.

Newdow, a Sacramento doctor and lawyer, is in a protracted custody fight with Banning.

When he sued to overturn the pledge in federal court, Newdow said his now 10-year-old daughter should not be exposed to God each school morning. The San Francisco-based 9th U.S. Circuit Court of Appeals agreed in a decision that prompted Congress to recite the pledge at the Capitol and drew outrage from Bush.

“She spends 10 days a month with me,” he said. “The suggestion that I don’t have sufficient custody is just incredible.”

When the appeals court decided the case, according to Sacramento County family court documents, the mother had “sole legal custody as to the rights and responsibilities to make decisions relating to the health, education and welfare” of the daughter, whom the court did not

name. A year later, the custody order was amended to give both parents “joint legal custody” but providing Banning the authority to make final decisions if the parents could not agree.

“The family court order was the controlling document at the time of the court of appeals’ standing decision,” Stevens wrote.

Newdow said the California family courts are unconstitutional and that a parent should not be stripped of his parental rights.

Chief Justice William H. Rehnquist agreed with the outcome, but still wrote separately to say that the pledge as recited by schoolchildren does not violate the Constitution. Justices Sandra Day O’Connor and Clarence Thomas agreed with him.

The First Amendment guarantees that government will not “establish” religion, wording that has come to mean a general ban on overt government sponsorship of religion in public schools and elsewhere.

The Bush administration had asked the high court to rule against Newdow, either on the legal question of his ability to sue or on the constitutional issue. The administration argued that the reference to God in the pledge is more about ceremony and history than about religion.

Congress adopted the pledge as a national patriotic tribute in 1942, at the height of World War II. Congress added the phrase “under God” more than a decade later, in 1954, when the Cold War was under way. Supporters of the new wording said it would set the United States apart from godless communism.



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STATE



Truckers fear decision to let Mexican trucks haul

BY RONALD D. WHITE
Associated Press

LOS ANGELES — If the job doesn't pay at least \$1 a mile, Rodger and Heather Hogeland won't take it.

The way their expenses add up, they have to gross that much to earn a decent profit, which by U.S. truck drivers' standards is 32 to 34 cents a mile. They raised five kids making that kind of money, hauling produce from Salinas, Calif., to Syracuse, N.Y., on a weekly transcontinental loop that since 1999 has put 1.2 million miles on their purple Kenworth W900L tractor-trailer rig.

A U.S. Supreme Court decision, the Hogelands fear, could mean the end of the road for them.

The court last week overturned a ruling that had prevented Mexican trucks and buses from delivering goods and passengers in this country.

Once the Department of Transportation sets up an inspection program to ensure that vehicles entering the United States meet federal safety standards, as many as 34,000 Mexican trucks could be in business north of the border trucks driven by men and women used to netting about 13 cents a mile.

"We have been praying that this wasn't going to happen," said Heather Hogeland, 47, a second-generation trucker whose father taught her how to drive big rigs when she was 20.

In Mexico, "the cost of living is so low that you can afford to earn pennies per mile and still feel like you are making money."

At the Flying J truck stop outside Temple, Ga., a few days after the decision came down, she and her husband considered the dinner menu and the nightmare of tens of thousands of new competitors, all of them willing to drive for less than the Hogelands can afford.

What they found particularly galling was President Bush's backing of the provision in the North American Free Trade Agreement that, with the high court having cleared the way, gives licensed Mexican truckers permission to transport international goods in the United States.

"We were big Bush supporters," Heather Hogeland said. "But on this, he has no clue."

For 22 years, Mexican trucks have been allowed to operate only in narrow commercial border zones, where goods are transferred to U.S. trucks for delivery around the nation.

The lifting of that moratorium is widely supported by businesses on both sides of the border and especially north of it, where the hope is that shipping costs will be substantially reduced.

There are plenty of people who see the end of the ban in a different light, including environmentalists. Mexican long-haul trucks are generally older than those licensed in the United States, with many built before the most recent round of anti-pollution standards for U.S. vehicles were set in 1993.

For members of the California Trucking Association

and others in the business, it's all about the fairness of competition. Stephanie R. Williams, senior vice president of the California group, said the effect on this border state would be the most severe, in part because of the proximity of the ports of Los Angeles and Long Beach to the Mexican border.

Mexican drivers could move international freight from the ports to anywhere in the United States, she said, taking hauling jobs from Americans by undercutting on price.

For the Hogelands, the worry is more than about their livelihood. Their Kenworth, powered by a 600 horsepower Caterpillar 3406e engine, is their hobby too, a show rig they've entered in many contests. It's painted a deep shade of purple, with stylized flames erupting from the engine cowl. In the cab, there is a full-size bed, a refrigerator, a microwave oven, a television set, a DVD player and a satellite radio. Rodger Hogeland described the cab as big enough "to fit a Ford Focus in there."

At night, on flat roads, the rig is visible for miles. "We've got about 300 lights on it," Heather said.

She said she and her husband, who met 20 years ago when they were instructors at a California truck-driving school, had found it increasingly difficult to eke out profit, particularly with the price of diesel fuel at a record high. With modified gearing and a turbo wing, their truck gets five miles per gallon, average for long-range rigs.

"It costs us about twice now what it used to for a drive from Salinas to Syracuse. Round trip, we used to spend about \$1,500 for fuel. Now, it's about that much one way. If we hadn't paid off the truck, I don't know what we would have done," she said.

The time they spend on the road would test the imaginations of even freeway-bound California commuters. This week, like every week, they crossed the country. The leg out, from Salinas to Syracuse, is the bread-and-butter route, a long-term contract to haul fresh produce.

On that leg, they can gross upward of \$1.25 a mile.

Most often, they tank up after they leave California, buying diesel where a gallon is 70 cents cheaper: Oklahoma City.

This week, after the drop-off in upstate New York, they headed south with paper products for Georgia.

