

Santa Monica Daily Press

A newspaper with issues

LOTTO

FANTASY 5

30, 20, 5, 32, 25

DAILY 3

Afternoon picks: 4, 7, 9

Evening picks: 5, 2, 4

DAILY DERBY

1st Place: 08, Gorgeous George

2nd Place: 07, Eureka

3rd Place: 01, Gold Rush

Race Time: 1:49.83



NEWS OF THE WEIRD

by Chuck Shepard

To publicize an April 1 town festival near Cedar City, Utah, the mayor dreamed up a fanciful narrative: that a 10th-century, Viking-discovered island had been carried ashore by a Pacific Ocean volcano, to a point near what is now Cedar City, and by a 19th-century treaty, the U.S. had swindled the Vikings out of ownership of the island's artifacts, allowing Vikings only the privilege of the April festival. Everyone took the story in good spirit until several residents of nearby St. George grimly wrote the mayor claiming to be Viking descendants and demanding "their" artifacts back. When the mayor told them it was a joke, the claimants accused the mayor of a coverup.



QUOTE OF THE DAY

"The only normal people are the ones you don't know very well."

— Joe Ancis



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Financial uncertainty lingers over City Hall

BY CAROLYN SACKARIASON
Daily Press Staff Writer

June gloom may be over as far as the weather is concerned, but it will loom over City Hall at least through the summer, if not longer.

That's the message sent to the business community from City Manager Susan McCarthy on Tuesday during the Chamber of Commerce's luncheon. Dubbed the "state of the city," McCarthy's presentation was full of gloom and doom related to the city's financial forecast.

But City Hall's problems are all relative. At least Santa Monica officials have anticipated the city's problems in the future, which is more than what can be said for the state government, which has missed the deadline of

passing a balanced budget and faces a growing \$38 billion deficit, McCarthy said.

"Whatever you think of the city of Santa Monica, the state is so not there," McCarthy told Santa Monica's business leaders. "At

least we have adopted a budget and it's a balanced budget."

And also different from the state, Santa Monica uses a five-year financial forecast to understand fiscal decisions made today. City Council members and city financial officials already are coming up with a plan to deal with next year's budget

which is expected to have a multi-million dollar deficit.

The City Council closed a \$16 million gap for this year's budget

See FINANCES, page 5

Building inspector gets probation in bribery case

BY PATRICK KINMARTIN
Special to the Daily Press

A City Hall building inspector accused of soliciting bribes pleaded no contest on Tuesday to one count of bribery and was ordered by a judge to pay back one of his victims.

Martin Aguirre, 29, was fined \$2,000 by Los Angeles Superior Court Judge Ann Jones and sentenced to three years probation. He is required to wear an electronic ankle bracelet that will track his activity for 180 days.

Judge Jones dropped a second bribery charge on the condition that Aguirre return \$628 in bribe money to Diane Smith.

Smith, a Santa Monica homeowner, gave Aguirre the money after he told her that she was violating a city building code and he would ignore it only if she paid him cash.

Aguirre, who was arrested by Santa Monica Police in a sting operation in February after he solicited a bribe from a business owner who was renovating his property, appeared relieved as he left the downtown Los Angeles courtroom with his wife on Tuesday.

"Martin is ready to put this ordeal behind him," said Dan Brookman, Aguirre's attorney. "He deeply regrets his actions and is more than willing to pay restitution and serve his probation."

Aguirre's eagerness to move on does not sit well with Jim Allan, the owner of Post Haste Sound and Aguirre's last victim.

"This isn't an 'Oops, I'm sorry' type of thing," Allan said. "What he did was serious, he could have caused irreparable damage to the livelihood of myself and my

See INSPECTOR, page 5



City Manager Susan McCarthy speaks on the state of the city to business leaders.



Martin Aguirre

Concert in full swing



Del Pastrana/Daily Press

The band 'Big Bad Voodoo Daddy' held a free concert Tuesday, complete with a dance floor full of swing dancers, on the Promenade to promote their CD 'Save My Soul.' The concert started at 7 p.m. and the band was scheduled to sign CDs for fans after the performance.

Recall campaign could be example for nation

BY ERICA WERNER
Associated Press Writer

LOS ANGELES — If California's Republicans get their way, Democratic Gov. Gray Davis will join a club so exclusive it has only one member — Lynn J. Frazier, governor of North Dakota during World War I.

