

FREE

WEDNESDAY, JULY 6, 2005

Volume 4, Issue 202

Santa Monica Daily Press

A newspaper with issues

DAILY LOTTERY

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8 9 21 31 33
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FANTASY 5

3 20 25 29 33

DAILY 3

Daytime: 5 0 5
Evening: 4 3 4

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2nd: 08 Gorgeous George
3rd: 05 California Classic

RACE TIME: 1:40.29

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NEWS OF THE WEIRD BY CHUCK SHEPARD

The North Dakota legislature voted in April to ease licensing for carrying concealed weapons by removing the shooting test (to hit a miniature human silhouette at 21 feet), but that was over the objection of licensee Carey McWilliams, 31, who told an Associated Press reporter in March, "You've got to have standards." McWilliams, who hit the target 10 out of 10 in his most recent test, is legally blind, able to distinguish only shades of light (thus apparently giving new meaning to "concealed weapon" when he looks for his).

TODAY IN HISTORY

Today is the 169th day of 2005.
There are 196 days left in the year.

On June 18, 1815, Napoleon Bonaparte met his Waterloo as British and Prussian troops defeated the French in Belgium.
In 1812, the United States declared war against Britain.

QUOTE OF THE DAY

"The basic discovery about any people is the discovery of the relationship between its men and women."

PEARL S. BUCK
AMERICAN AUTHOR (1892-1973)

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Free speech along Venice boardwalk a work in progress

Artists say new laws governing them 'stinks'

BY RYAN HYATT

Daily Press Staff Writer

VENICE BOARDWALK — A recent experiment to manage freedom of expression while preserving other peoples' rights has become a touchy subject on this world-famous stretch known for its celebration of individualism.

Several artists, political activists and general expressionists argue an updated Venice Boardwalk ordinance, which went into effect several months ago, takes an unneeded step in regulating how the free spirits conduct themselves in front of millions of visitors who come to experience the legendary spectacle of the one-and-a-half mile strip.

Meanwhile, officials who

See **VENICE**, page 6



Fabian Lewkowicz/Daily Press

(Top right) One of the many performers who sprinkle the bohemian boardwalk of Venice. Amir Edwards, aka 'Sphere Roller,' performs at Venice Beach. He has been performing for the past five years. (Bottom left) Freedom of speech and expression co-exists with performers and artists, who are now under heavy scrutiny by Los Angeles City Hall. A law passed last year requires all of them to apply for a permit in order for them 'to do their thing' on the Venice Boardwalk.

Illegals elude authorities at border

(Editor's note: This the final article in a three-part series this week that shows signs of vulnerability along U.S. borders after the Sept. 11 attacks. An Associated Press' probe follows border activity in three countries. Today, a look at the lack of security surrounding the Canadian border.)

BY BETH DUFF-BROWN AND
PAULINE ARRILLAGA

Associated Press Writers

ON THE U.S.-CANADA BORDER

— Nearly four years after the Sept. 11 terror attacks and after billions in security investment on both sides of this frontier stretching from Atlantic to Pacific, authorities and average folks are still jittery. Here's why:

■ At the edge of a raspberry

field where Washington state meets British Columbia, a U.S. Border Patrol agent shakes his head at tire tracks that snake between rows of berries and over the international boundary, which here is a ditch so puny a person can leap it.

"They're long gone," says agent Candido Villalobos, who raced to the scene after a surveillance camera spotted the vehicle — transporting contraband?

Something more sinister? Too late to know. "They beat us," Villalobos murmurs.

■ At Sandwich, Ontario, across the river from Detroit, the Olde Town Bake Shoppe overlooks the Ambassador Bridge, the busiest trade crossing between the United States and Canada. Thousands of trucks rumble along its lanes daily, loaded with everything from

See **BORDERS**, page 18

Trial date yet to be set in farmers' market case

BY CAROLYN SACKARIASON

Daily Press Staff Writer

Russell Weller, the elderly man who killed 10 and injured dozens of people when he drove his car through the Santa Monica Farmers' Market nearly two years ago, may face a jury in the upcoming months.

A possible trial date is expected

See **TRIAL**, page 5

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Santa Monica Daily Press



JACQUELINE BIGAR'S STARS The stars show the kind of day you'll have:
 ★★★★★-Dynamic ★★★★★-Positive ★★★★★-Average ★★-So-so ★-Difficult



ARIES (March 21-April 19)

★★★ Stay anchored and direct with your dealings. Someone could easily test your temper with what appears to be an idiotic action or statement. Resolve to start a new beginning with a family member or a property investment. Tonight: Relax on the way home.



TAURUS (April 20-May 20)

★★★★★ You might want to think before you act on your frustration. Discussions could be important to clearing the air. You will be able to accomplish a lot more if you have a clear field. Pace yourself. Tonight: Talk with a buddy.



GEMINI (May 21-June 20)

★★★ A friend might push you too hard to get something or to do something you have been considering. Though this person means well, you might find this too costly for your own good. Make a decision to take control of your finances. Tonight: Take care of yourself first.



CANCER (June 21-July 22)

★★★★★ You might want to sit down before having a "hot" discussion with someone who makes a big difference in your life. Perhaps you need to make a resolution to change your style or approach. Look at the big picture. Tonight: Let your happiness come out.



LEO (July 23-Aug. 22)

★★★ Know when to take your time and not push. You might be mulling over an idea or important change. You might want to rethink information and seek out the facts on your own. Ask important questions. Tonight: Get some extra R and R.



VIRGO (Aug. 23-Sept. 22)

★★★★★ What someone says could trigger some important thoughts. Consider the long-term results when making a decision. New beginnings become possible, if you so wish. You have control. Express your needs in a meeting. Tonight: Where the gang is.



LIBRA (Sept. 23-Oct. 22)

★★★★★ You find others to be irritating, if not angry and aggressive. Don't get caught up in this behavior. Look at what must be accomplished and how you want to go about it. Your decisions could be long-term. Tonight: A must appearance.



SCORPIO (Oct. 23-Nov. 21)

★★★★★ You have the ability to take an overview when others run around like chickens with their heads cut off. Make it your policy to not trigger and to get the full story, even if it means doing your own research. Tonight: Decide to get a different opinion.



SAGITTARIUS (Nov. 22-Dec. 21)

★★★★★ Working with one partner or a key associate makes you smile while others feel frustrated. Take charge and follow through on what will happen when you work together as a team. Friends and meetings cheer you on. Tonight: Dinner one-on-one.



CAPRICORN (Dec. 22-Jan. 19)

★★★★★ Others have strong opinions, and you might not be able to get past what you consider to be opinionated people. You could easily lose patience. Instead, approach the situation from a more stable perspective. Tonight: Let others run with the ball.



AQUARIUS (Jan. 20-Feb. 18)

★★★★★ Be imaginative when encountering an obstacle. Just jump over the issue instead of getting drawn into a hassle or disagreement. You might want to think in terms of success in your daily life. You want to make yourself as happy as possible. Tonight: Like the Energizer Bunny, you go on and on.



PISCES (Feb. 19-March 20)

★★★★★ Your imagination can help you wade through any problem that arises. You might want to approach an issue aggressively, but use discretion financially and with risks. Remember, there is always an alternative. Tonight: Let go of stress. Enjoy yourself.



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LOCAL



COMMUNITY BRIEFS

Human Relations Council welcomes new leadership

By Daily Press staff

The Santa Monica Bay Area's own Human Relations Council has new leadership. The Santa Monica Bay Area chapter of the Human Relations Council voted in its new board of officers for the 2005-2006 year.

Incorporated in California in 2004, the council prides itself on active involvement in social issues that affect the city. It acts as a liaison between governmental organizations and community groups to improve race relations, community harmony and education. To do that, HRC will hold public forums and "town hall meetings" to start discussing community concerns.

The new Human Relations Council board officers elected to serve 2005 through 2006 include: chair: Shiela Banani, of the Santa Monica Baha'i Assembly; vice-chair: Laurie Newman (office of Sen. Sheila Kuehl); secretary: Iao Katagiri (Rand Corp.); and treasurer: Nat Trives (community activist and former Santa Monica Mayor).

'The Mystery of Picasso' to screen at Mt. Olive Church

By Daily Press staff

As part of its long-running twice-monthly film series, Mt. Olive Lutheran Church will screen "The Mystery of Picasso," Henri Georges Clouzot's 1956 classic in which the famed director joins his good friend Pablo Picasso to "capture the moment and mystery of creativity" on film.

The motion picture screen itself becomes the canvas. Picasso, hidden from view, paints behind translucent paper panels while the camera captures reverse images of his brushstrokes. In a single hour, the master creates, and sometimes obliterates, 20 works, ranging from black-and-white sketches to cinemascope color murals which evolve in minutes through stop-motion animation.

The Mt. Olive Film series runs year-round on the second and fourth Saturdays of each month.

The event will take place on July 9 at the Mt. Olive Lutheran Church, 1343 Ocean Park Blvd. A light supper will be served at 6 p.m. The film begins at 6:45 p.m. Admission is free. For more information, call the church at (310) 452-1116.

A Third Street Promenade tan

By Daily Press staff

Need a summer tan without having to do the maintenance?

Santa Monica's Third Street Promenade will become a bronzing destination with the Los Angeles launch of the Physicians Formula Bronzing Booth. Celebrity makeup artist Matin, whose clients include Angelina Jolie, Katie Holmes, Jennifer Lopez and Ashlee Simpson, and his bronzing crew will be on hand to provide a quick and free bronzing application to all passing pedestrians. After the quick bronzing experience, participants will be invited to send family and friends an e-postcard in front of a faux tropical scene to show off their new "tan."

The event will occur on Friday, July 8, from 10 a.m. to 5 p.m.



Bryant Villa is this week's mystery photo winner. Villa accurately described that this photo was taken atop the police substation at the Santa Monica Pier. Villa has won a 30th anniversary limited edition DVD of Jaws, recently released by Universal Studios. Check Monday's edition for the next mystery photo.

WANT TO TICKLE YOUR FUNNY BONE?
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SURF REPORT

The small amount of SW swell that's in the water today should pick up a bit and peak with waist-high sets. Wind swell from the NW should remain with knee- to waist-high energy for west facing breaks. Some significant SW'er due around the 14th-15th.

**Today the
water is:**

64°

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	Morning	Height	Evening	Height	Morning	Height	Evening	Height
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TUESDAY	4:08	-0.7	2:53	2.7	10:55	3.6	9:09	6.1
WEDNESDAY	4:41	-0.7	3:28	2.6	11:27	3.6	9:43	6.0
THURSDAY	5:13	-0.6	4:04	2.6	11:58	3.6	10:17	5.9
FRIDAY	6:02	-0.5	4:57	2.2	12:48	3.2	11:09	5.4

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This past weekend, hundreds of cyclists took to the road as part of an awareness effort. The group that organizes the monthly rides, "Critical Mass," aims to get more people out of their cars and onto other forms of transportation. They also want better planning for alternative transportation.

So this week, Q-Line wants to know, "Does Santa Monica have adequate streets and routes for bicyclists? Do you feel safe riding your bike here?"