In Montgomery, Ala., they picked up a load of frozen corn dogs to deliver to Turlock, Calif. In between were stops in Shreveport, La., for more fuel, then Dallas, where they bedded down for the night.

The marathon drives, round trips of as many as 6,300 miles, mean the Hogelands have very little time to spend in their mobile home in Fontana. A standing source of amusement is the mail they get from the dealership that sold them their 2003 Jeep Liberty, advising them that it's time to come in for servicing.

"We haven't been home enough to even break in the engine," Heather said. "It just sits there."

Both of their fathers were independent truckers. Rodger, 56, is a Vietnam veteran who gave up a career as

a sheriff's deputy in Jefferson County, Ala., for a life on the road with his wife. As for Heather, her story sounds like a country and western song. She gave up low-paying jobs, a cashier at a gas station, for example, and as a worker on a factory line that made plastic caps for aerosol cans, to drive trucks, starting out on short routes to Nevada and Arizona. She brought her son Kirk, now 26, along with her on the otherwise solo trips until he was old enough to begin school.

Last year, the Hogelands earned about \$40,000, after taxes and expenses. When the Mexican competition shows up, they figure they'll struggle to do that well.

"The only way we can make more money," Heather said, "is to just work harder."

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NATIONAL

Ueberroth appointed new chairman of USOC board

BY JON SANCHE

Associated Press Writer

DENVER — Former baseball commissioner Peter Ueberroth was appointed chairman of the U.S. Olympic Committee's board of directors Monday, two decades after leading the Los Angeles Games to a record profit.

Ueberroth, 66, will lead the 11-person volunteer board in setting USOC policy and overseeing its finances more than a year after the organization was the focus of a congressional investigation.

As chief organizer of the 1984 Los Angeles Olympics, Ueberroth helped the games turn a \$225 million profit. He served as commissioner of Major League Baseball from 1984-89.

Ueberroth's appointment and the new board are part of an overhaul put in place more than a year after ethics charges against the USOC's former chief executive, Lloyd Ward, prompted a congressional investigation. Ward later resigned, along with seven other leaders.

Ueberroth declined to offer a timeline for selecting a permanent CEO and had no comment on the doping scandal threatening some of the top U.S. track and field athletes planning to attend the Athens Games in August.

"We're not going to have all the solutions, all the answers, but we're going to be in a short-term, highly intensive learning mode," he said.

A restructuring plan was approved in October when the unwieldy 125-member USOC board voted itself out of existence and

dissolved the volunteer executive committee.

The new board includes four independent members, three American International Olympic Committee members and four others nominated by athletes and sports organizations.

Sen. Ben Nighthorse Campbell, a 1964 Olympian in judo who was a leader in the push for reform, said he had absolute confidence in Ueberroth and the USOC's new governing structure.

"One of my big concerns in all this discussion we've had in Congress is the Olympic Committee had gotten off track and some in the upper echelon had developed a culture of privilege at the expense of the athletes," said Campbell, R-Colo. "I don't worry about that all with Peter at the helm."

Campbell said USOC reform legislation would likely be withdrawn.

"If they're doing it voluntarily, I don't see any reason why we need to do it legislatively," he said.

Ueberroth is no stranger to troubles in the Olympic movement. He served on a task force that guided the rebuilding of the International Olympic Committee after six members were expelled and four resigned in scandal surrounding Salt Lake City's successful bid for the 2002 Games.

Ueberroth, who is chairman of the California-based Contrarian Group Inc. investment company, was a candidate for governor of California last year, but withdrew after a month.

After a slew of top USOC leaders including Ward and president Marty Mankamyer resigned in spring 2003, former Olympic wrestler Jim Scherr was

named the fifth CEO since 2000 and the 12th since the USOC was formed in 1978. University of Michigan athletic director Bill Martin was appointed the third president in less than a year.

Both positions are temporary until after the Athens Games. Scherr is considered a candidate for the permanent job.

"We're not going to be changing directions in any meaningful way," Ueberroth said.

Asked about the doping scandal, Scherr said the USOC will protect ath-

letes' rights throughout the investigation.

"We have an obligation to the rest of the world and to this country to field a clean team in these Olympic Games and in every Olympic Games," he said. "We intend to and will make all efforts possible to send a clean team to the Games."

Ueberroth also said the USOC will support New York City's bid to host the 2012 Games.

"That's something we believe in and we'll do our best," he said.

Gov. asks energy industry for help in fighting lawsuits

By The Associated Press

COLORADO SPRINGS, Colo. — A Justice Department official asked the energy industry for help in battling a record number of lawsuits, most of them environmental challenges of oil and gas drilling on public land.

About 7,100 cases are being litigated by the department's Environment and Natural Resources Division, said Thomas Sansonetti, an assistant attorney general of the Justice Department. More than two-thirds of the cases originated west of the Mississippi River, most of them in the Rockies.

"When these lawsuits come up, when they sue the federal agencies like EPA or BLM, intervene if possible," Sansonetti told executives at the Independent Petroleum Association of America conference Monday. "The fact is, we need help. Sometimes, two or three of our attorneys are matched up against entire law firms."

The department handled 3,200 cases during the Reagan administration and was litigating 4,500 in 1992 at the beginning of the Clinton administration.

Sansonetti said his agency employs 650 people, of which 417 are attorneys. Sansonetti said the Justice Department is a defendant in 55 percent of the lawsuits.

"The lawsuits make it harder to devel-

op oil and gas in public lands," he said.

Mark Sexton, chief executive of the Denver-based gas company Evergreen Resources Inc., said the threat of litigation dissuaded him from drilling on public land. His company has focused on developing private and state property.

"The cost of attack is much less than the cost of defense; also, there is no penalty on baseless attacks," said Sexton, whose company recently agreed to a \$2.1 billion buyout by Dallas-based Pioneer Natural Resources Co. "It's an abuse of the system; they use fuzzy science to attack the industry. And it costs the industry time and money to defend itself."