Frazier served from 1917 to 1921, when he became the first

— and for now, the only — governor recalled from office.

He was ousted as the economy faltered and his Nonpartisan League party's socialist policies fell into disfavor. The voters were exercising a power they had attained just a year earlier.

"It was a symptom of the whole time of discontent because we were going into a time of

See RECALL, page 7



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HOROSCOPE

Share a dream with a friend, Pisces

JACQUELINE BIGAR'S STARS

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

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

HAPPY BIRTHDAY for Wednesday, July 9, 2003:

You cannot and should not stomp on your creative energies this year, as they will surge to the forefront. You might not always have the self-discipline you would like, especially with spending and risking. You embody a more devil-may-care attitude than in past years. You also have tremendous moneymaking capacity if you use your abilities. You could be delighted by what heads down your path. Seek clarity and good communication. During the fall, you'll enter an extremely content period. If you are single, there is no reason to maintain that status. You will meet many people this year. You could be interested in more than one. If you're attached, your relationship will bloom because of your willingness to let go more frequently. SCORPIO adores you.

♈ ARIES (March 21-April 19)

★★★★★ As hard as it might be to believe, too many choices can be daunting. You will find yourself in this situation today. Make your selection by asking questions and brainstorming. Getting a trusted associate's opinion can never hurt. Tonight: Chat till the wee hours.

♎ LIBRA (Sept. 23-Oct. 22)

★★★★★ Experiment with new ideas more often. Not everything is as it seems. You could be overwhelmed by a meeting or another's presentation. The questions a boss or superior ask could be extremely enlightening to you. Tonight: Treat yourself to a favorite meal.

♉ TAURUS (April 20-May 20)

★★★★★ You know what someone is saying, but so much might be tossed at you simultaneously that you could be sorting through conversations for a while. Everyone has a "better" idea. Rather than say "no," you would be well advised to let others have their way. Tonight: Just don't be alone.

♏ SCORPIO (Oct. 23-Nov. 21)

★★★★★ Mobilize your energy with an eye to getting the job done. Others drop a boatload of work on you. You'll make it through because of your ability to mobilize others and ask for help. Teamwork could degenerate into a happy get-together. Tonight: As you like it.

♊ GEMINI (May 21-June 20)

★★★★★ While others are filing out of the office this evening, you might be making up for lost time. A stream of calls could be most distracting. Once you buckle down, you might be delighted and surprised by what you come up with. Tonight: If you must, bring extra work home.

♐ SAGITTARIUS (Nov. 22-Dec. 21)

★★★★★ You demonstrate a tendency to go to excess. Don't worry, and sit back if you can. Go on a fact-gathering mission before coming to any conclusions. Others do a great job of listening and giving feedback. Tonight: Take time with a favorite person.

♋ CANCER (June 21-July 22)

★★★★★ Your imagination leaps 20 steps in front of the real event. Could this be a problem? Quite possibly, as you seek out the best course of action to fulfill an expectation. Avoid all assumptions, and work on the here and now. Play it safe! Tonight: Now, kick up your heels.

♑ CAPRICORN (Dec. 22-Jan. 19)

★★★★★ Head straight down the path to fulfill a goal, or just do a day's worth of work. An associate drops plenty of information on you if you're willing to listen. You should listen to this person more often. Count on this person. Tonight: Start a party or head to a fun place.

♌ LEO (July 23-Aug. 22)

★★★★★ Sometimes it might be less important to be a star in your own right than it is to focus on private matters. You could easily be distracted by your different concerns. Take extra time to reach out for a loved one. Tonight: Get down to the basics within your family.

♒ AQUARIUS (Jan. 20-Feb. 18)

★★★★★ Maintain a strong stance with those around you. Resist letting too many personal facts out right now. You will command a greater sense of respect from associates. Just get in there and do what you must. Tonight: Burn the midnight oil.

♍ VIRGO (Aug. 23-Sept. 22)

★★★★★ Reach out for a loved one. Read between the lines. Your intuition anchors your conversation. You hear what others might miss, whether through an individual's intonation or what might not be said. Discussions help release pressure. Tonight: Find your pals.

♓ PISCES (Feb. 19-March 20)

★★★★★ Investigate a possibility of travel or heading in a new direction. You might want to go back to school to increase your expertise. The sooner it is done, the better off you will be. A child or loved one gives you some key feedback. Tonight: Share a dream with a friend.