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

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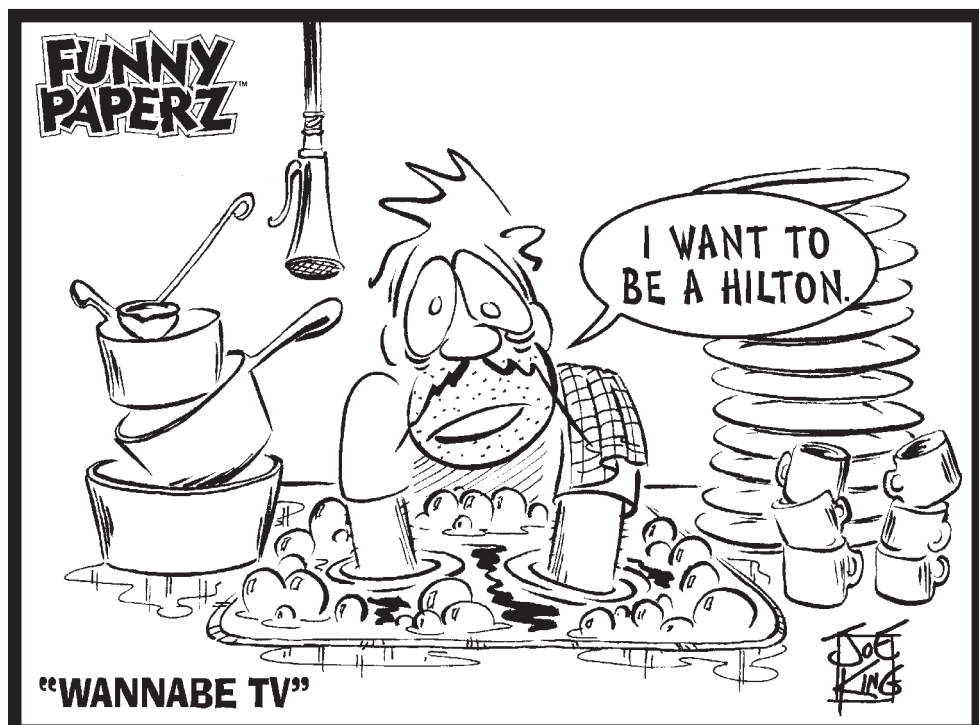
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OPINION



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LETTERS TO THE EDITOR

Priorities on the right track

Editor:

Kudos to Santa Monicans for Sensible Priorities. It's about time we see a group of people in our community willing to step to the forefront and tackle the issues that plague Santa Monica, like homelessness and traffic. In the past, many groups and politicians have attempted to solve our homelessness and traffic problems but are constantly more talk than action.

SMFSP seems different in that they are ready and willing to publicly tackle these difficult issues.

The public forum mentioned in your article (SMDP, May 31, page 1) is just the beginning and we need more forums designed to educate and unite our community. I look forward to this first public forum and the exchange of ideas that will take place. I encourage SMFSP to continue their efforts and to continue to listen to the residents of Santa Monica, and work side by side with the Santa Monicans For Renter's Rights community and other groups, along with the business community that keeps our economy running.

Guy Jordan
Santa Monica

Conduct at SMC graduation was immature

Editor:

Further to the letter from your regular correspondent Marilyn Brennan (SMDP, June 29, page 4) regarding the appalling lack of courtesy shown by some of the faculty and students at Santa Monica College to their commencement speaker, Governor Schwarzenegger, she should know that there is an enormous difference between "a patriotic duty to protest" and an overt display of rudeness towards an invited guest.

The faculty members who turned their backs on the speaker should have stayed away, and so should those student brats who found it amusing to turn their backs to him showing the message "We deserve better" printed on the back of their T-shirts. True, they deserve better role models than they're getting from immature faculty members, but it was their speaker who deserved better manners on the part of his hosts.

In a civilized society, there's a difference between appropriate and inappropriate behavior, and for adults to throw hissy fits, and sulk and shout because they don't agree with a guest's beliefs is definitely not appropriate behavior. Too bad Ms. Brennan was so overcome with prejudice toward this particular guest that she missed this basic point.

Jill Renton
Santa Monica

GUEST COMMENTARY BY KEITH LOCKITCH

The bait and switch of 'intelligent design' creationism

'Intelligent design' is religion masquerading as science

Eighty years after the famous Scopes "Monkey" trial, the anti-evolution forces have regrouped. Today, the battle in school districts from Kansas to Pennsylvania is over the teaching of "intelligent design," the view that life is so complex it must be the product of a "higher intelligence."

Advocates of "intelligent design" try to portray themselves as a modern-day Scopes, victims of a dogmatic pro-evolution establishment that will not allow their scientific view into the schools. But the central issue is whether "intelligent design" is, in fact, a genuine scientific theory or merely a disguised form of religious advocacy, creationism in camouflage.

Proponents of "intelligent design" aggressively market their viewpoint as real science, insisting it is not religiously based. Writes one leading advocate, Michael Behe: "The conclusion of intelligent design flows naturally from the data itself — not from sacred books or sectarian beliefs."

Proponents of "intelligent design" claim that Darwinian evolution is a fundamentally flawed theory — that there are certain complex features of living organisms evolution simply cannot explain, but which can be explained as the handiwork of an "intelligent designer."

Their viewpoint is not religiously based, they insist, because it does not require that the "intelligent designer" be God. "Design," writes another leading proponent, William Dembski, "requires neither magic nor miracles nor a creator."

Indeed, "design" apparently requires surprisingly little of the "designer's" identity: "Inferences to design," contends Behe, "do not require that we have a candidate for the role of designer." According to its advocates, the "designer" responsible for "intelligent design" in biology could be any sort of "creative intelligence" capable of engineering the basic elements of life. Some have even seriously nominated advanced space aliens for the role.

Their premise seems to be that as long as they don't explicitly name the "designer" — as long as they allow that the "designer" could be a naturally existing being, a being accessible to scientific study — that this somehow saves their viewpoint from the charge of being inherently religious in character.

But does it?

Imagine we discovered an alien on Mars with a penchant for bio-engineering. Could such a natural being fulfill the requirements of an "intelligent designer?"

It could not. Such a being would not actually account for the complexity that "design" proponents seek to explain.

Any natural being capable of "designing" the complex features of earthly life would, on their premises, require its own "designer." If "design" can be inferred merely from observed complexity, then our purported Martian "designer" would be just another complex being in nature that supposedly cannot be explained without positing another "designer." One does not explain complexity by dreaming up a new complexity as its cause.

By the very nature of its approach, "intelligent design" cannot be satisfied with a "designer" who is part of the natural world. Such a "designer" would not answer the basic question its advocates raise: it would not explain biological complexity as such. The only "designer" that would stop their quest for a "design" explanation of complexity is a "designer" about whom one cannot ask any questions or who cannot be subjected to any kind of scientific study — a "designer" that "transcends" nature and its laws — a "designer" not susceptible of rational explanation. In short, a supernatural "designer."

Its advertising to the contrary notwithstanding, "intelligent design" is inherently a quest for the supernatural — only one "candidate for the role of designer" need apply. Dembski himself, even while trying to deny this implication, concedes that "if there is design in biology and cosmology, then that design could not be the work of an evolved intelligence." It must, he admits, be that of a "transcendent intelligence" to whom he euphemistically refers as "the big G."

The supposedly nonreligious theory of "intelligent design" is nothing more than a crusade to peddle religion by giving it the veneer of science — to pretend, as one commentator put it, that "faith in God is something that holds up under the microscope."

The insistence of "intelligent design" advocates that they are "agnostic regarding the source of design" is a bait-and-switch. They dangle out the groundless possibility of a "designer" who is susceptible of scientific study in order to hide their real agenda of promoting faith in the supernatural. Their scientifically accessible "designer" is nothing more than a gateway god, metaphysical marijuana intended to draw students away from natural, scientific explanations and get them hooked on the supernatural.

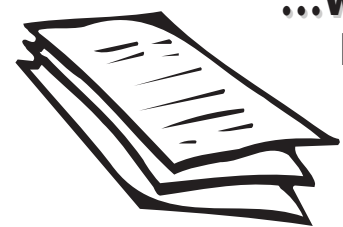
No matter how fervently its salesmen wish "intelligent design" to be viewed as cutting-edge science, there is no disguising its true character. It is nothing more than a religiously motivated attack on science, and should be rejected as such.

(Keith Lockitch is a Ph.D. in physics and a junior fellow at the Ayn Rand Institute in Irvine. The institute promotes objectivism, the philosophy of Ayn Rand, author of "Atlas Shrugged" and "The Fountainhead.")

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Santa Monica Daily Press

LOCAL



Civil lawsuits against City Hall in farmers' market crash on hold

TRIAL, from page 1

to be decided upon when lawyers from both sides meet on July 18, just two days after the two-year anniversary of one of the city's biggest tragedies.

"We'll be ready whenever the court sets a date," said Mark Overland, one of Weller's defense attorneys. He added that some additional work still needs to be done before going to trial.

However, the trial could be delayed even longer since lead prosecutor Ann Ambrose is expected to take maternity leave, which would then require a new attorney to familiarize himself or herself with an already complicated and involved case.

Weller, 88, faces 10 counts of vehicular manslaughter with gross negligence, which were filed by the Los Angeles District Attorney's Office several months after the July 16, 2003 crash. If convicted on all counts, Weller's sentence could range from probation to 18 years in prison, according to the DA's office. Weller has pleaded not guilty to the charges.

Federal safety investigators ruled last year that Weller mistakenly stepped on the gas rather than the brake as he drove west on Arizona Avenue. Investigators ruled out mechanical failure, weather,

alcohol or drugs, and fatigue.

Weller traveled 995 feet through the market at speeds of up to 60 mph, avoiding parked cars but hurling pedestrians into the air before stopping, a 900-page California Highway Patrol report said. The 10 people killed ranged in age from 7 months to 78 years old.

Days after the crash, Weller issued a statement saying he was distraught and heartbroken. His attorney called it an accident. Since then, Weller has remained secluded in his Santa Monica home, and is reportedly in ill health.

Meanwhile, 63 civil lawsuits have been filed against the city of Santa Monica and the Bayside District Corp., which oversees the market, said Jeanette Schachtner, chief deputy city attorney. Those civil proceedings are on hold until the criminal trial is complete. There also are dozens of civil lawsuits filed against Weller, as well as the Los Angeles County's agricultural commissioner and the state of California.

Attorneys representing the plaintiffs argue the city should have had protective barriers at both ends of the market. The City Attorney's Office argues that Santa Monica officials maintain that it was a tragic accident that couldn't have been foreseen. Police vehicles are now parked at both ends of the market.

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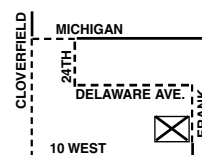
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LOCAL

Venice boardwalk vendors hawk wares, offer services

VENICE, from page 1

helped craft the new rules contend that conditions for residents have improved as a result of the changes, while acknowledging that they are far from perfect.

For decades, the Venice Boardwalk has been a free-for-all for those who regularly use it to express themselves. But as the area has transformed into more of a flea market setting, Los Angeles City Hall put a clamp down on people who use the boardwalk as their storefronts. Now, vendors and artists who sell their wares are subject to routine patrols, checking to make sure they have a permit and are not using illegal structures like canopies or tents. Expressionists also are subject to a weekly lottery, when they may or may not be selected for a predetermined space on the boardwalk.

Those involved say a question of liberty is at stake in which several groups have a claim in the outcome.

Bill Tompkins, a painter, is one of a dozen boardwalk contributors who said they are dismayed by the new rules.