Suzanne Jones, regional director of The Wilderness Society's Denver office, said the Bush administration has targeted proposed wilderness areas, wildlife habitat and national monuments for development, leading to more lawsuits.

Pete Morton, a Wilderness Society economist, said the increase in lawsuits parallels the jump in drilling permits over the past two decades.

"To say that increasing appeals and litigation are hindering the Department of Justice from going after the bad guys is absolutely ludicrous," Morton said. "This administration has done more to undermine environmental protections than any other administration in recent history."

REFLECTIONS

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Summer Guide

2004

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NATIONAL



HBO show proves to be a windfall for Deadwood

BY JOE KAFKA

Associated Press Writer

DEADWOOD, S.D. — The wild and woolly days of Deadwood's golden past not only come to life in the HBO series named for the place, but have kindled intense interest in this historic town that once was home to Wild Bill Hickok and other colorful characters.

"Deadwood," which just completed its first 12 episodes on HBO but is due back for a second season, drew a huge nationwide following since its March 21 debut. The show also is luring more people to Deadwood and may create an economic bonanza in the Black Hills as the summer tourist season begins.

"I think it's really going to put Deadwood on the map," said Tom Rensch, general manager of the Silverado, which bills itself as Deadwood's largest casino.

Much of the research for the show, which focuses on the tawdry atmosphere of a hastily built mining camp in 1876, was done at the local Adams Museum. Mary Kopco, museum director, said its Web site typically gets about 30,000 visits a month but had 6 million hits in April.

The show depicts Deadwood shortly after gold was discovered in the Black Hills. For two years, the mining camp was nearly lawless.

HBO's "Deadwood" has fascinated people with its mix of fictional and factual events from that era, Kopco said.

"It's really turned people on to history in a way that I haven't seen for a long time,"

she said. "It's amazing how HBO has captured the essence of old Deadwood."

The state tourism office has been flooded in recent weeks with inquiries about Deadwood, said Nicole Nordbye, the agency's communications coordinator.

"Internet traffic that's being generated by that show to any Web site regarding tourism in South Dakota is just phenomenal," she said.

"We're also getting many calls from people who are interested in the history of Deadwood and plan to go there," she said. "The show is piquing their interest, and as they start looking into the community they're finding it's full of rich lore and history."

Viewers are not only visiting Deadwood on the Internet, but they are also coming in increasing numbers, confirmed George Milos, executive director of the Deadwood Chamber of Commerce and Visitors Bureau.

"It's amazing how many people did not know that Deadwood even existed," he said. "Many of those who contact us want to know if Deadwood is a real place."

The business community hopes to benefit from HBO's showcasing of the town's rich history, Milos said.

As a mining town, modern Deadwood's fortunes had been on a decades-long slide until South Dakota voters legalized gambling here and casinos opened their doors Nov. 1, 1989. Larry Eliason, state Gaming Commission director, said about \$7.5 billion has been bet in Deadwood since gambling began.

About \$150 million in gambling rev-

enues have been used for restoration and preservation of Deadwood, ranking it as the largest such project ever undertaken in the United States.

This town of nearly 1,400 people has about 80 casinos, but competition elsewhere has increased in the last decade as legalized gambling spread across the nation.

The legendary Homestake Mine that supported the area economy closed in December 2001, ending 125 years of nearly continuous operations. Only limited gold mining remains, and tourism has become the economic underpinning of the Black Hills.

Deadwood's unique history, which includes such flamboyant characters as Hickok and Calamity Jane, has long lured people who are interested in learning about the town's past, Milos said.

The entire city of Deadwood was designated as a National Historic Landmark in 1961.

Popular with many tourists is the short jaunt up a mountain on one side of town to the local cemetery, where the gunslinger Hickok and Calamity Jane (whose real name was Martha Canary) are buried near each other.

The HBO series is scheduled to run for at least one more season, and its tourism spinoff will increasingly draw more people to Deadwood, Milos predicted.

"We realize that gaming is no longer unique, and we want people to know that when they come to Deadwood they can see the Black Hills, Mount Rushmore, Crazy Horse Memorial and the Badlands," Milos said.

The series is one reason Esmeralda and Scott Weber of Houston, Texas, were in Deadwood recently. They are big fans of the show.

"We were coming to the Black Hills anyway, but seeing the series made it more interesting for us," Scott said as the couple had lunch near the spot where Hickok was murdered during a poker game on Aug. 2, 1876.

"We love the show," Esmeralda added. "But the language did put us off a bit at first."

Actors in "Deadwood" cuss up a blue streak in every episode, and it's rare for many scenes to go by without someone being killed in its saloons and brothels.

Historical records indicate that prostitution in Deadwood sprang up in 1876 and operated almost continuously until finally shut down by authorities in 1980.

Many of the characters in the HBO show are based on identifiable people who lived in Deadwood during the gold rush and others are fictional.

Kopco said David Milch, who created the show, did extensive research about two years ago at the Deadwood library and Adams Museum. Many of the events portrayed in the series are based on various historical accounts, she said.

"They really did their homework," Kopco said.

The show's rough language has turned off a lot of older viewers, said Bill Walsh, owner of the Historic Franklin Hotel. He often asks his guests about the show and has found that it is most popular with those aged 24 to 48.

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Real Estate

Probate properties and the problems they pose



DAYS ON THE MARKET

BY JODI SUMMERS

‘Probate’ is a popular word among people who read about investing in real estate (The other big word is ‘foreclosure’). Probate is the process of proving that the last will and testament of the deceased is genuine, and then following the wishes outlined in that document. Sounds simple, but according to a Ralph Nader study of the probate industry, it takes around three years to probate an estate. Currently, more than 3 million estates are involved in probate proceedings in U.S. courts. Most include one or more properties.