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1427 Third Street Promenade, Suite #202 • Santa Monica, CA 90401

<p>PUBLISHER Ross Furukawaross@smdp.com</p> <p>EDITOR Carolyn Sackariasonsack@smdp.com</p> <p>ASSOCIATE EDITOR Jason Auslanderjason@smdp.com</p> <p>STAFF WRITER John Woodwood@smdp.com</p> <p>PRODUCTION MANAGER Del Pastranadel@smdp.com</p> <p>PRODUCTION ASSISTANT Alex Cantareroalex@smdp.com</p> <p>CLASSIFIED REPRESENTATIVE Mitch Troymitch@smdp.com</p> <p>CLASSIFIED REPRESENTATIVE Angela Downenangela@smdp.com</p>	<p>CLASSIFIED REPRESENTATIVE Paula Christensenpaula@smdp.com</p> <p>ADVERTISING ACCOUNT EXECUTIVE William Pattoshwilliam@smdp.com</p> <p>ADVERTISING ACCOUNT EXECUTIVE Rob Plubenirob@smdp.com</p> <p>ADVERTISING ACCOUNT EXECUTIVE Keri Aroestykeri@smdp.com</p> <p>CIRCULATION MANAGER Robert DeamicisRob@smdp.com</p> <p>CIRCULATION Keith Wyattkeith@smdp.com</p> <p>SPECIAL PROJECTS Dave Danforthdave@smdp.com</p> <p>STAFF MASCOT Maya Furukawaross@smdp.com</p>
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LOCAL



YOU BE THE JUDGE

"You be the judge" is an occasional series in which we invite readers to predict the outcome of Santa Monica small claims cases. Today we'll present the facts of the case. Tomorrow, we'll report the actual judge's ruling.

The case of the more than dinghy

BY DAVE DANFORTH
Daily Press Staff Writer

Louis Lussky and Brian Griffiths share adjacent boat slips in Marina Del Rey.

Lussky, who owns a 25-foot sloop with a 10-foot dinghy tied to the stern, has sued Griffiths for allegedly backing his powerboat over Lussky's dinghy, tearing it so badly it was totaled.

Though the dinghy is nine years old, Lussky's asking for \$1,000 to cover its replacement cost. He testifies there is no "blue book" for such boats, but he could find a new one similar to his for about \$1,100.

Lussky admits he was below the deck on his boat, in its slip, and didn't actually see the mishap. But he claims to be familiar enough with the sounds of the marina to have heard Griffiths start his boat and begin backing out of his slip.

Griffiths claims he never backed

over the dinghy. He says that the weather on the day of the accident, last Oct. 29, was clear and there were many boats moving along the "fairway," or waterway between boats. He further notes that the line by which Lussky's boat is attached is eight feet long, allowing the dinghy to swing into the "fairway."

"I did not do it and I'd be happy to let him know it," Griffiths said in court. "Any boat could have done it that day."

Lussky responded that although nobody actually saw the accident, the evidence is convincing. He claims the only way his dinghy could have been mangled was if it was sucked into a propeller. A boat in reverse would do that sort of damage, Lussky argued. He urged the judge to come to the "only reasonable inference" that Griffiths' boat had to have backed over the dinghy. He compares the circumstances to someone who awakens to see snow all over his backyard in the morning. Although nobody saw it

See YOU JUDGE, page 6

Park stabbing leaves man in critical condition

By Daily Press staff

A transient was arrested on Sunday for attempted murder after he allegedly stabbed another transient in Palisades Park, police said.

Santa Monica police arrested Mark Wayne Ford, 37, about three hours after he allegedly stabbed a man in the 700 block of Palisades Park, near Montana Avenue. The victim is listed in critical condition at a local hospital.

At about 4:30 a.m., police responded to a call from a citizen who discovered the unconscious victim suffering from numerous puncture wounds. The witness

also observed a man walking away from the area and provided the police with a physical description of a possible suspect.

At about 7:45 a.m., Santa Monica officers patrolling the area in the 1700 block of Main Street located a man matching the description.

During the course of the investigation, officers discovered that Ford might have been responsible for the assault. Ford was arrested and later booked for attempted murder. Ford's bail is currently set at \$1 million.