"It has killed the spirit of freedom to display the creativity of those that gather to make the atmosphere of the Venice Beach experience," Tompkins said. "We shouldn't be managing the artists, we should be managing the drunks and doping bums that are really causing the problems. "In short, it really stinks."

EVOLUTION OF AN ARTIST/FREE-ENTERPRISE ZONE

The east side of the Venice Boardwalk is allotted for commercial vending, much of which consists of restaurants, bars and shops that offer up a medley of fares and wares ranging from low-priced cuisine, to CDs, lingerie, sunglasses and T-shirts.

The west side of the Venice Boardwalk is known as the free speech area. Unlike the east side, it was not intended for commercialization. For decades, that meant the only vaguely enforceable rule was the need for west side expressionists to have an intrinsic artistic, philosophical or spiritual message tied to the "exhibit." Expressionists would often arrive early to stake out the parcel where they presented their work to the masses. It was a system of "every man for himself," and it worked, or at least it worked out, according to long-time participants.

William Yaeger, a Green Party member who for years has been distributing political literature on the west side of the Boardwalk, said the old way had its obstacles, but was the best method yet devised.

"There were disputes over space,



Fabian Lewkowicz/Daily Press

A visitor to the Venice Boardwalk stops to learn about his future from one of the many psychics stationed there.

sometimes the cops had to be called," Yaeger said. "There was definitely a need for some sort of regulation, but nothing like we have now."

In more recent years, merchants discovered they could set up shop on the west side of the boardwalk merely by slapping a religious symbol onto the wares they hawked. Artists say merchants have since started to take advantage of the boardwalk's spirit, selling less art and more junk.

"It used to mean something to say you are an artist selling your work on the boardwalk," Tompkins said. "Not anymore."

Tompkins, who lives in Torrance and makes his living solely off the art he sells, has a myriad of work which includes folk, landscape, nude and religious art. One of his pictures is of superheroes such as Batman, Spiderman and the Hulk, hunched over at a bar. The costumes are worn and dirty, some are smoking cigarettes and all of them have beer guts. Another picture is of Jesus Christ, paying a coin to a clerk, with Judas eyeing him

suspiciously from behind. It is an astonishingly realistic picture Tompkins said was inspired by a movie.

Strolling the boardwalk on a Sunday afternoon, a quick visual survey showed the majority of boardwalk artisans today are selling beaded necklaces, stenciled pictures and photographs, and clothing. They are wares that, if not hand-made, at least have some sort of intrinsic artistic, philosophical or spiritual message embedded into them — depending on who you talk to.

"It's a fine line trying to decide what's art and what's not," said Valerie Punzal, a recreation and parks supervisor who helps oversee the boardwalk for the city of Los Angeles. "That's why we say if there is a message tied to it, they can sell it."

During the term of former Councilwoman Cindy Miscikowski, whose 11th District seat jurisdiction includes Venice, an increase in residential complaints prompted her and other city officials to re-evaluate the rules of the boardwalk.

For more than a year, city officials, resi-

dent groups and artists batted around ideas for new rules. The Los Angeles City Council approved the new ordinance last October.

Before the law took hold, expressionists, who mostly were artists and vendors, were arriving as early as 3 a.m. to guarantee their spot. Residents, trying to sleep in on a Saturday or Sunday morning, were waking up to the sound of bickering. Police were called out, draining regular patrol resources, in order to meddle in disputes which might have been avoided if a system were in place that addressed the issues that were being argued over, officials said.

RISE OF THE NEW RULES

"The ordinance change was intended to regulate the time, place and manner individuals operate on the boardwalk," said Sandy Kievman, former field deputy for Councilwoman Miscikowski.

Kievman said Los Angeles Police Department personnel, residents and business owners were trying to solve problems related to excessive fighting, noise

See VENICE, page 7

Walking to the nearest newsstand increases circulation.

Santa Monica Daily Press



Venice still embraces expressionist mentality



Fabian Lewkowicz/Daily Press

Arhata Osho, AKA 'Erik Olson,' also known as the 'The Sign Guy' has been showing his message boards in Venice for the past 11 years. He has not missed a day in more than 800 days, except for a few rain days. Olson used to work on Wall Street as a financial account executive. New rules passed by Los Angeles City Hall make it so expressionists must conform to rules and apply for a permit to operate on the Venice Boardwalk.

VENICE, from page 6

and commercial vending abuses occurring on the boardwalk. They designed a plan, which called for greater regulation of the boardwalk.

The new system, administered by the recreation and parks department, requires all expressionists who wish to exhibit to apply for a permit, which costs \$25 and is good for life. By applying, permit holders agree to abide by the new rules of the boardwalk. With permit in hand, a person goes to 1800 Ocean Front Walk on Tuesday the week he or she wishes to display on the boardwalk, in order to take part in a lottery by which that permit holder may then be allotted space.

The lottery for those who wish to exhibit during Monday through Friday is held at 8:30 a.m., followed by the weekend lottery, which is held at 9:30 a.m.

Those who exhibit or take part in the lottery without a permit — or violate any of the rules — are considered to be in violation of the ordinance. They qualify for up to three warnings, administered by recreation and parks monitors, who walk the boardwalk to ensure people are in compliance. Each of the warnings may be appealed, but the third citation means the permit is revoked and the person is banned from applying for a permit for life.

So far, there have been approximately 70 citations issued, according to the recreation and parks department. Few licenses have been revoked.

Lydia Ritzman, a recreation and parks manager for the city of Los Angeles, said

the appeals process has been put in place so violators have many opportunities to conform to the new rules.

"Revoking the permit is the last thing we will do, hoping that by receiving these citations people will correct themselves and agree to the terms when they signed the piece of paper (for the permit)," Ritzman said.

Having a permit, however, will not guarantee a win in the lottery for a boardwalk space.

Performers are allocated a space on the boardwalk that measures 10 by 20 feet, and there is usually a surplus of performance space available after the lottery is held. Artists-vendors, on the other hand, are currently allocated smaller sections, 10 by 8 feet. In order to display as much of their work as possible, they frequently use the back of pick-up trucks parked at a nearby beach parking lot or set up large tents on the boardwalk, which is not allowed.

There are sometimes 30 to 40 artist-vendors who are not able to exhibit because there aren't enough permitted spaces available for them in the lottery.

Recreation and parks officials said they will be re-evaluating the number and size of permitted performance space they dole out, in order to accommodate the higher demand of artist-vendors.

Gita Isagholian, deputy city attorney for Los Angeles and a neighborhood prosecutor for the westside, said her office looked at several cities when crafting the updated rules, including Santa Monica.

In Santa Monica, permitted performers on the Third Street Promenade are rotated

every two hours, a policy which Isagholian said her office may soon explore to see if it might be appropriate for the boardwalk, since it seems to give everyone a chance to have preferred spaces and may please east side businesses.

Stephen Bradford, the venue manager who oversees the rotation for the Third Street Promenade and Santa Monica Pier, said the local system has been instrumental for City Hall to deal with disputes over space.

"In my opinion, rotation is the key to making it work," Bradford said. "Performers and musicians will all get a chance at prime spots, and business owners will only have to tolerate some individuals for a short period of time."

This year, a total of 900 permits are expected to be issued in Santa Monica, on track with last year.

Venice artists said such a system would never work on the boardwalk. Many who

are artists, not performers, want the same space in order to drum up repeated business among patrons.

"I have people who come here, knowing this is where I will be," Tompkins said, who prefers to be in front of the Waterfront bar.

A WORK IN PROGRESS

Capt. John Incontro, who works in the Los Angeles Police Department's Pacific Division, said the new rules have reduced the number of complaints from residents and business owners while freeing up his officers to tackle more crime in Venice, since they are no longer required to manage boardwalk space.

Incontro noted the new rules have been updated several times since they went into effect and the process would likely be needed again to ensure the rights of those involved.

"It's a work in progress," Incontro said.

Meanwhile, some recreation and parks employees charged with enforcing the new rules said it continues to be a daunting task. Punzal said many monitors are college students who don't know what they are getting into when they sign on for the job.

"It's one thing to walk up and down the boardwalk all day, it's another thing when you try to enforce some of these rules," Punzal said.

Punzal said her monitors are frequently insulted and harassed by expressionists when they attempt to enforce rules. Unlike the expressionists, the monitors are required to keep a professional demeanor, often under trying circumstances.

She said one new hire in particular seems to have been traumatized by a recent boardwalk encounter.

"I think I'm going to recommend to the city counseling for her," Punzal said.

Nonetheless, Punzal noted the new rules have been effective in reducing some resident and business concerns.

"There has definitely been no serious talk about repealing the new rules," Punzal said. "It is definitely a program that intends to be continued."

City Councilman Bill Rosendahl, who was recently elected to the 11th District, may have another say in the matter.

"I want to reach out to the other side of the boardwalk and listen to what the artists have to say," Rosendahl said. "I feel we can modify things so that all sides are comfortable."

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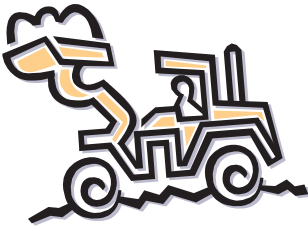
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STATE

STATE BRIEFS

Not proud to be an American

By The Associated Press

MURRIETA — An anti-war protester got a hostile reception when he set an American flag ablaze during a city birthday event.

Angry bystanders confronted Lee Henry Vollick, 19, when he set fire to the flag in the middle of Saturday night's concert at the California Oaks Sports Park, police Sgt. Dennis Vrooman said. A half-dozen concertgoers surrounded Vollick, who was punched in the face.

"He's just a college student being crazy," the protester's mother Barbara Vollick said, explaining her son was trying to make a statement against the war in Iraq, not against the United States. "He's very angry that our young men are dying."

Vollick, a former Mount San Jacinto College student, "was basically a one-man demonstration" trying to get others to join in, Vrooman said.

A Police Department news release said an officer approached Vollick because the fire posed a hazard to the crowd. Vollick resisted and tried to break away, but several bystanders — including two off-duty police officers — subdued Vollick.

The protester was booked for investigation of resisting a police officer, disturbing a public assembly and inciting a riot. Vollick spent the night in jail and was released at about 10 a.m. Sunday, his mother said.

Citizens asked to buck up for public space

By The Associated Press

SANTA CLARITA — The city wants to create a special district to buy parkland. Property owners would pay \$25 a year under the city's proposal designed to preserve open space as well as build parks and trails. Mail-in ballots will likely be sent to property owners in late September, city spokeswoman Gail Ortiz said.

The measure will require majority approval.

"You're never going to be able to get back the open space once you lose it," Councilman Frank Ferry said.

Santa Clarita has set a goal of providing five acres of active parkland per 1,000 residents, Ortiz said. Since incorporating in 1987, the city has added 2,000 acres of trails, open space and new parks, including the city Sports Complex, the year-old Aquatic Center and Central Park.

"With all these new homes being built, we want to buy land so it's preserved before it all becomes houses," Ortiz said. "It's a way for us to have a seat at the table as a property owner with the opportunity to purchase land to preserve in perpetuity."

Seniors to weigh in on belly dancers

By The Associated Press

LA VERNE — The Grapevine Restaurant got city approval for belly dancer performances on its patio, but the owners have only three months to win the hearts of elderly neighbors in two mobile home parks.