“The downside of probates is the delay. Everybody wants their money as quickly as possible,” observes Probate Attorney John Hilbert. “Few times do the heirs ask, where is decedent buried and to whom can I send flowers?”

When such assets as a house, stocks and bonds, a car, bank accounts and other per-

sonal property go through probate, creditors are given a set time to file unpaid claims against the deceased. Valid claims, such as taxes, mortgages and bills are paid from estate assets. If there are insufficient liquid assets to pay the debts, the deceased’s assets must be sold to raise cash.

There are several steps to tracking probate properties.

“Follow the obituaries, know your community,” advises Attorney Hilbert.

Check the local obituary notices. If you have the name of the deceased, you can research local property records to learn if they owned real estate that appeals to you.

When you find a property that’s of interest, wait until several weeks after the death, and then write an appropriate letter to the nearest relative of the deceased to inquire if the real estate will be available for sale. Follow up with a phone call and subsequent letters. Remember, it takes time.

“We’re very aggressive with it, we don’t get paid until they close the estate,” notes Attorney Hilbert. “We never let the real estate lag, and we’re very lucky if we can get it done within a year.”

Another method is to peruse the legal

notices. By law, announcements are published in local papers stating the estate can be probated, creditors paid and assets distributed to the heirs or to the state. Covet this information. Contact the estate executor, administrator or attorney and inquire if property will be sold by the estate or by the heirs. You can also visit the county clerk’s office to review the probate file and estate assets.

“When you find a property that’s of interest, call the probate attorney or the administrator of the estate,” informs Attorney Hilbert.

There are four key opportunities to make profitable purchases:

1. Buy from the estate executor or administrator.
2. Purchase the property from the estate heirs after they receive title to the probate property.
3. Bid at the public judicial sale of the property.
4. Buy at a public auction.

“When you want to buy property, you go to the administrator,” advises Attorney Hilbert. “Even if it is a private sale, it will be open to court approval and it will be

open to bid at the courthouse. If anybody objects, they’ll start the bid process.”

Know the market value of the probate property you wish to buy. Be aware of recent sales prices of similar properties in the neighborhood. Be sure your probate purchase offer and all other agreements are put in writing. Oral agreements are unenforceable in real estate transactions.

“All probate properties are appraised so that there is no sweetheart deal,” explains Attorney Hilbert. “The heirs are protected and the creditors of the decedent are protected.”

Be aware that most properties are sold as is, which means the estate makes no warranties and will not pay for any repairs.

“With the probate process, you’re concerned with getting the aggregate value of the belongings or the property and the bank accounts so it all goes into one kitty and the process is to make the kitty as big as possible,” concludes Hilbert. “If it were easy, everybody would be buying such properties.”

(For your real estate needs, e-mail Jodi Summers at jodis@boardwalkrealty.com, or call (310) 309-4219.)

SANTA MONICA RESIDENTIAL REAL ESTATE TRANSACTIONS

Sold Date Sold 06/10/2004 Sold Date Sold 06/10/2004 Sold Date Sold 06/10/2004 Sold Date Sold 06/10/2004 Sold Date Sold 06/07/2004 Sold Date Sold 06/09/2004 Sold Date Sold 06/10/2004 Sold Date Sold 06/10/2004	710 24TH ST SANTA MONICA 90402 SqFt: 5,940 Lot Size: 8,700 2511 BEVERLY AVE SANTA MONICA 90405 SqFt: N/A Lot Size: 16,000 1035 CENTINELA AVE SANTA MONICA 90403 SqFt: 2,470 Lot Size: 7,500 3035 PAULA DR SANTA MONICA 90405 SqFt: 1,443 Lot Size: 5,300 621 26TH ST SANTA MONICA 90402 SqFt: N/A Lot Size: 9,900 1100 OCEAN PARK BL SANTA MONICA 90405 SqFt: 1,362 Lot Size: 5,000 1433 24TH ST SANTA MONICA 90404 SqFt: 1,108 Lot Size: 5,532	Santa Monica 90402 List Price: \$2,995,000 Bed: 6 Sold Price: \$2,861,000 Bath: 5 Santa Monica 90405 List Price: \$2,250,000 Bed: 5 Sold Price: \$2,100,000 Bath: 5 Santa Monica 90403 List Price: \$1,495,000 Bed: 3 Sold Price: \$1,505,000 Bath: 2.75 Santa Monica 90405 List Price: \$825,000 Bed: 3 Sold Price: \$880,000 Bath: 1.75 Santa Monica 90402 List Price: \$1,695,000 Bed: 3 Sold Price: \$1,695,000 Bath: 3 Santa Monica 90405 List Price: \$729,000 Bed: 3 Sold Price: \$729,000 Bath: 1.5 Santa Monica 90404 List Price: \$750,000 Bed: 3 Sold Price: \$765,000 Bath: 1.75	Sold Date Sold 06/10/2004 Sold Date Sold 06/07/2004 Sold Date Sold 06/07/2004 Sold Date Sold 06/10/2004 Sold Date Sold 06/09/2004 Sold Date Sold 06/08/2004 Sold Date Sold 06/07/2004	833 17TH ST #5 SANTA MONICA 90403 SqFt: N/A HOD: \$375 401 CALIFORNIA AVE #2 SANTA MONICA 90403 SqFt: 2,022 HOD: \$535 150 OCEAN PARK BL #327 SANTA MONICA 90405 SqFt: N/A HOD: \$615 852 21ST ST #B SANTA MONICA 90403 SqFt: 1,116 HOD: \$224 2307 32ND ST #1 SANTA MONICA 90405 SqFt: 1,628 HOD: \$0 1811 OAK ST #A SANTA MONICA 90405 SqFt: 1,345 HOD: \$150 937 5TH ST #7 SANTA MONICA 90403 SqFt: 1,079 HOD: \$225	Santa Monica 90403 List Price: \$1,349,000 Bed: 3 Sold Price: \$1,322,000 Bath: 2.5 Santa Monica 90403 List Price: \$1,275,000 Bed: 3 Sold Price: \$1,325,000 Bath: 2.75 Santa Monica 90405 List Price: \$1,175,000 Bed: 2 Sold Price: \$1,150,000 Bath: 2 Santa Monica 90403 List Price: \$545,000 Bed: 2 Sold Price: \$602,000 Bath: 1.75 Santa Monica 90405 List Price: \$696,000 Bed: 2 Sold Price: \$700,000 Bath: 3 Santa Monica 90405 List Price: \$699,000 Bed: 2 Sold Price: \$730,000 Bath: 2.5 Santa Monica 90403 List Price: \$589,000 Bed: 3 Sold Price: \$664,000 Bath: 1.75	Sold Date Sold 06/08/2004 Sold Date Sold 06/08/2004 Sold Date Sold 06/09/2004 Sold Date Sold 06/10/2004 Sold Date Sold 06/10/2004 Sold Date Sold 06/08/2004 Sold Date Sold 06/07/2004 Sold Date Sold 06/10/2004	937 12TH ST #208 SANTA MONICA 90403 SqFt: 805 HOD: \$325 1255 10TH ST #203 SANTA MONICA 90401 SqFt: 972 HOD: \$262 2621 CENTINELA AVE #10 SANTA MONICA 90405 SqFt: 634 HOD: \$206 723 PALISADES BEACH RD #108 SANTA MONICA 90402 SqFt: 1,404 HOD: \$450 2445 28TH ST #E SANTA MONICA 90405 SqFt: 1,901 HOD: \$300 2718 ARIZONA AVE #2 SANTA MONICA 90404 SqFt: 1,295 HOD: \$200 515 OCEAN AVE #307S SANTA MONICA 90402 SqFt: 1,900 HOD: \$934	Santa Monica 90403 List Price: \$389,900 Bed: 1 Sold Price: \$440,000 Bath: 1 Santa Monica 90401 List Price: \$395,000 Bed: 1 Sold Price: \$420,000 Bath: 1 Santa Monica 90405 List Price: \$289,000 Bed: 1 Sold Price: \$314,500 Bath: 1 Santa Monica 90402 List Price: \$699,000 Bed: 2 Sold Price: \$817,000 Bath: 2 Santa Monica 90405 List Price: \$675,000 Bed: 2 Sold Price: \$670,000 Bath: 2.5 Santa Monica 90404 List Price: \$569,000 Bed: 2 Sold Price: \$565,000 Bath: 3.00 Santa Monica 90402 List Price: \$1,350,000 Bed: 2 Sold Price: \$1,200,000 Bath: 2.50
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NATIONAL