Anyone with information regarding the assault is encouraged to contact the Robbery/Homicide Unit of the Santa Monica Police Department at (310) 458-8451.

surf report

Surf has been pretty decent with many spots seeing 2'-3' surf (knee-to-chest high) with a mix of swells. The best breaks will be SW breaks with shoulder high sets. It should get even better by the end of the week.

Today the water is:

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	Morning	Height	Evening	Height	Morning	Height	Evening	Height
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SUNDAY	4:24	-0.6	3:08	2.5	11:04	3.6	9:29	6.1
MONDAY	4:59	-0.7	3:45	2.6	11:42	3.6	10:04	6.1
TUESDAY	5:35	-0.7	4:25	2.7	(12:22)	3.6	10:41	6.0
WEDNESDAY	6:12	-0.6	5:11	2.7	(1:04)	3.7	11:21	5.7
THURSDAY	6:51	-0.4	6:09	2.8	N/A	N/A	1:48	3.8
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The QLine

California politics are on the nation's front burner again these days as the campaign to recall Gov. Gray Davis continues to gain momentum.

Recently supporters of the recall effort said they have gathered the one million signatures necessary to put the issue in front of state voters in a special election.

Supporters blame Davis — a Democrat — for the state's serious budget deficit, problems with the energy industry and a general lack of leadership, among other things.

Opponents of the recall say the state's

problems won't disappear over night no matter who occupies the governor's mansion and that the cash-strapped state can ill afford the \$25 million the special election is reported to cost.

So this week, Q-Line wants to know, "Do you support recalling Gov. Davis from office? Why or why not?"

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



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OPINION

Weapons of mass destruction is one of many lies



INCITES

By Ed Silverstein

Even as the search for weapons of mass destruction (WMD) in Iraq continues, a more serious issue has eclipsed their discovery. Were the American people, members of Congress, the United Nations and the rest of the world deliberately misled by the Bush administration?

In the days leading up to the war, President Bush, Vice President Cheney, Defense Secretary Rumsfeld, Secretary of State Colin Powell and a host of lesser Bushies informed the world that they had conclusive proof that Saddam Hussein possessed weapons of mass destruction.

More significant were their assertions that these weapons represented an imminent threat to our country and the world. We have since learned that not only wasn't there conclusive proof of any looming threat, but the President and his minions may well have concealed evidence that some, if not all, of these weapons didn't exist at all.

Never disclosed was a report from the Pentagon Intelligence Agency warning that there was no proof that Iraq possessed any WMDs. Far more damning was the administration's use of a crudely forged document to suggest Iraq had a nuclear program and was trying to purchase uranium from Africa. The Bush administration would have us believe that the vast intelligence resources at their disposal

During the election campaign George Bush promised to bring back honor to the Presidency. If it is proven that he manipulated our country into an unnecessary war killing thousands, he will have done far greater damage to the office and the world.

were was so grossly incompetent as to be taken in by a document that was instantly discredited by the Blix team.

Even if we were to accept that the administration believed the document to be authentic, the White House — according to a senior CIA official — had been informed that an investigation in Africa had uncovered no substantiation of the document's claims. And the administration's attempt to show a link between Saddam Hussein and Al Qaeda was such hyperbole that it was dismissed out of hand by nearly the entire world, with the exception of about 60 percent of Americans. But as P.T. Barnum once said: "You'll never go poor underestimating the intelligence of the American public."

What is so troubling is that this administration was willing to exaggerate, obfuscate or fabricate in order to precipitate a war. Thousands of men, women and children died in that war including hundreds of our own soldiers. And if a President is willing to use deception in a matter of such grave consequence, what else is he willing to deceive us about?

Missile defense is a perfect example. The Bush administration claims they are rushing to deploy a limited missile defense system by 2004 because Korea may have a missile capable of reaching

the U.S. with a nuclear warhead. But only a year or so ago the intelligence community reported that Korea was at least a decade or more away from building such a missile and even then it would be so inaccurate that it would be just as likely to hit South America as the United States.

Bush's Iraqi war scheme forces us to speculate whether there really is a Korean nuclear missile threat. Or is this just another fabrication in order to gain support for a program with an ultimate price tag of a quarter trillion dollars that will greatly benefit a group of the President's big campaign donors.

And there's the rub. We can no longer trust the President.