"I don't know anything about belly dancing. It sounds sort of bad. Maybe it isn't. I don't know. I would prefer that it not be there," said Helen Thompson, 84, who also complained the restaurant's beef kebobs were too tough for her to chew.

Dozens of seniors from La Verne Mobile Country Club and Fountains Mobile Home Park showed up at a recent City Council meeting to hear Grapevine Restaurant's belly dancing plans. The council gave the restaurant a three-month trial for the belly dancers.

At least five midriff-baring dancers will play castanets and move to prerecorded music until 9:30 p.m. on Fridays and Saturdays in front of the restaurant's outdoor waterfall, Grapevine account manager Jessica Gonzalez said.

After three months, the city will consider complaints and disturbances and decide whether to allow the belly dancing to continue, Councilman Steven F. Johnson said.

While some seniors near Grapevine are in fear of sleepless nights, other mobile home park residents are looking forward to the restaurant's entertainment plans.

"I'd like to go see the belly dancers, actually. It will be fun," said Evelyn Gonnella, 70, adding she plans to take some of her neighbors to the restaurant.

Urban sprawl a mapmaker's job security

By The Associated Press

RIVERSIDE — Explosive growth in Riverside and San Bernardino counties is keeping mapmakers busy with the addition of more than 2,700 new streets in recent years. Twenty-seven inland communities have grown at a double-digit pace during the past five years, with Murrieta nearly doubling its population during that period, state Department of Finance figures show.

"We are putting in more time in making maps for the two counties," Rand McNally vice president Nancy Yoho said. Rand McNally, publishers of Thomas Bros. map books, has added an average of 2,000 streets per year in Riverside County and up to 800 per year in San Bernardino County, Yoho said.

It can be a struggle for homeowners trying to get pizza deliveries or emergency services.

"That's been a major hassle. You definitely can't order out unless they are calling you every two or three blocks for directions. Even the gas man got lost," said Orangecrest homeowner Mark Kepler.

Neighbor Charles Monroe called police last week to report a swarm of bees in his back yard and a county crew dispatched to take care of the pests had trouble finding the new house.

"I had to talk them in," said Monroe, 52, describing how the crew trying to locate the home called him by cellular telephone for help.

STATE



Teacher attire becoming a touchy topic at schools

BY BEN FELLER
AP Education Writer

LOS ANGELES — Teachers are expected to bear long days, challenging students and demanding parents. Now, apparently, some teachers are baring too much of themselves. School boards and superintendents increasingly are pursuing dress codes for teachers. At issue is the same kind of questionable attire most often associated with students.

In some districts, teachers can get dressed down for wearing skimpy tops, short skirts, flip flops, jeans, T-shirts, spandex or baseball caps. Spaghetti is fine in the cafeteria, but shirts supported by spaghetti straps are not welcome in the classroom.

District 11 in Colorado Springs, Colo., for example, prohibits sexually provocative items. That includes clothing that exposes "cleavage, private parts, the midriff or undergarments," district rules say.

In Georgia's Miller County, skirts must reach the knee. Elsewhere in the state, hair curlers are disallowed in Harris County and male teachers in Talbot County must wear ties two or three times a week.

"There's an impression that teachers are dressing more and more — well, the good term for it would be 'relaxed,'" said Bill Scharffe, director of bylaws and policy services for the Michigan Association of School Boards. "Another term for it would be 'sloppy.'"

Regulating dress is touchy, teachers say.

Teachers may view policies that get too specific as restrictive and demeaning. And what to do about broad policies that are enforced inconsistently? What works for a physics teacher may not fit a kindergarten teacher who sits with students on the floor.

"Because we work with children, and we're trying to relate to them, sometimes we need to have guidelines that say, 'You know folks, here's the line, and you really need to stay on this side of it,'" said Karen Moxley of Grapevine, Texas, who teaches gifted seventh-graders.

But, she added, "I don't know that it needs to go down to what style of outfit you wear."

Moxley spoke during a group interview with The Associated Press at the annual meeting of the National Education Association, which got under way over the weekend.

School administrators say inappropriate dress is most often an issue with younger teachers, whose trendy clothing and casual style can make it hard to distinguish them from their students.

Mark Berntson, who teaches high school band in West Fargo, N.D., wears a tie each day. It's a tradition he began years ago to stand out from his students.

He does not wear blue jeans to class often, saving them for occasions such as the first day of baseball season.

"I don't think I'm taken as seriously if I'm dressed down and I don't think I take my job as seriously if I'm dressed down," he said. "When I dress more professionally, I think I teach better, I think I'm received better, and I think I show more respect for my profession."

Schools usually have exceptions, such as allowing gym teachers to wear shorts. But sometimes the trouble is in finding the line — literally.

At the Tangipahoa Parish School System in southeastern Louisiana, the dress code was recently updated to let women wear crop pants that stretch almost to the ankle. But the school board still does not allow Capri pants because those stop only around the midcalf.

In Houston, the Aldine Independent School District's policy is cut-and-dried: Male teachers must ensure their hair does not go below the collar. Their sideburns cannot extend beyond the earlobe. Mustaches may not be of the "Fu Man Chu" variety.

This year in Alabama, Birmingham school superintendent Wayne Shiver Jr. tried to ban excessively tight clothing, see-through tops, blouses with revealing necklines and other no-nos.

But city school board members have directed him to scale back his plan in favor of a more generic policy. They do not want their administrators to become the fashion police.

"What's too short? What's too long? What's too provocative? What's too revealing?" said Jacqueline Oglesby, a representative for the Alabama Education Association, which worries about unfair enforcement of a dress code. "Everyone has their own definition. And besides, this is supposed to be about the education of children, not tattoos or holes in your tongue."

On the Hawaiian island of Oahu, where Aaron Paragoso teaches music, neat and casual clothes are the norm. He wears a tie when sixth-graders graduate from his school, telling them: "I'm congratulating you by dressing up in this manner. It shows that I'm very proud of you."

Teachers set the example, said Scharffe, the Michigan official and former director of school personnel. That is why he once sent home a teacher whose belt buckle featured a marijuana leaf.

Schools must balance their right to enforce reasonable rules against the freedom of expression that employees have under the First Amendment, said Lisa Soronen, staff lawyer for the National School Boards Association. School lawyers often determine a dress code "might be a nice idea, but it might not be worth the time and headaches to go through with it and do it."



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Anger and fear over asbestos festers in wealthy suburb

BY BRIAN MELLEY

Associated Press Writer

EL DORADO HILLS — A huge cloud of construction dust blowing across the field where his son played Little League signaled to Lance McMahan it was time to get out of this fast-growing suburb above Sacramento.

Watching from a lawn chair as bulldozers reshaped a nearby hillside into another setting for high-priced homes, McMahan knew that the ground getting torn up and carried by the wind over the baseball diamond contained natural veins of asbestos.

"That was like the last straw," said McMahan, recalling the day six years ago when he decided his family's health was more important than staying in their foothills home of five years.

The U.S. Environmental Protection Agency recently confirmed the fears of McMahan and many other people in El Dorado Hills, but also created a dust-up over property values and the pace of development in this wealthy community of 31,000 residents, where the median home price in May was \$566,000.

In tests completed last October, the agency found elevated levels of a naturally occurring but particularly dangerous type of asbestos fiber at playing fields, a popular bike trail and a playground for toddlers. But the agency hasn't been able to quantify the risk to residents.

"It's bad, we just don't know how bad," said Jere Johnson, EPA's assessment manager for the site.

While the findings have led some to consider leaving, most folks are staying put for now. Some are angry at EPA for singling out their community without explaining the chances of getting cancer from inhaling invisible airborne asbestos fibers, which has led to finger-pointing and charges of fear-mongering.

"We're not concerned about it," said Tom Ellenburg, who lives in a neighborhood near where the testing was done. "We don't sit around and breathe asbestos dust. We could go out in the street and dig around in it and sniff it up, but we don't do that."

Danger from asbestos has lurked over communities worldwide for generations, largely as a byproduct of mining or industry. It was once widely used in many household products, including home insulation.

If inhaled, the needle-like asbestos fibers can cause life-threatening asbestosis, lung cancer and mesothelioma, an incurable cancer of the chest lining.

Asbestos is found in 44 of California's 58 counties, usually in serpentine, the state rock. In its natural form it's considered harmless unless disturbed.

But the situation in El Dorado Hills is considered a greater threat by EPA because a more toxic form of asbestos, tremolite, is present and can be found close to the surface or even exposed.

Because it can take 20 to 40 years to develop an asbestos-related ailment, children are at a higher risk of exposure during their lifetime. In El Dorado Hills, a community planned a little more than a quarter century ago, that fact has been greeted with gallows humor.

Middle-aged residents joke that they needn't worry: they'll be dead before any disease is detected. Even their children have displayed a macabre outlook.

Some seniors sported T-shirts last year bearing the slogan, "I survived Oak Ridge High School asbestos," on the front. The back read, "Or did I?"

Terry Trent, a construction consultant who was the first to draw widespread attention to the problem, offers informal asbestos tours, getting wary looks from home-

owners as he combs back tall grass looking for the culprit in the eroded embankments beyond their driveways.

"You can see how flaky this is," he said as a piece of the silvery white fiber corroded in his hand. "This whole hillside is shot through with tremolite."

The hill is above the high school and adjacent to the community center.

The EPA's Superfund unit, charged with cleaning up life-threatening hazardous waste, performed the testing after spending \$1.2 million to clean up asbestos on the grounds of Oak Ridge High School.

In October, contractors in white suits and respirators spent a week simulating child's play to measure exposure. In the name of science, they slid into the bases on the ball field, pedaled and jogged along a popular trail, played basketball and soccer and gardened behind an elementary school.

Danger from asbestos has lurked over communities worldwide for generations, largely as a byproduct of mining or industry. It was once widely used in many household products, including home insulation.

Compared to areas where no activity took place, cyclists created enough dust to be exposed to up to 43 times more asbestos; baseball stirred up as much as 22 times more asbestos; and soccer kicked up 16 times more asbestos.

While the EPA is confident about its findings, it's working on a way to explain the significance of the numbers.

Dr. Bruce Case an epidemiology, pathology and occupational health professor at McGill University in Montreal who has studied asbestos for 25 years, said the huge exposure levels during exercise are enough to trigger serious concern.

Levels of tremolite measured by the EPA without any activity were similar to those found in the air of active mining towns in Quebec where blasting went on for a century, Case said.

"Anybody who's not worried about it is in complete denial. You can certainly say people are going to die and there are going to be increased cases of cancer," Case said. "I wouldn't live there, I wouldn't want my family to live there."

Before the EPA even released its findings publicly, Jon Morgan, the county's top environmental officer, issued a press release warning residents that the sloppy report "may unnecessarily scare the daylights out of every man, woman and child in El Dorado County."

The EPA fired back, saying Morgan's claims were false, irresponsible and he lacked an understanding of the problem.

Morgan went on a local cable television station to further shoot down the results before they were released. Michael Dennis, owner of Foothills 7 Television, said he

See ASBESTOS, page 11

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New Seattle City Hall not so energy efficient after all

By The Associated Press

SEATTLE — The new City Hall that was to be an environmentally friendly upgrade from the older, larger building it replaced isn't so energy efficient after all.

The glass-walled structure with its open spaces is using 15 percent to 50 percent more electricity than the old building, according to Seattle City Light utility bills obtained by the Seattle Post-Intelligencer for a report Tuesday.