Environmentalists under fire for suspect blaze

ALEXANDRIA SAGE

Associated Press Writer

WEST JORDAN, Utah — Investigators dug Tuesday through the charred remains of a lumber yard fire to determine whether ecoterrorism was to blame for the arson that caused \$1.5 million in damage.

About a dozen investigators from the FBI, the Bureau of Alcohol, Tobacco, Firearms and Explosives, the West Jordan Fire Department and other agencies combed through the rubble of a storage building at Stock Building Supply to identify the cause of Monday's fire.

Officials would not comment on any evidence found but said they were not ruling out the possibility of ecoterrorism since the initials "ELF" were spraypainted in green on an adjacent building and truck. The initials stand for Earth Liberation Front, a loose association of militant environmentalists that the FBI says has caused more than \$100 million in damage since 1996.

A fax sent Monday afternoon to Salt Lake City radio station KSL, with the letters "E.L.F." at the top, claimed responsibility for the fire and threatened other targets in the Salt Lake area. The fax said the company had ignored warnings to repair its forklifts, which the fax said "put out far more pollutants than average diesel engines."

The document's authenticity could not be verified by The Associated Press, and an e-mail earlier Tuesday to the ELF seeking comment was not answered. Other attempts to reach the group's representatives were unsuccessful.

An ATF official said investigators learned of the fax through the media, but would not comment further. A message left with a manager at Stock Building Supply seeking comment about the group's claim was not immediately returned.

The FBI has not named ELF as a suspect but "this is a typical type of modus operandi for them," said Ray Mey, the agency's Joint Terrorism Task Force supervisor in Salt Lake City.

Monday's early-morning fire, which drew about 45 firefighters, followed a national warning last week from the FBI that the ELF was planning possible acts of ecoterrorism in several cities.

The FBI has not named ELF as a suspect but "this is a typical type of modus operandi for them," said Ray Mey, the agency's Joint Terrorism Task Force supervisor in Salt Lake City.

The initials are "not an indication it is a form of ecoterrorism, although we do acknowledge that group has used that tagging in the past," said Tom Mangan, a spokesman for the ATF in Phoenix.

The group's sister organization, the Animal Liberation Front, is the FBI's No. 1 domestic terrorism concern, Mey said. The two groups have been tied to vandalism and arson across the West, especially in California and Oregon, at sport utility vehicle dealerships, construction sites, fur farms and laboratories. The costliest incident to date involved a fire at a San Diego apartment complex under construction that caused \$50 million in damage.

The ELF has targeted lumber yards in the past, claim-

ing they contribute to ecological destruction and sprawl.

"The West is no stranger to ecoterrorism attacks. Construction companies, construction sites, lumber yards would certainly fall into the purview of these groups' actions," Mangan said.

Last week, the FBI warned 18,000 law enforcement agencies across the country that the ELF was planning a "day of action and solidarity" last weekend, involving protests and possible acts of ecoterrorism, in support of a jailed arsonist. Nine cities were listed as possible attack sites on building contractors, auto dealerships and timber exporters. Salt Lake City was not listed and there was no indication it would be targeted, Mey said.