Even if WMDs are suddenly discovered in Iraq, my first thought would be, are they real or did we plant them? Because a President who is willing to use convenient half-truths, selective information and lies to force a war in which thousands die is capable of just about anything. And as "Dubya" once attempted to say: "Fool me once, shame on you, fool me twice, shame on me."

So when Bush tells us we need to cut down trees to prevent fires, I don't believe him. And when he tries to tell us we are running out of energy and have to drill for oil in a pristine arctic wilderness, or that

conservation doesn't work, or that we need more arsenic in the water or that there is no global warming, I don't believe him. And with the annual national budget hemorrhaging \$400 billion in red ink, can we really believe the President when he tells us the latest round of tax cuts are a stimulus package? It gets worse.

During the mid-term elections, President Bush and the Republican Party wielded the so-called Iraqi threat to successfully savage Democratic candidates and to take control of both houses of Congress. But if the threat was in whole or part fabricated, the President may well have subverted the election process ... for a second time.

Outside of the U.S., questions about the WMDs have lost the Bush administration, already a pariah with much of the world, whatever shred or credibility that may have remained. This will make it nearly impossible to create coalitions in the future and could negatively impact cooperation on terrorism. And with increasing anger being focused on the United States, how long before foreign consumers shun all American products and services.

During the election campaign George Bush promised to bring back honor to the Presidency. If it is proven that he manipulated our country into an unnecessary war killing thousands, he will have done far greater damage to the office and the world.

The only way President Bush will be capable of fulfilling his campaign promise will be to resign.

(Ed Silverstein is a freelance writer living in Santa Monica.)

Opinions expressed are those of the writer and do not necessarily reflect those of the Santa Monica Daily Press staff. Guest editorials from residents are encouraged, as are letters to the editor. Letters will be published on a space-available basis. It is our intention to publish all letters we receive, except those that are libelous or are unsigned. Preference will be given to those that are e-mailed to sack@smdp.com. All letters must include the author's name and telephone number for purposes of verification. Letters also may be mailed to our offices located at 1427 Third Street Promenade, Suite 202, Santa Monica, 90401, or faxed to (310) 576-9913. All letters and guest editorials are subject to editing for space and content.

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LOCAL



State finances make city's future uncertain

FINANCES, from page 1

by cutting expenditures and raising revenues. And the public can expect next year to be even more painful, McCarthy said.

However, the luncheon crowd, tired of endless construction in Santa Monica, sounded a round of applause when McCarthy told them the city will slow down its rate of public works projects in the future.

To close this year's gap, about \$7 million was found by reducing city expenditures, another \$2 million will be generated through new revenue streams, including increased parking ticket fines, and \$5.2 million will be freed up in City Hall's general fund through policy changes.

"Expenditure reductions will be more noticeable to the public next year," McCarthy said. "It hasn't been a lot of fun."

City officials aren't predicting a lot of fun times through 2006, when City Hall is expected to get out of the red.

And whatever financial problems the state faces, it surely will be passed onto cities and school districts throughout California, making it difficult for Santa Monica officials to predict what's going to happen next.

"We know the state will come after cities," McCarthy said. "They collect property taxes. They collect sales taxes."

She added that rumors are circulating that the state may keep a half cent on all sales tax revenue that is supposed to go to cities throughout California.

"We are all preparing for the worst case scenarios ... Every day they wait to pass a budget, their deficit problems are compounded," McCarthy said. "We do know it will effect our ability to balance the budget in the future."

Victim in bribery case thinks sentence is too lenient

INSPECTOR, from page 1

employees.

"I really find it hard to believe any charges were dropped at all," he added. "I'm still more than disappointed he didn't end up in jail."

When they first met in February of this year, Aguirre walked into the audio editing company located at 3313 Ocean Park Blvd. and told Allan he didn't have the proper construction permits. Aguirre told Allan he would allow him to continue conducting business only if he paid him \$1,500 in cash.

At the time, Aguirre was a contract employee at City Hall with an Ontario-based firm called JAS, which offers services to the city's building and safety department.

Although Aguirre showed proof he was a code compliance and construction inspector, Allan said he knew there was nothing wrong with his building because it had previously been approved by local officials and was originally owned by a longtime family friend.