The bills — \$3,000 to \$5,000 higher per month than in the old building — are a blow for the city and Mayor Greg Nickels, who has urged cities nationwide to reduce energy consumption and voluntarily comply with the Kyoto environmental protocols.

To its credit, the building uses less water, and less trash is produced each week.

And the building would be using even more electricity without its energy-saving features, which reduce consumption by an average 19 percent, said Jorge Carrasco, City Light superintendent.

"That comparison corrects for all other things," he said.

City Light records show the new building uses 7,045 kilowatt-hours of electricity on average per day, compared with 5,940 kilowatt-hours per day in the old City Hall. Without its energy-saving devices, the new structure would use 8,645 kilowatt-hours per day, City Light estimates.

City Council members, surprised by the \$72 million building's high energy use, immediately began searching for culprits.

"If this is true, then there is something wrong," Councilman Richard Conlin said. "Maybe it's operational. It was definitely supposed to meet higher standards. Maybe the old building was more efficient than

we thought."

"Did each council office come with a cute little refrigerator in the old building?" said Jean Godden, chairwoman of the council's energy and environmental policy committee who pointed to the small fridge in her office closet.

"In the old building, the elevators were so slow everyone took the stairs. Maybe that has something to do with it."

The new, smaller City Hall opened in 2003 to replace the 1960s-era building. Its air conditioning and heating systems primarily use natural gas.

The building features limestone imported from France and a titanium wall that shrouds the council chamber. The materials are meant to help the building last 100 years — with the titanium suggesting the metal used by The Boeing Co. to build its airplanes.

"It was designed to be a building that is much more inviting to the public ... beyond what the old municipal building ever was," Nickels spokeswoman Marianne Bichsel said, noting that plans for the new building began under former Mayor Paul Schell. "This is an energy-efficient building."

The building was designed to meet requirements for silver certification under the Leadership in Energy and Environmental Design program. A request for certification was sent last month to the U.S. Green Building Council.

Certification considers all aspects of a building's design, including materials used, water and energy efficiency, natural light, views, landscaping and how a building is oriented on the site.

"Energy efficiency is a big part of LEED," said Gwyn Jones, a spokeswoman for the Green Building Council.

The certification process doesn't audit actual performance of the building or how much energy it uses.

Qwest launches Spanish-language Web site

By The Associated Press

DENVER — Qwest Communications International Inc. has launched a Spanish-language Web site tailored to the estimated 5 million Hispanic consumers in its Western and Midwestern territory.

It is the latest strategic move by Denver-based Qwest to cater to Hispanics, the largest and fastest-growing minority in the United States.

Qwest also offers a 10-cent-a-minute calling plan to

Mexico, donates about \$3 million annually to Hispanic-related charities and operates "El Centro," a call center staffed with 300 Spanish-speaking sales representatives.

Two other Baby Bells, SBC Communications Inc. and Verizon Communications Inc., court Hispanics with Spanish-speaking representatives, bilingual bills and a Spanish-language magazine.

Qwest is the dominant provider of local telephone service in 14 states.

Public obsessing over asbestos contamination

ASBESTOS, from page 10

ran with the program because the scope of the problem was unknown.

"Let's be reasonable here and get the truth out before we start freaking out," Dennis said. "It was really annoying that (the EPA) kept coming out with information that was scaring the living crap out of people without the science."

Dennis said he felt he achieved his goal when the EPA held its first public meeting in the community in early May. More than 1,000 people showed up, many openly hostile toward the EPA and many not knowing whom to believe.

El Dorado County is working on tougher dust control standards, but already requires developers to water down construction sites and wash tainted soils from truck tires so they don't track asbestos through town.

Some residents, however, complain the county has been slow to act on complaints of dust from construction that usually dissipates before one of the five employees certified to issue a citation can respond.

Marcella McTaggart, the county's air pollution control officer, defended enforcement efforts. In the first half of the month, the department received 13 complaints, stopping work twice until water trucks arrived to douse construction sites.

Despite suggestions from experts such as Case to halt construction, some plans call for a city of 80,000 people in 20 years.

As Vicki Summers, a mother of two, decides how she's going to cope with the intersecting realities of development and asbestos, she's taking several precautions.

She plans to have carpets that can hold asbestos fibers torn out of her house. She no longer runs fans. And she only vacuums when her boys aren't home.

On a recent night, she attended a meeting at the community pavilion, where she entered the building past a sign warning: "Tests have determined that this facility contains naturally occurring asbestos."

During the meeting she scrawled "Should I move?" on a folder and pushed it in front of Gerald Hiatt, an EPA toxicologist.

It's a question on the minds of many residents. Summers wouldn't reveal what Hiatt told her, and the EPA is not publicly advising residents what to do.

When pressed by The Associated Press on a conference call, three EPA officials would not reveal what precautions they would take if they lived in El Dorado Hills.

Would they play baseball or softball on those fields? Would they let their children play there? Would they pedal a bike along the New York Creek trail.

There was silence on the other end of the phone.

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Real Estate

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The basics on the basis



**BUYING
AND SELLING**
BY THOMAS KHAMMAR
& BRENT PARSONS

Understanding the basics in home ownership can be a daunting task, but a necessary one if you are going to get the most out of your investment. One of the first steps is understanding your basis.

The basis is your starting point for figuring a gain or loss if you later sell your home, or for figuring depreciation if you later use part of your home for business purposes, or for rent. While you own your home, you may add certain items to your basis. You may subtract certain other items from your basis.

How you figure your basis depends on how you acquire your home. If you buy or build your home, your cost is your basis. If you receive your home as a gift, your basis of the person is usually the same as the adjusted basis of the person who gave you the property. If you inherit your home from a decedent, the fair market value at the date of the decedent's death is generally your basis.

Fair market value is the price that property would sell for on the open market. It is the price that would be agreed on between a willing buyer and a willing seller, with neither having to buy or sell, and both having reasonable knowledge of the relevant facts.

If your home is transferred to you from your spouse, or from your former spouse as a result of a divorce, your basis is the same as your

spouse's adjusted basis just before the transfer.

The cost of your home, whether you purchased it or constructed it, is the amount you paid for it, including any debt you assumed. The cost of your home includes most settlement or closing costs you paid when you bought the home. If you built your home, your cost includes most closing costs paid when you bought the land or settled on your mortgage.

The basis of a home you bought is the amount you paid for it. This usually includes your down payment and any debt you assumed. The basis of a cooperative apartment is the amount you paid for your shares in the corporation that owns or controls the property. This amount includes any purchase commissions or other costs of acquiring the shares.

If you contracted to have your home built on land that you own, your basis in the home is your basis in the land, plus the amount you paid to have the home built. This includes the cost of labor and materials, the amount you paid the contractor, any architect's fees, building permit charges, utility meter and connection charges, and legal fees that are directly connected with building your home. If you built all or part of your home yourself, your basis is the total amount it cost you to build it. You cannot include the value of your own labor or any other labor you did not pay for.

Real estate taxes are usually divided so that you and the seller each pay taxes for the part of the property tax year that each owned the home. If you pay any part of the

seller's share of the real estate taxes, which are the taxes up to the date of the sale, and the seller did not reimburse you, add those taxes to your basis in the home. You cannot deduct them as taxes paid. If the seller paid any of your share of the real estate taxes — the taxes beginning with the date of sale — you can still deduct those taxes. Do not include those taxes in your basis. If you did not reimburse the seller, you must reduce your basis by the amount of those taxes.

If you bought your home, you probably paid settlement or closing costs in addition to the contract price. Those costs are divided between you and the seller according to the sales contract, local custom, or understanding of the parties. If you built your home, you probably paid those costs when you bought the land or settled on your mortgage. The only closing costs you can deduct are home mortgage interest and certain real estate taxes. You deduct them in the year you buy your home if you itemize your deductions. You can add certain other settlement or closing costs to the basis of your home.

While you own your home, various events may take place that can change the original basis of your home. Those events can increase or decrease your original basis. The result is called adjusted basis.

(Read part two next week on tax advantages. Contact The PowerHouse Team for further questions at 310-482-2015 or brent@pwrhteam.com.)

SANTA MONICA RESIDENTIAL REAL ESTATE TRANSACTIONS: SINGLE FAMILY HOMES, CONDOS AND INCOME HOMES

Sold	565 E CHANNEL RD	SANTA MONICA 90402	
Santa Monica	SqFt: 4,000	List Price: \$6,150,000	Bed: 3
06/30/2005	Lot Size: 45,302	Sold Price: \$6,250,000	Bath: 4.00
Sold	527 19TH ST	SANTA MONICA 90402	
Santa Monica	SqFt: 2,284	List Price: \$2,250,000	Bed: 3
06/30/2005	Lot Size: 8,940	Sold Price: \$2,357,000	Bath: 2.00
Sold	1228 SAN VICENTE BLVD	SANTA MONICA 90402	
Santa Monica	SqFt: 1,596	List Price: \$2,150,000	Bed: 3
06/28/2005	Lot Size: 10,037	Sold Price: \$1,674,000	Bath: 1.75
Sold	270 PALISADES BEACH RD #103	SANTA MONICA 90402	
Santa Monica	SqFt: 1,693	List Price: \$1,995,000	Bed: 2
06/30/2005	HOD: \$510	Sold Price: \$1,925,000	Bath: 2.00
Sold	2103 IDAHO AVE	SANTA MONICA 90403	
Santa Monica	SqFt: 4,781	List Price: \$1,775,000	Gl: \$86,016
06/30/2005	Lot Size: 7,998	Sold Price: \$2,025,000	GRM: 20.64
Sold	824 20TH ST	SANTA MONICA 90403	
Santa Monica	SqFt: 0	List Price: \$1,695,000	Gl: \$122,712
06/28/2005	Lot Size: 7,998	Sold Price: \$1,772,000	GRM: 13.81
Sold	1513 9th ST #3	SANTA MONICA 90401	
Santa Monica	SqFt: N/A	List Price: \$1,395,000	Bed: 2
06/30/2005	HOD: \$323	Sold Price: \$1,395,000	Bath: 2.00
Sold	2233 21ST ST	SANTA MONICA 90405	
Santa Monica	SqFt: 1,596	List Price: \$1,295,000	Bed: 3
06/28/2005	Lot Size: 6,750	Sold Price: \$1,285,000	Bath: 2.50
Sold	2601 20TH ST	SANTA MONICA 90405	
Santa Monica	SqFt: 5,400	List Price: \$1,269,000	Gl: \$78,480
06/29/2005	Lot Size: 6,046	Sold Price: \$1,282,000	GRM: 0.00
Sold	2401 28TH ST	SANTA MONICA 90405	
Santa Monica	SqFt: N/A	List Price: \$1,199,000	Gl: \$43,656
07/01/2005	Lot Size: 8,999	Sold Price: \$1,199,000	GRM: 0.00
Sold	1627 SUNSET AVE	SANTA MONICA 90405	
Santa Monica	SqFt: 1,909	List Price: \$1,195,000	Bed: 4
06/28/2005	Lot Size: 5,736	Sold Price: \$1,250,000	Bath: 2.00
Sold	1215 ASHLAND AVE	SANTA MONICA 90405	
Santa Monica	SqFt: N/A	List Price: \$1,149,000	Bed: 2
06/29/2005	Lot Size: 6,345	Sold Price: \$1,150,000	Bath: 1.00
Sold	1760 SUNSET AVE	SANTA MONICA 90405	
Santa Monica	SqFt: N/A	List Price: \$975,000	Bed: 3
07/01/2005	Lot Size: 5,946	Sold Price: \$962,650	Bath: 2.00
Sold	2926 URBAN AVE	SANTA MONICA 90404	
Santa Monica	SqFt: 1,671	List Price: \$899,000	Bed: 3
06/30/2005	Lot Size: 6,500	Sold Price: \$930,000	Bath: 2.00
Sold	930 3RD ST #201	SANTA MONICA 90403	
Santa Monica	SqFt: 1,548	List Price: \$789,000	Bed: 3
06/30/2005	HOD: \$325	Sold Price: \$851,000	Bath: 2.00
Sold	3015 GOLDSMITH ST	SANTA MONICA 90405	
Santa Monica	SqFt: N/A	List Price: \$769,000	Gl: \$0
06/30/2005	Lot Size: 2,496	Sold Price: \$740,000	GRM: 0.00
Sold	854 18TH ST #4	SANTA MONICA 90403	
Santa Monica	SqFt: 0	List Price: \$745,000	Bed: 2
06/29/2005	HOD: \$250	Sold Price: \$770,000	Bath: 1.75
Sold	1010 19TH ST #11	SANTA MONICA 90403	
Santa Monica	SqFt: 1,408	List Price: \$730,000	Bed: 2
06/30/2005	HOD: \$289	Sold Price: \$715,000	Bath: 1.75
Sold	1228 14TH ST #204	SANTA MONICA 90404	
Santa Monica	SqFt: 1,020	List Price: \$595,000	Bed: 2
06/28/2005	HOD: \$259	Sold Price: \$591,000	Bath: 1.75
Sold	917 2ND ST #304	SANTA MONICA 90403	
Santa Monica	SqFt: 751	List Price: \$539,000	Bed: 1
06/28/2005	HOD: \$265	Sold Price: \$570,000	Bath: 1.00
Sold	2041 EUCLID ST #3	SANTA MONICA 90405	
Santa Monica	SqFt: 570	List Price: \$399,000	Bed: 1
06/28/2005	HOD: \$150	Sold Price: \$400,000	Bath: 1.00
Sold	1834 9TH ST #2	SANTA MONICA 90404	
Santa Monica	SqFt: 624	List Price: \$399,000	Bed: 1
06/30/2005	HOD: \$166	Sold Price: \$420,000	Bath: 1.00