In Utah, there have been a number of property damage incidents within the past five years involving ELF graffiti or similar activist markings, Mey said. Many are committed by juveniles or college students who are loosely organized through the Internet and may or may not be affiliated with ELF, he said.



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NATIONAL

Modern day Bonnie & Clyde face up to 80 years

BY JACQUES BILLEAUD

Associated Press Writer

PHOENIX — A man accused of teaming up with his girlfriend to rob banks across the West pleaded guilty Tuesday to heists in Oregon, Colorado and Arizona.

Craig Pritchert was aided by his girlfriend in two of the three bank robberies that he admitted.

Pritchert and Nova Guthrie drew comparisons to Bonnie Parker and Clyde Barrow for allegations that they robbed a half-dozen banks in the West from 1997 to 1999.

Authorities said Pritchert and Guthrie used the money to travel the world. They were caught in August in South Africa, where they had lived since 2000 under the assumed names of Dane and Andy Brown.

Asked in court Tuesday if he committed the robberies he pleaded guilty to, Pritchert said, "Yes, your honor, I did."

He could face up to 80 years in prison and \$1 million in fines, but attorneys agreed his sentence would range between 20 and 22 1/2 years when he is sentenced Aug. 23.

Under the plea deal, Pritchert would be protected from prosecutions in other bank robberies, according to court records.

Guthrie pleaded guilty last month to three robberies and had agreed to testify against Pritchert.

They both pleaded guilty to bank robberies in Bend, Ore., and Durango, Colo. They got away with \$120,000 in the 1999 robbery in Oregon. The 1997 holdup in Colorado brought in \$64,000.

Pritchert, 43, admitted acting alone in sticking up a Scottsdale bank in 1997. He left the bank with \$32,000.

As for money that the duo stole from banks, prosecutor Michael Kemp said: "Evidently, they spent it."

Patricia Gitre, Pritchert's attorney, said she believes the plea deal was fair, declining further comment.

During their robberies together, the couple split duties. A disguised Pritchert carried a handgun into banks, restrained employees with duct tape and plastic ties, and walked out with bags of money. Guthrie drove the getaway car, authorities said.

Guthrie, 30, is awaiting sentencing for the robberies in Oregon and Colorado and another in Aztec, N.M.

While she faces up to 20 years in prison and three years of probation, sentencing guidelines call for a punishment between nine years and slightly more than 11 years.

Pritchert, a former Arizona State University baseball player, had served five years in federal prison for robbing a Nevada bank in 1990. He was released from prison in June 1996.

"I have been advised by federal probation officers that, during his incarceration, Pritchert told a prison psychiatrist that he would not willingly return to prison alive," FBI agent Debra Findlay wrote in court records last year.

After the solo robbery in Scottsdale, Pritchert tried to create a diversion by torching a car and then made off in another vehicle. The burned car belonged to Pritchert's father, authorities said.

A bank employee managed to hide a tracking device in the stolen money, allowing police to find the car in a parking garage near a shopping mall. Although police were unable to capture him at the time, Pritchert left his wallet and identification inside the car, authorities said.

Authorities say he fled to New Mexico, where he met Guthrie.

Greenpeace opens summer old growth campaign

BY JEFF BARNARD

Associated Press Writer

GRANTS PASS, Ore. — Greenpeace opened its summer campaign to protect old growth forests in southern Oregon on Tuesday by blocking a logging road with a solar-powered steel shipping container where protesters locked inside with laptop computers could post weblogs.

Greenpeace spokeswoman Celia Alario said loggers trying to get to the 236-acre Soukow timber sale on the Bureau of Land Management's Medford District five miles west of the small town of Glendale were turned away by the roadblock.

Painted yellow and emblazoned with the word Greenpeace, the shipping container measures 20 feet long, 8 feet wide and 9 feet high and weighs 3 tons, Alario said. Two protesters were locked inside and one outside. Those inside transmitted photos of the roadblock via satellite that were posted to the Greenpeace website.

"These beautiful old trees are our national treasures and the lungs of the planet," Bill Richardson, Greenpeace campaigns director, said in a statement. "But instead of protecting the last remaining forests, the Bush administration is attempting to destroy them."

"If Bush continues to ignore the public's

wishes to keep their forests healthy, it will be up to the American people to rescue our public forest from this imminent danger."

Swanson Group, which has a sawmill and plywood mill in Glendale, has been logging the Soukow timber sale, but could not immediately say whether loggers had been turned away by the roadblock, said Don Hardwick, the company's south region timber manager.

BLM Glendale Resource Area acting manager Joan Resnick did not immediately return telephone calls for comment.

Greenpeace, an international environmental group that has called for an end to all logging on public lands, established an

encampment last month outside Glendale that it calls a Forest Rescue Station, serving as a base of operations for public education and protests against old growth logging on BLM's Medford District and salvage logging on the 2002 Biscuit fire.

Last February a federal judge ruled against environmentalists trying to stop old growth logging in the same area. The judge ruled that logging could go forward within habitat for the northern spotted owl, a threatened species. The area in question is also designated for logging by the Northwest Forest Plan, the federal blueprint for balancing logging against fish and wildlife habitat in the region.



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INTERNATIONAL



Iraq hopes to file charges against Saddam Hussein

BY ROBERT H. REID

Associated Press Writer

BAGHDAD, Iraq — Iraqi authorities hope to file criminal charges against Saddam Hussein and others in the former regime before the June 30 transfer of sovereignty to the new government, a senior official said Tuesday.

President Bush also said the United States would turn Saddam over but declined to set a timetable, saying “appropriate security” must first be in place.

Neither the United States nor the new Iraq government wants there “to be lax security and for Saddam Hussein to not stand trial,” Bush said in a Rose Garden news conference with Afghan President Hamid Karzai.

Gunmen opened fire on a three-vehicle convoy of contractors working for the U.S.-led coalition, killing some of them, a U.S. military spokesman said. It was the second deadly attack on a convoy in as many days.