Allan told Aguirre he didn't have the cash on hand, but to come back the next day. After Aguirre left the building, Allan immediately notified the police that he was falsely accused of violating a city code and asked for a bribe to cover it up. The SMPD set up a sting, providing Allan with marked currency which he used in

McCarthy characterized the state government's way of dealing with its finances as "tunnel vision" by continuing to ignore what's broken by borrowing more money and partisan bickering slowing the process down.

"We know the state will come after cities. They collect property taxes. They collect sales taxes."

— SUSAN MCCARTHY
Santa Monica City Manager

Santa Monica a decade ago was in an "economic dream bubble," according to McCarthy, but local officials couldn't predict that revenues would fall off and expenditures would increase to the extent they have.

"We knew it wouldn't last ... you don't ask the tough questions and prioritize when it's good," she said. "But belt tightening makes us look more closely at things and there is real potential at the city to be leaner and more responsive at the same time."

McCarthy attributes City Hall's financial woes partly on a slow economic recovery, a fall off in tourism from the Sept. 11 terrorist attacks, increased costs relating to city employees and hundreds of millions dollars worth of large capital projects that have just come on line, including a new municipal pool, a new park on Virginia Avenue, a new Main Library and a new public safety building behind City Hall.

the transaction with Aguirre, who was arrested immediately afterward.

"We had to get him in police custody," Allan said. "He was performing such a serious offense and God only knows how many other people he was trying to scam."

A little more than a month earlier, Aguirre told Smith that her garage was illegally converted into an apartment but he wouldn't red tag her property if she paid him \$3,000 in cash.

Over the next week, he collected \$628 in three separate payments from Smith, including a \$200 child support check that she cashed at the bank with Aguirre accompanying her.

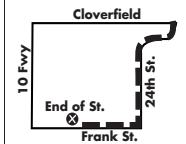
Judge Jones cited the electronic tracking bracelet as Aguirre's substitute for serving time in county jail. Aguirre likely would have been put in jail and faced a steeper fine if he had a criminal record, which he did not, according to Richard Ceballos, the Deputy District Attorney who handled the prosecution.

"But it's not like he got off that easy as it is," Brookman said. "Two thousand dollars is a large fine and the electronic bracelet is another form of detention. He can only do what the district attorney allows him to, which are things like going to work or going to church."

Aguirre will appear in court Aug. 20 to hear conditions of his probation and begin his sentence with the electronic bracelet.

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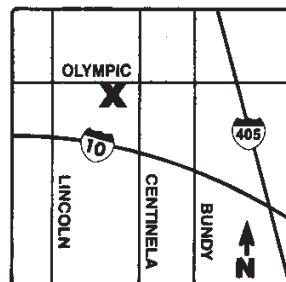
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LOCAL STATE

CALIFORNIA BRIEFS

DEA acted immorally and illegally, group argues

By The Associated Press

SAN JOSE — The Drug Enforcement Administration's autumn raid on a farm that cultivated pot for sick and dying people was both illegal and immoral, members of a medical marijuana movement argued Monday in a federal court trial.

"We are not asserting the right to market marijuana, but to cultivate and use it to prolong life and give comfort to the dying," said Santa Clara University law professor Gerald Uelmen, who represents about 200 chronically and terminally ill people. "We are asserting the fundamental rights of patients ... so they can meet their death without agony and suffering."

The case, which pits state rules on medical marijuana against federal laws declaring it an illegal drug, marks the first time a public entity has sued the federal government on behalf of patients who need medical marijuana.

The city and county of Santa Cruz sued the DEA and Attorney General John Ashcroft in April, demanding that federal agents stay away from a cooperative farm that grows marijuana on a quiet coastal road about 15 miles north of Santa Cruz. In September, agents uprooted about 165 plants and arrested the owners of the Wo/Men's Alliance for Medical Marijuana, Valerie and Michael Corral.

The lawsuit claims that seven patients who are plaintiffs have had their marijuana intake substantially decreased since the raid, and that WAMM has been unable to provide members with necessary medicine to relieve nausea, pain and other chronic conditions. This has caused an "insurmountable" level of pain and suffering and hastened the deaths of the most vulnerable WAMM members, lawyers said.

Activists: Safety shouldn't cost Americans their freedom

By The Associated Press

SAN FRANCISCO — Proclaiming "we don't need to trade our freedoms to be safe," several dozen activists rallied in front of the federal building Monday to voice their opposition to Patriot Act II, the expanded domestic security legislation awaiting Congressional consideration.