THOMAS AT THE POWERHOUSE TEAM:
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Home prices on upward trend for 39 quarters



DAYS ON THE MARKET

BY JODI SUMMERS

For the eighth consecutive quarter, the Pacific states led the nation in annual house-price appreciation, growing at 19.2 percent from the first quarter of 2004 through the first quarter of 2005, according to Freddie Mac's Conventional Mortgage Home Price Index. Nationally, home values increased 11.8 percent on an annual basis, from the first quarter of 2004 through the first quarter of 2005.

California saw 23.44 percent price appreciation during that period.

In Santa Monica in 2005, 134 single-family homes sold between Jan. 1 and June 30. According to the Multiple Listing Service, sales prices are currently averaging \$1,794 per square foot, a 20 percent rise from June 2004. Volume is slowing, with 170 homes sold during the same period in 2004; 200 in 2003.

In the condo market in 2005, 279 condos sold between Jan. 1 and June 30. Condo sales prices are currently averaging \$680 per square foot, and prices are up more than 30 percent from June 2004. Again volume is down with 338 units sold during the same period in 2004. In 2003, 332 condos sold.

Properties remain on the market between one and two months, and selling at asking price.

Santa Monica mirrors the rest of California. Statewide, prices continue to climb with a median-priced home now averaging \$509,230. Prices around the Southland crossed the half-million-dollar threshold for the first time in April, as affordability fell to 17 percent, according to the California Association of Realtors.

The minimum household income needed to purchase a median-priced home at \$509,230 in California in April was \$120,290, based on an average effective mortgage interest rate of 5.92 percent, assuming a 20 percent down payment, and assuming the monthly payment for principal, interest, taxes and insurance is no more than 30 percent of a household's income. April's minimum required income was up from \$102,350 in April

2004, when the median price of a home was \$452,680 and the prevailing interest rate was 5.42 percent.

"The first quarter of 2005 was the 39th consecutive quarter in which all nine regions of the United States had positive annual home price growth," said Amy Crews Cutts, Freddie Mac deputy chief economist.

It has been estimated by the California Building Industry Association that the state's housing boom has generated \$1 trillion in increased home equity since 2000 and has pumped billions of dollars into the state's economy.

Alan Nevin of the California Building Industry Association observed that median equity gain for those who owned a single-family home in 2000 was \$230,386, while the median equity gain was \$200,544 for condominium owners. Homes in Los Angeles County have appreciated \$82.16 billion since 2000.

"For the person who owned a single-family home in the year 2000 and bought that home with a 15 percent down payment, their return on equity would be approaching 1,000 percent," Nevin said. "Economists and housing experts have known for years that home ownership is the leading source of wealth creation for the vast majority of Americans. Now we have a better feeling for just how much wealth home ownership has created here in California."

The California Building Industry Association study found that the 2.5 million homes purchased since 2000 have increased in value about \$378.7 billion, while the 4.3 million homes owned but not sold in that time period have increased in value by \$641 billion.

To burst that bubble, PMI Mortgage Insurance Co. notes that there is a 16.1 percent probability of an overall house-price decline over the next two years in the nation's 50 largest housing markets.

The five metropolitan areas least likely to exhibit home price declines over the next two years are Indianapolis, Rochester, NY; 59, Oklahoma City; 57, Buffalo-Niagara Falls, NY; 57 and Pittsburgh; 57.

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

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1228 14th Street, Santa Monica.....3BR, 2BA, 1,552 sq.ft.(A).....\$769,000.....In Escrow
1330 Yale Street, Santa Monica.....2BR, 1.5BA, 1,552sq.ft.(A).....\$499,800.....In Escrow
856 Iliff Street, Pacific Palisades.....1BR, 1BA, 6,500 sq.ft (A).....\$1,295,000.....Sold and Saved \$39,050
1736 Palisades Dr. Pacific Palisades.....2BR, 2BA 1,776 sq.ft.(A).....\$699,000.....Sold and Saved \$34,990
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1 cup fresh corn (1 ear)
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1 cup diced, peeled carrots
1 cup diced green bell pepper
1 cup diced peeled avocado
1 (15 oz) can black beans, rinsed
& drained
1 (4 oz) shredded Monterey Jack cheese
1 cup coarsely crushed baked tortilla chips
Sprinkle w/Lime-Cilantro Vinaigrette

TO SERVE 4:

1. Steam corn, covered, 3 minutes (until crisp-tender) Rinse w/cold water; set aside to cool 2. Place 2 cups mixed salad greens on each of 4 plates. Arrange 1/4 cup of tomato, onion, carrots, bell pepper, corn, Avocado & 1/2 cup beans in rows over salad greens. Sprinkle 1/4 cup cheese and 1/4 cup crushed chips over each salad. Drizzle 1/4 cup of vinaigrette over each salad.



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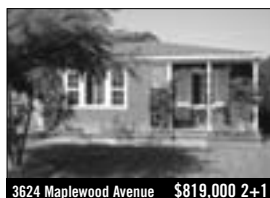
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GUEST COMMENTARY BY MICHAEL PATTINSON

Outrage over property rights: 30 years too late

Finally, the outrage.

For 30 years across America, local, state and federal governments have been begging, borrowing and stealing trillions of dollars of private property with little or no compensation. With little or no outrage.

Any voices raised in protest were drowned out by the cheering of environmentalists — happy their favorite plants and animals would get a free place to live on millions of acres of free land.

But in Connecticut, the Supreme Court allows a city to take a few homes — even when it pays for them — and the anger falls like acid rain.

Better now than never.

The Connecticut city had its reasons why it took those homes. Cities always do. But for the first 180 years of our republic, the courts really did take property rights seriously. Judges insisted that private property really was private, and that government could only take it under extreme circumstances. And then, of course, it had to pay for it.

But for the last 30 years, we've been on a slippery slope of government land grabbing. At the federal level, the Endangered Species Act has outlawed the private use of private land on tens of millions of acres throughout America.

Of course, few people say that private use has been "outlawed," though it has. They say it has been "set aside." George Orwell was right: Control the word, control the thought.

In California alone, 5.4 million acres have been "set aside" for the red-legged frog. Two million more acres have been set aside for sheep, shrimp, snails and grasshoppers. Together, this is larger than the entire state of Connecticut. Larger than the every piece of urbanized land in California.

A recent U.S. Fish and Wildlife report shows that taking — I mean setting aside — just a small portion of this land in California will mean an economic loss of \$965 million and destroy 259,814 housing opportunities.

Even this estimate must be considered modest because this same Fish and Wildlife Service said that the 500,000 acres it wanted to set-aside for the gnat catcher could be done at no cost. Zero.

Free land. Imagine that. Or could it be that it is not really free? It's just that someone else is paying. Too many people no longer want to know.

The list goes on all across America: The piping plover enjoys 508 miles of free waterfront property in nine states adjoining the Great Lakes. In Arizona, the pygmy owl gets 800,000 acres — free and clear, with not a penny going to the people who own any of this property.

More than 20 million people are crammed into the 800,000 acres that make up Los Angeles, New York,

Dallas, Atlanta and Boston. Meanwhile, 78 pygmy owls are given 800,000 acres of land in Arizona. That's almost 10,000 acres per owl.

At Camp Pendleton, the land grabbers tried to take 63,000 acres for a microscopic shrimp that is born, lives and dies in a mud puddle in three weeks. This is threatening our ability to train troops at American military bases throughout the world.

However rapacious the federal government may be, local governments are positively predatory.

If red-legged frogs had been found at the homes in Connecticut that everyone is now so upset about, the result for the homeowners would have been the same, yet we never would have heard about it.

But we did, though this is far from the largest abuse of property rights in America. However rapacious the federal government may be, local governments are positively predatory.

The headlines tell the story: Almost every day in California a newspaper trumpets the latest environmental "victory" over property owners. In one week in June alone, news outlets tell us that city councils are shutting down property rights in Monterey, Vallejo, Norco, El Segundo, Ventura, Yucaipa, Fairfield, Alamo, San Ramon, Contra Costa County, Castroville, Pajaro, San Joaquin, Murrieta, Temecula, San Diego, Carlsbad, Oceanside, and on and on and on. Day after day. Week after week. Year after year. For landowners big and small.

In Southern California today, the wholesale destruction of our property rights means that only 6.4 percent of San Diego residents can afford to buy an average-priced home. In Orange County, the number is 3.8 percent. The rest of the state is not much better off.

The implications for a whole generation unable to buy their first home are staggering — and catastrophic. Yet no one seems to notice.

To paraphrase Lenin, steal a few homes in Connecticut and that is a tragedy. Steal hundreds of thousands in California and that is a statistic. But hardly a surprise.

(Michael Pattinson is the president of Barratt American, a Carlsbad, Calif., home-building company. He also is the former president of the California Building Industry Association. To reach him, call (760) 431-0800, or e-mail at drowley@barrattamerican.com.)



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INTERNATIONAL



Afghanistan condemns civilians deaths in airstrike

BY AMIR SHAH
Associated Press Writer

KABUL, Afghanistan — Afghanistan on Tuesday condemned the killing of up to 17 civilians in a U.S. airstrike, and a senior American defense official confirmed the deaths of two Navy SEALs who were missing in action in the country's northeast.