Insurgents also attacked two oil pipelines in southern Iraq, cutting exports from the south by half, officials said.

Interim Prime Minister Iyad Allawi said Saddam and other detainees would be transferred to Iraqi authorities in the next two weeks. Allawi said Saddam would stand trial “as soon as possible” but gave no specifics on timing.

“I suspect that there will be an arrest warrant filed not only against Saddam but also against the other high-ranking officials before June 30,” said Salem Chalabi, the official in charge of setting up a tribunal to charge members of the ousted regime.

“We have been working quite hard in the last few days on that, believe me,” Chalabi said.

Chalabi said that he believes Iraqi authorities will have premises for holding Saddam if and when he is handed over by the Americans, who have been holding the former dictator at an undisclosed location

in Iraq since he was arrested in December.

Saddam’s status has been under discussion as the U.S.-led occupation’s end approaches.

The International Committee of the Red Cross has indicated that under international law, Saddam must be charged or released after the formal end of the occupation since he was detained as a prisoner of war.

Interim President Ghazi al-Yawer said President Bush was eager to hand over Saddam, but Iraq must have adequate security guarantees in place before taking custody.

“Even President Bush himself was asking me,” al-Yawer said after returning from the G-8 summit in Sea Island, Ga. “The United States is very keen to hand over the ex-president to the Iraqi authorities.”

Al-Yawer cautioned there must be adequate security for Saddam.

“We must first make sure that we can maintain protection for his life until he goes to trial,” al-Yawer said. “We must make sure that the trial goes as a legal process, he has his own fair chance of defense and the government has its own chance.”

Coalition spokesman Dan Senor said the United States wanted Saddam tried by an Iraqi court and that talks were under way to determine how and when.

“I wouldn’t call them negotiations,” Senor said. “I would call them discussions. Both sides have an interest in handing over Saddam Hussein to the Iraqis. The only matter is when is the appropriate time. That is something we are discussing with the prime minister right now.”

White House press secretary Scott McClellan also said the United States is discussing Saddam’s transfer with the interim government.

“We have previously made it clear that he will be turned over to face justice from the Iraqi people at the appropriate time. That’s still the case,” he said.

U.S. officials have said they plan to continue to hold up to 5,000 prisoners deemed a threat to the coalition even after

the restoration of Iraqi sovereignty at the end of this month. They say as many as 1,400 detainees will either be released or transferred to Iraqi authorities.

The 6-month-old Iraqi Special Tribunal which Chalabi is organizing has struggled to put appropriate security safeguards in place.

War crimes experts have cautioned that as long as violence prevails in Iraq, the trial of Saddam and at least 100 others suspected of committing atrocities against the Iraqi people should wait.

Judges have refused to work for the tribunal after five potential candidates were killed since Saddam was toppled from power last year. Tens of millions of dollars have been spent on security alone.

Al-Yawer said that his government’s top priority would be regaining security in Iraq and rehabilitating Iraqi security institutions.

“But things do not happen overnight,” he said. “Of course, the increase in political assassinations and bombings target the Iraqi people. The victims of this assassinations are all qualified Iraqis, with no political leanings.”

He said he believed Iraq was moving toward democracy, and that it was unacceptable to declare a state of emergency.

In Tuesday’s ambush of the convoy of contractors, gunmen opened fire from a highway overpass west of Baghdad, disabling two of the vehicles and killing an unknown number of people, said U.S. Brig. Gen. Mark Kimmitt.

A third vehicle made it safely to a coalition base, Kimmitt said.

He did not say who the contractors were working for or give their nationalities.

On Monday, a car bomb destroyed a convoy of Westerners in Baghdad, killing at least 13 people, including three General Electric workers and two bodyguards. The blast was the second vehicle bombing in Baghdad in as many days.

The dead included three employees of Granite Services Inc., a wholly owned, Tampa, Fla.-based subsidiary of General

Electric Co., and two security contractors employed by Olive Security of London. The Westerners included one American, two Britons, one Frenchman and one victim of undetermined nationality, officials said.

U.S. officials said 62 people were injured, including 10 foreign contractors. The foreign victims were helping to rebuild power plants, Allawi said.

In southern Iraq, explosions ripped through two pipelines Tuesday in attacks blamed on Saddam loyalists and al-Qaida, the Iraqi South Oil Co. said.

Firefighters were able to control the fire that broke out on pipelines in the Hamdan area just north of Faw, but the damage was so extensive that pumping had to be halted, said South Oil official Samir Jassim.

He said the blasts cut exports from the south by one half. The two pipelines export crude oil from a pumping station to a crude oil depot in Faw, 40 miles south-east of Basra.

Also Tuesday, dozens of angry Shiites gathered in Baghdad’s Firdous Square for the funeral of six Iraqi Shiite truck drivers whose bodies were found the day before in Ramadi. Mourners said the men were butchered by Sunni extremists in Fallujah after police handed them over to insurgents.

During the funeral service, mourners said the drivers were hired by Iraqi contractors to take tents to the Fallujah brigade, organized last month to assume security from U.S. Marines in the rebellious city west of Baghdad.

The drivers were stopped June 5 on their way back to Baghdad by armed men. Some drivers escaped and made their way to a police station, where officers handed them over to a Muslim preacher, who refused to let them go because they were Shiites, mourners said.

There was no explanation why the Fallujah police handed over the men to an extremist cleric rather than provide them protection.



WORLD BRIEFLY

Atheist dad challenges the Pledge

By The Associated Press

SAN FRANCISCO — The atheist father who challenged the constitutionality of the Pledge of Allegiance says the Supreme Court’s dismissal of the case represents “a blow for parental rights.”

But the decision was so narrowly crafted that its impact will be muted, legal experts said. Some scholars suggested the decision even bolstered parental rights by upholding a Sacramento County family court order granting the daughter’s mother absolute control of her upbringing.