"Protesters are not terrorists!" Bob Kearney, associate director of the ACLU of Northern California, told the crowd, which included members of the ACLU, Amnesty International, and the Gray Panthers. "We need to say no to Patriot II before it is even introduced."

The Domestic Security Enhancement Act, drafted by Justice Department officials as a follow-on to the USA Patriot Act passed by Congress after the Sept. 11 terrorist attacks, would grant the government broad new powers to investigate, detain, and interrogate suspected terrorists.

Among other things, it would remove court-ordered prohibitions against police spying on domestic groups; expand the FBI's ability to conduct searches and surveillance without first obtaining a court order; and create a DNA database of suspected terrorists.

Civil liberties groups and others have opposed the Patriot Act and any effort to broaden it, calling it an unfair suppression of constitutional freedoms. The Justice Department has said such powers are necessary to infiltrate and dismantle terrorist organizations operating within U.S. borders.

YOU JUDGE, from page 3

snow, it's more reasonable to infer that it did than to guess that the snow was trucked in.

You be the judge. Who won and what were the damages if any?

The case of the slippery, sprinkled stairwell

BY JULIET MCSHANNON

Special to the Daily Press

In February, Maria Guerrero helps her friend move from an apartment in Marina Harbor Apartments located in Marina Del Rey to another apartment in the same two-story complex.

Unfortunately, Guerrero falls down the stairs and is severely injured. She sues the apartment building owners and asks the court to award her out of pocket medical expenses amounting to \$3,297 and punitive damages for pain and suffering, totaling \$5,000.

Guerrero tells the court that the

communal stairway had to be used in order to move the furniture from one side of the building to the other. She alleges that on that particular day, the sprinklers in the complex were turned on, invading the stairwell and making the stairs wet and slippery. Guerrero had just about finished helping her friend move, when empty suitcase in hand, she slides down the stairs, hurting her back and knee.

Guerrero tells the court that she spent nine hours in an emergency room at Daniel Freedman Hospital and is forced to take two days off work because she cannot sit at the computer, which as an architectural draftsman, she is forced to do.

Marina Harbor Apartments is represented by Sean Nabi, who admits that the sprinklers do wet the stairway, but that there are handrails on both sides. He testified that Guerrero contributed to the accident by "seeing the water and choosing to go down the stairs."

You be the judge. Who won and what were the damages, if any?

STATE



Gov. Davis recall heats up as state's woes worsen

RECALL, from page 1

lower agriculture prices, the wheat market plummeted, then we had a lot of banks that were starting to fail," said Marilyn Snyder, curator of education at the State Historical Society of North Dakota. "You've got a perfect parallel going on there."

A millionaire GOP congressman is financing a recall campaign against Davis, who is vulnerable because of voter wrath over the state's energy crisis and a budget deficit estimated at \$38 billion. His approval rating is down to 21 percent, the lowest on record for a California governor.

He could fall victim to a process that has largely been used against city council or school board members.

If the Davis recall succeeds, California could once again set an example — for better or worse — for the rest of the country, just as it did in 1978 when Proposition 13 launched tax revolts across America.

"Most people had never even heard of recall prior to what's going on with Gray Davis out there, and that was similar to the initiative process prior to 1978. A lot of people had not heard of it, did not know how it could be utilized," said M. Dane Waters, president and co-chairman of the Initiative and Referendum Institute in Leesburg, Va. "If this recall effort is successful, there's no question there will be more interest in the recall mechanism."

Dennis Kucinich, now a congressman and Democratic presidential candidate, barely beat back a recall attempt as mayor of Cleveland in 1979. Arizona Gov. Evan Mecham was impeached and removed by the Legislature in 1988 for obstruction and misuse of state funds, averting a recall election. A recall aimed at Jesse Ventura when he was Minnesota governor in 1999 was stopped when a judge ruled the reasons for it were inadequate — an outcome that could not happen under California law.

California's recall measure was passed under Republican Gov. Hiram Johnson in 1911. It was part of a wave of Progressive Era legislation enacted nationwide in response to political and corporate corruption.

No provision for voter recall of federal officials exists.

Seventeen other states also have provisions for recalling state officials, but California is one of those in which recalls can be pulled off most easily, according to the National Conference of State Legislatures.