The airstrike came Friday in Kunar province, which borders Pakistan, the area where a U.S. transport helicopter was downed late last month, killing 16 troops in the deadliest single blow to American forces since they ousted the Taliban in 2001.

"The president is extremely saddened and disturbed," said Jawed Ludin, President Hamid Karzai's chief of staff. "There is no way ... the killing of civilians can be justified. ... It's the terrorists we are fighting. It's not our people who should suffer."

A government team is on its way to the site to investigate the bombing, a Defense Ministry statement said.

Meanwhile, two members of the U.S. Navy's elite special forces branch who were missing in Kunar have been found dead, a senior U.S. defense official in Washington said Monday night. Another SEAL was rescued Saturday and the fate of a fourth was unknown.

The official who confirmed the recovery of the two bodies spoke on condition of anonymity because of the ongoing effort to account for the missing U.S. servicemen in Afghanistan.

The team of SEALs was reported missing on June 28. A rescue effort that day ended in tragedy when the transport helicopter seeking to extract the team was shot down.

The serviceman rescued Saturday had taken shelter in a village elder's home before American forces were notified of his location and picked him up, said Kunar

provincial Gov. Asadullah Wafa.

Speaking about the U.S. airstrike, Wafa told The Associated Press that an initial strike destroyed a house, and as villagers gathered to look at the damage, a U.S. warplane dropped a second bomb on the same target, killing 17 of them, including three women and children.

He said it was unclear who was killed in the initial attack in the tiny village of Chechal. "Maybe some militants were killed, but I don't know," he said. "The 17 people were killed in the second bombing."

The U.S. military said the attack was carried out "with precision-guided munitions that resulted in the deaths of an unknown number of enemy terrorists and noncombatants."

"The targeted compound was a known operating base for terrorist attacks in Kunar province as well as a base for a medium-level terrorist leader," it said. "Battle damage assessment is currently ongoing."

The statement added U.S. forces "regret the loss of innocent lives and follow stringent rules of engagement specifically to ensure that noncombatants are safeguarded. However, when enemy forces move their families into the locations where they conduct terrorist operations, they put these innocent civilians at risk."

The civilians are the latest victims in an unprecedented spate of violence that has left about 700 people dead and threatened to sabotage three years of progress toward peace. Afghan officials insist the violence will not disrupt landmark legislative elections slated for September.

A purported Taliban spokesman, Mullah Latif Hakimi, claimed last week that militants had captured one of the SEALs. He said the "high-ranking American" was caught in the area where the helicopter went down.

Hakimi, who also claimed insurgents shot down the helicopter, often calls news organizations to take responsibility for attacks, and the information frequently proves

exaggerated or untrue. His exact tie to the Taliban leadership is unclear.

U.S. officials said they had no evidence indicating any service members had been taken into captivity.

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Insurgents mount attacks against Islamic diplomats throughout Iraq

BY SINAN SALAHEDDIN
Associated Press Writer

BAGHDAD, Iraq — Insurgents mounted attacks against Arab and Muslim diplomats in Iraq on Tuesday, wounding Bahrain's top envoy in a kidnapping attempt. Pakistan's ambassador also escaped an assault on his convoy.

The attacks came three days after gunmen seized Egypt's top envoy to Iraq as he was buying a newspaper in the capital, appearing to signal an insurgent campaign to discourage Islamic countries from bolstering ties with the U.S.-backed Iraqi government.

"The aim is clear, just to create a state of fear," Iraqi government spokesman Laith Kuba told reporters. Al-Sherif's kidnapping "was an attempt to ... scare the other diplomatic missions so that they won't expand their presence in Iraq."

The Bahraini diplomat, Hassan Malallah al-Ansari, was shot on his way to work in the Mansour district of western Baghdad, said Dr. Muhanad Jawad of Yarmouk Hospital. The diplomat was treated for a shoulder wound and released, witnesses said.

"There was an attempt to kidnap him by gunmen when he was on his way from his house to the Bahrain mission in Baghdad," Bahrain Foreign Ministry Undersecretary Yousef Mahmoud was quoted as saying by the official Bahrain News Agency.

Pakistan's Ambassador Mohammed Younis Khan said gunmen riding in two cars opened fire on his convoy as he was on his way home from work in the same neighborhood, but he wasn't wounded.

The Pakistani Foreign Ministry said it has asked Khan to leave the country temporarily.

"Our escort fired back at them so we were able to escape without any harm," Khan told The Associated Press. He said he believed that one of the attackers' cars was hit by fire from his bodyguards, but he was not sure if any of the men were injured.

"It happened so quickly I didn't have time to think of being scared," said Khan, who was named Pakistan's ambassador to Iraq earlier this year. He said security

would be stepped up, but declined to give details.

There was still no word Tuesday on the fate of the kidnapped Egyptian envoy, Ihab al-Sherif, 51.

Witnesses said the abductors accosted him Saturday night in western Baghdad and shoved him into the trunk of a car after pistol-whipping him. They accused him of being an American spy, witnesses said.

Egypt announced last month that it would become the first Arab country to post an ambassador to Iraq since the fall of Saddam Hussein.

The tiny Gulf state of Bahrain is a close American ally and home to the U.S. Navy's 5th Fleet, which played a support role during the U.S.-led invasion of Iraq in March 2003.

Pakistan has been a heavy backer of the U.S.-led war on terrorism in Afghanistan, but it has offered only lukewarm support for America's activities in Iraq.

Several Pakistani civilians have been kidnapped and killed by insurgents in Iraq, but this was the first assault on a Pakistani official.

In other violence Tuesday, two suicide car bombers wounded four U.S. Marines in the western town of Hit on Tuesday, three days after military commanders announced that an Iraqi army battalion backed by Marines would be stationed in the town, a U.S. spokeswoman said.

Gunmen ambushed a minibus taking seven Baghdad airport employees to work, killing four women and wounding three men, police and hospital officials said.

A roadside bomb blast and a subsequent firefight killed two Iraqi soldiers and wounded seven others on Baghdad's outskirts in the Abu Ghraib district, police and hospital officials said.

A mortar attack, meanwhile, missed a U.S. military base and struck central Samarra, killing a 13-year-old girl and wounding four civilians, police said. The city is 60 miles north of Baghdad.

Another mortar attack killed two sisters, ages 20 and 30, doctors said, in an area just north of Ramadi, the capital of the volatile western Anbar province. It was not known who fired the mortar.



Cargo crossing the border not inspected

BORDERS, from page 1

Nova Scotia salmon to U.S. auto parts.

Bakery owner Mary Ann Cuderman worries about what else might be passing, especially given concern that infrastructure could be a terrorist target. A citizens group she heads wants closer scrutiny. "How do you feel secure," she says, "knowing that anybody, at any time, could drive right up on that bridge?"

■ Farther east, where Maine and New Brunswick touch, a man carrying a home-made sword, a hatchet, a knife, brass knuckles and a chain saw stained with what seemed like blood sought entry to the United States. After confiscating his weapons and questioning him, border agents let him in.

Canadian-born Gregory Despres was a naturalized U.S. citizen returning home, U.S. Customs and Border Protection officials explained. But the day after he was admitted to America in April, authorities in his Canadian hometown found two bodies — one decapitated, the other stabbed to death. Despres was arrested wandering a road in Massachusetts.

"The whole thing gives me a queasy feeling," says Colin Kenny, chairman of Canada's Standing Senate Committee on National Security and Defense.

Two U.S. congressmen, Edward Markey and Stephen Lynch, sent a letter to Homeland Security Secretary Michael Chertoff, seeking answers about the Despres case and a review of entry procedures. Said Markey: "Giving the green light to this deranged individual to enter our country raises serious questions about these procedures."

Balancing the historic openness of the U.S.-Canada border with today's necessary wariness is a challenge the two nations still have not mastered — and some fear the continued ambivalence could be harmful.

"Despite what should have been the wake-up call of September 11, 2001, there has been an unsettling lack of progress on both sides of the border to improve efficiency and strengthen security at land border crossings," said a 192-page report issued last month by Kenny's committee.

Last week, Chertoff and his counterparts from Canada and Mexico met to pledge better integration of terrorist watchlists and other measures to counter threats.

Yet tightening rules along the border is rarely easy. This spring the Bush administration proposed, then held up, a plan to require passports of everyone entering the United States from Mexico, Bermuda, the Caribbean, Panama and Canada. President Bush said the proposal would "disrupt the honest flow of traffic," though he added: "We've got a lot to do to enforce the border."

Much has already been done. In the Blaine, Wash., border sector, where the raspberry field tire tracks were found, 32 new camera surveillance systems are online and 133 agents on staff, 2 1/2 times the number prior to Sept. 11. Still, Eugene Davis, retired deputy chief of this Border Patrol sector, frets: "We are still wide-open."

At the mile-and-a-half-long Ambassador Bridge, vehicles are not inspected before they embark from either country; as with other border spans, that only happens once they reach the opposite end. Skip McMahon, a spokesman for Detroit International Bridge Co., the private owner, says armed guards patrol the bridge 24 hours every day. Still, he suggests concerned citizens push both federal governments for inspections of suspicious cargo before vehicles cross.

Canada's welcoming immigration policies have long drawn scrutiny from Americans, who fear a terrorist claiming refugee status could lie in wait to carry out a mission. That threat still exists, says David Harris, former chief of strategic planning for the Canadian Security Intelligence Service, Canada's counterpart to the CIA.

Harris asserts more than 50 terrorist organizations have a presence in Canada.

"Canada has essentially said, if you put your foot in Canada and you declare yourself a (Geneva Convention) refugee, then by and large you are," says Harris. "It means that we're quite susceptible to penetration."

Canada continues to admit 250,000 new immigrants and refugees annually. A Canadian government report notes that refugee claims can be delayed up to two years, meaning potentially dangerous applicants can disappear.

Though not a refugee, Fateh Kamel, suspected former ringleader of an Islamic extremist group, easily returned to Montreal in January after serving a prison term in France for terrorist plots there. His Canadian passport (he holds Algerian-Canadian citizenship) gave officials no choice but to admit him — though some lawmakers have since suggested his citizenship be revoked.

The case has parallels to that of Despres, who authorities said violated no immigration rule.

About 1,000 U.S. Border Patrol agents work along the U.S.-Canada border, roughly triple the 2001 force but a fraction of the 9,600 agents who patrol the Mexican border, about half as long at 1,900 miles.

The Canadian side is monitored by 23 enforcement teams, consisting of officers of the 4,500-member Canada Border Services Agency, supplemented by the Royal Canadian Mounted Police and local police departments. Still, most of Canada's 160 land and maritime border crossings are staffed by only one unarmed guard — and long stretches between entry points go unmanned.

On both sides, forests and waterways harbor hidden nooks where helicopters, motorboats, even kayaks drop off or collect drugs.

Recalling a highly publicized terrorist case, U.S. Immigration and Customs Enforcement agent Peter Ostrovsky says, "We're lucky that Ahmed Ressam did not hook up with Canadians smuggling contraband into the country."