The justices ruled Monday that because Michael Newdow did not have legal custody of his daughter, he had no standing to bring a lawsuit on her behalf challenging the words “under God” in the pledge.

Without addressing the merits of the case, the decision overturns a federal appeals court’s 2002 ruling that the pledge, with its 50-year-old reference to God, was an unconstitutional endorsement of religion when recited in public schools.

The outcome does not prevent a future court challenge over the same issue, however, and both defenders and opponents of the current wording predicted that fight will come quickly.

Newdow said the California family courts are uncon-

stitutional and that a parent should not be stripped of his parental rights.

Iran produces peaceful nukes

By The Associated Press

ISTANBUL, Turkey — Iran on Tuesday rejected criticism from the International Atomic Energy Agency that it has been delaying a probe into suspect nuclear activities.

The agency is fine-tuning a resolution that will reprimand Iran for delaying an investigation but refrain from direct threats of sanctions.

“We have no plans to produce weapons, and all of our activities are for peaceful purposes and nothing is wrong,” Iranian Foreign Minister Kamal Kharrazi told reporters in Istanbul.

“We are quite transparent and have decided to cooperate fully with IAEA and the international community,” he said.

At a meeting of the IAEA’s 35-nation board of governors on Monday, agency chief Mohamed ElBaradei reflected the general frustrations with Iran, saying his agency’s probe “can’t go on forever.”

The agency is mainly concerned with ambiguous, missing or withheld information on the scope of Iran’s enrichment program, and the source of enriched uranium found inside the country.

Asked to comment on the U.S. position in favor of a strong resolution against Iran, Kharrazi said: “That is not the first time that they are doing this. Always, they have been pushing the IAEA to act against us, but so far they have failed.”

Israeli missile kills two

By The Associated Press

JERUSALEM — A missile fired by a helicopter destroyed a car in the West Bank’s Balata refugee camp, killing two militants, as Israel began confiscating Palestinian land to build the most controversial part of its separation barrier.

The airstrike late Monday killed Khalil Marshoud, local leader of the Al Aqsa Martyrs Brigades, a violent offshoot of Yasser Arafat’s Fatah movement. The military said Marshoud was behind a number of attacks against Israelis.

Another Palestinian militant was killed and a third person was seriously wounded in the attack near the city of Nablus, witnesses said.

Israel began building the separation barrier last year, to keep out Palestinian militants who have killed hundreds of Israelis since the outbreak of fighting in 2000. In some areas, the trenches, walls and fences run near Israel’s old frontier with the West Bank, but elsewhere dip deep into the territory claimed by the Palestinians for a future state.

The latest land seizures are part of construction of a barrier segment near the Israeli settlement of Ariel, in the heart of the West Bank the touchiest part of the project.

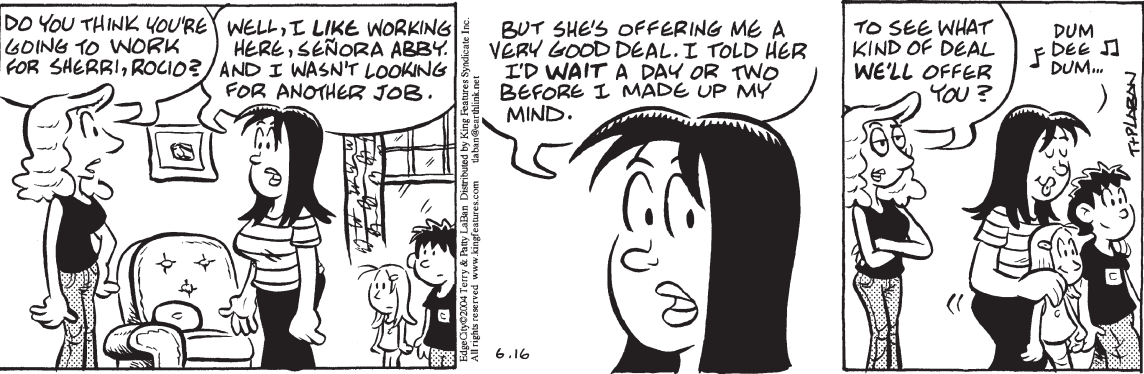


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 - 14 Like Saturn
 - 15 Poseidon's domain
 - 16 Shop holder
 - 17 Tenor's pride
 - 19 Bank offering
 - 22 Kitchen sight
 - 24 Boom type
 - 26 Give a darn
 - 27 Injection
 - 28 Beside
 - 30 Casino attraction
 - 31 Game caller
 - 32 Stellar hunter
 - 34 Pleased
 - 35 Mine yield
 - 38 Cloth
 - 41 Unfettered
 - 42 Get in
 - 43 Protracted
 - 44 Death personified
 - 45 Alien bearers
- DOWN
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 - 2 Rational
 - 3 Pro
 - 4 In the past
 - 5 Column type
 - 6 Van Gogh subject
 - 7 Trig function
 - 8 Marsh
 - 9 Heady drink
 - 10 Wine choice
 - 16 Compete
 - 18 See 22-Across
 - 19 Celebrating
 - 20 Hilarious person

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- 23 Yarn
- 25 Capital on a fjord
- 29 Switch to breaking news
- 30 Rocker Vicious
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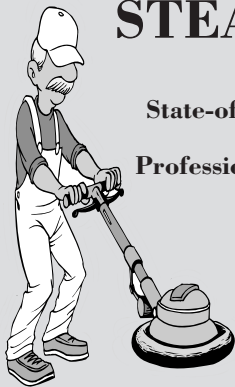
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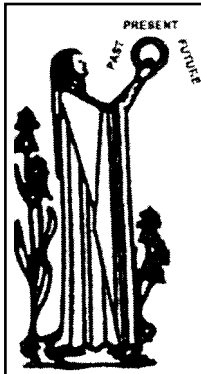
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