Ressam, with ties to the Algerian Armed Islamic Group, was arrested in 1999 in Port Angeles, Wash., as he drove off a ferry from Canada. Customs agents

Officials believe 50 terror groups have presence in Canada

BY BETH DUFF-BROWN

Associated Press Writer

TORONTO — Though many view Canada as an unassuming neutral nation that has skirted terrorist attacks, it has suffered its share of aggression, and intelligence officials believe at least 50 terror groups now have some presence here.

They are from Sri Lanka, Kurdistan and points between and include supporters of some of the best-known Mideast groups, including al-Qaida, authorities say.

Osama bin Laden named Canada one of five so-called Christian nations that should be targeted for acts of terror. The others, reaffirmed last year by his al-Qaida network, were the United States, Britain, Spain and Australia.

The Canadian Security Intelligence Service, counterpart of the CIA, said terrorist representatives are actively raising money, procuring weapons, "manipulating immigrant communities" and facilitating travel to and from the United States and other countries.

Besides al-Qaida, those groups include Islamic Jihad; Hezbollah and other Shiite groups; Hamas, the Palestinian Force 17, Egyptian Al Jihad and various other Sunni groups from across the Middle East, CSIS said.

CSIS said the Irish Republican Army, Tamil Tigers and Kurdistan Workers Party (PKK) and major Sikh terrorist groups also have supporters in Canada.

The Air India bombing of 1985 was the deadliest terrorist attack on a commercial airliner prior to Sept. 11, with the government accusing Sikh terrorists living legally in Canada of taking down the airliner over Ireland, claiming 331 lives, most Canadian.

The separatist Tamil Tigers of Sri Lanka — whose followers helped start the trend in suicide bombings when they assassinated Indian Prime Minister Rajiv Gandhi in 1991 — have their political headquarters in a Toronto suburb.

Canada's clandestine Communications Security

found explosives in his trunk; Ressam eventually was convicted of plotting a blast at the Los Angeles airport.

The U.S. Department of Homeland Security has added small air and marine operations branches near Blaine and Plattsburgh, N.Y.; others are planned for Michigan, North Dakota and Montana.

The friendship between the countries has a potent symbol in downtown Blaine. Twenty-acre Peace Arch Park straddles the international line. People from both nations may meander through its gardens — so long as they go home at day's end. Many don't.

Palestinian Gazi Ibrahim Abu Mezer, convicted in 1998 of plotting to bomb a New York subway, illegally entered the United States this way in 1996. A Border Patrol agent stopped him and returned him to Canada, but Mezer crossed the Washington border again months later.

Dorothy Kristjanson, 84, lives across from the park on the Canadian side. She recalls watching a family illegally crossing, heading south; another time, a burglar going north dropped backpacks on her porch and fled.

Establishment, which listens in on conversations and translates messages from foreigners under suspicion, has increased its annual budget by 57 percent since Sept. 11, and Canada has spent some \$6.5 billion to beef up security along its border.

There currently are four Arab Muslim men in Canadian jails under "security certificates," which allow Ottawa to detain suspects without public trial or evidence in the name of national security. All four suspects argue they face risk of torture if returned to their native Algeria, Morocco, Syria and Egypt. A fifth suspect, Adil Charkaoui, was granted conditional release in February but must wear an electronic tracking device and remain in Montreal. Human rights groups have condemned Canada for holding the men.

Canada adopted its Anti-Terrorism Act in the months that followed Sept. 11, yet only one man has been arrested under the act: Mohammad Momin Khawaja.

Born in Canada to Pakistani immigrants, Khawaja was arrested in March 2004 on suspicion of participating in and facilitating terrorist activities in London and Ottawa, according to the Royal Canadian Mounted Police.

Young men like Khawaja, 26, are representative of the type of recruits al-Qaida is after, CSIS said in a report recently made public by the Toronto Star.

"There is a direct threat to Canada and Canadian interests from al-Qaida and related groups," CSIS said. "Converts are highly prized by terrorist groups for their familiarity with the West and relative ease at moving through Western society."

The U.S. State Department has estimated there are 40 terrorist organizations with sympathizers or supporters in the United States.

(EDITOR'S NOTE: AP Homeland Security reporter Lara Jakes Jordan contributed to this report from Washington.)

"It's something that happens every day," she said. Still, she added: "The border's pretty safe."

Safer, anyway, many officials contend.

After the 9/11 attacks, Canada adopted a new anti-terrorism act and a plan with Washington intended to increase security while permitting the flow of commerce and some 300,000 people across the border each day.

A program that identifies low-risk frequent travelers and gives them speedier crossings has enrolled 76,000 people; and 54,000 truckers have been screened for faster passage.

"Security has increased dramatically," says Danny Yen, a spokesman for the Canada Border Services Agency.

In Blaine, the Border Patrol's Joe Giuliano believes security is greater but speaks pragmatically:

"I can put a million agents out there and have them run willy-nilly across the border catching everything that moves and throwing it back. Two hours later, they're going to try again ... and sooner or later somebody's going to find that one little seam and exploit it."

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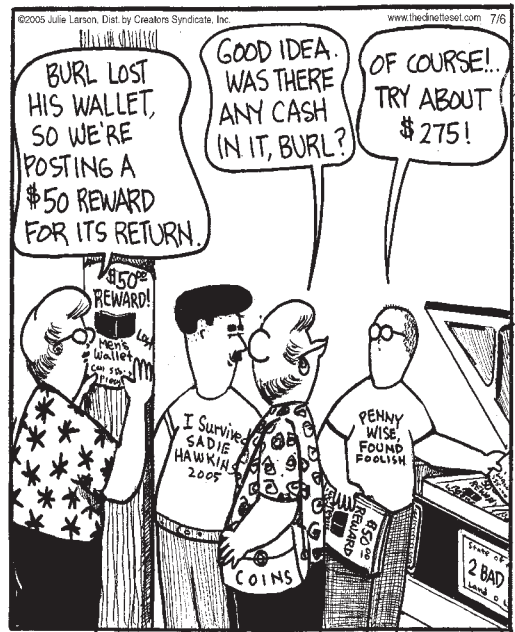
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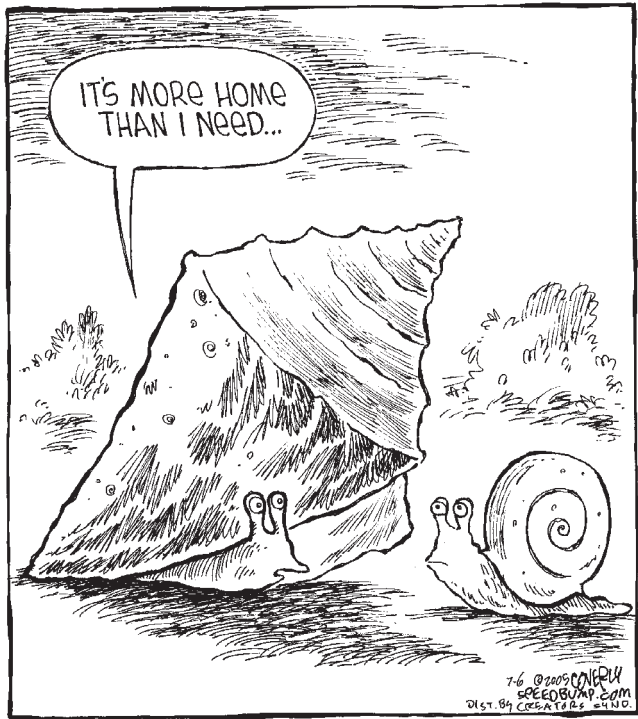
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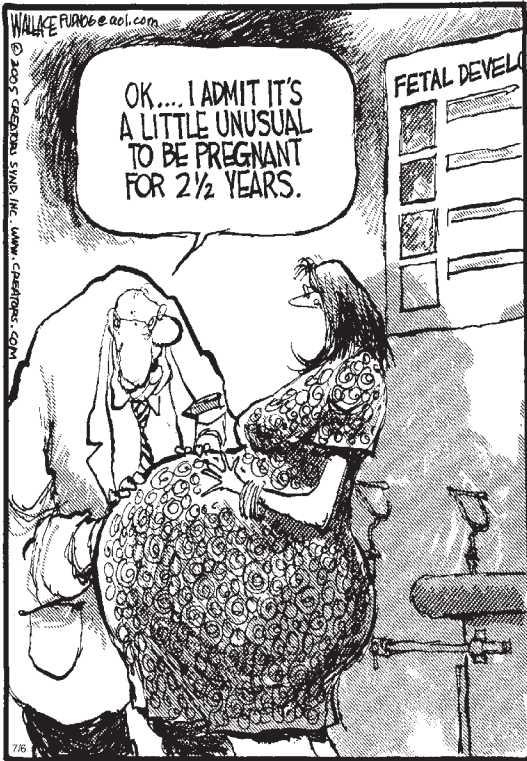


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- 11 Touch base
- 12 Woods with woods
- 13 Start of a Caesar quote
- 14 Puts in turf
- 15 "The Joy Luck Club" writer
- 16 Pub pint
- 17 Snapshot
- 18 Finish
- 19 Joined forces
- 22 Winter carrier
- 23 Fork setting
- 26 Showed sorrow
- 29 Lush
- 32 Secret agent
- 33 Debussy's "La —"
- 34 Soar
- 36 Leslie Caron film
- 37 Home in the country
- 38 Column type
- 39 "Paper Moon" star

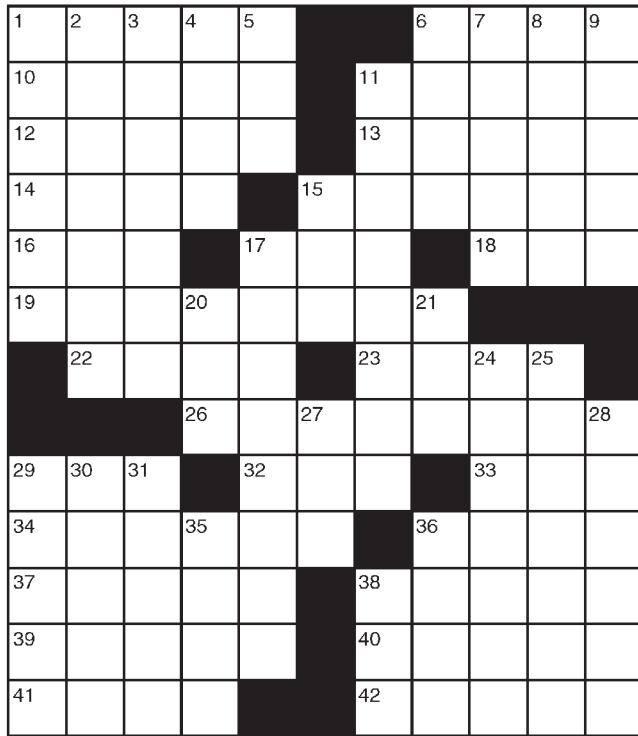
- 40 Humble
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DOWN

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- 9 Use up
- 11 "Spam-alot" star
- 15 Lend a hand
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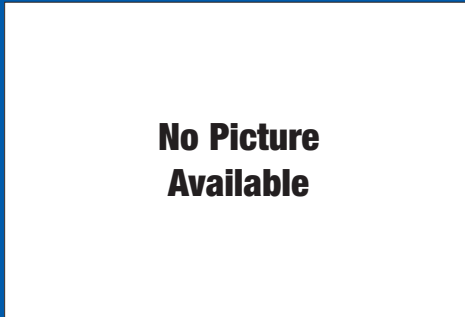
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