To get a recall on the ballot, most states require signatures from at least 25 percent of the number of voters in the previous election. California requires just 12 percent. (The Davis recall campaign, which

hopes to put the measure on the ballot this fall, needs 897,158 signatures by Sept. 2; the state has recorded about half that number so far.)

In addition, California allows more time than most states to collect the signatures. And while six states require recall supporters to specify reasons such as malfeasance or incompetence for ousting an official, California sets no such criteria. The California Constitution says that "sufficiency of reason is not reviewable."

Opponents said the Davis recall is a misuse of a tool that was intended to protect citizens from out-and-out crooks. But recall supporters say the language of the law sets no such standard.

"Many observers are concerned that this will set some kind of precedent. It has that potential."

— LARRY SABATO

Director of the Center for Politics at the University of Virginia

"Hiram Johnson was a reformer who wanted to make sure government was accountable to the people," GOP strategist Kevin Spillane said.

Even so, getting a recall on the ballot is difficult enough that of 117 attempts at the state level in California, only seven — all of them involving state lawmakers — have made it to the ballot, according to the secretary of state's office. Four of those seven attempts succeeded. All 31 past attempts to recall a governor failed to make the ballot.

If the Davis recall makes it onto the ballot, voters will be asked two questions: whether to remove the governor, and which candidate on the ballot they want instead. The only declared major-party candidate so far is Republican Rep. Darrell Issa, who is bankrolling the recall campaign.

"Many observers are concerned that this will set some kind of precedent. It has that potential," said Larry Sabato, director of the Center for Politics at the University of Virginia.

"I'd like to be able to say that people in other states may have more sense, but I don't know. Frankly it would only occur if you had an incumbent who became horribly unpopular, really detested, with awful conditions as you have in California right now."



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For further information regarding the survivor's reception and lap, contact survivor chairperson Judy La Patka at (310) 579-7100 or judylapatka@aol.com Tracey Mayer at the American Cancer Society (310) 348-0356 option 3/ext. 246 or tracey.mayer@cancer.org.

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NATIONAL

Disgusting tradition lives on in Montana bar, despite mad-cow scare

BY MATT GOURAS
Associated Press Writer

MISSOULA, Mont. — Even short-order cook Dianna Keeland looks a little disgusted as she takes the whole cow brain from the fridge and tosses the grayish, softball-sized organ onto the grill at the Oxford.

"They look like something a human being shouldn't eat," Keeland said.

She chops the sizzling mass into bite-size bits, scrambles in some eggs, onion and peppers and serves the steaming plate to a waiting customer at the bar.

Even with hashbrowns, toast and a beverage chaser, two chewy bites are enough to confirm it is an acquired taste.

Brains and eggs at "the Ox" may not have a lot of takers — a dozen orders a week is average, and it's often drunken college kids on a dare. But the signature dish at this Missoula landmark has survived for generations — most recently enduring news of mad-cow disease — to retain its star billing at the top of the Oxford's menu.

"That's the trademark dish here," said manager Ralph Baker, who eventually volunteers he's a vegetarian and has never tried brains and eggs himself.

"Frankly, if I was even eating steak every day, I wouldn't eat 'em," he admitted.

But people do. And not just at the Ox. In the South, brains and eggs is still found at a number of eateries. The big difference is the key ingredient — it's usually pork brains, not cow brains.

At Big Ed's City Market in Raleigh, N.C., owner Richard Watkins said he serves about a half-dozen orders a week, mostly to older customers who remember eating it while growing up.

"Back in the Depression, you didn't waste anything on a hog," he said.

Watkins said his variety, served at the family owned-restaurant for 40 years, tastes similar to ham and eggs.

"It's very tasty. I love it," he said.

At the Oxford in Missoula, a landmark bar and grill for a half century, the dish has been on the menu from the beginning — and it's always been cow brains. This is beef country, after all.

Concerns in recent years of mad-cow disease have not slowed orders and there are no plans to remove the item from the menu, Baker said. Even news this spring that five bulls linked to a Canadian cow infected with the disease were traced to Montana didn't slow orders. Livestock officials eventually found no evidence any of the animals — all of them already sent to slaughter — were infected.

The human form of mad-cow disease is known as variant Creutzfeldt-Jakob Disease. Scientists say people get the fatal illness by eating meat products containing brain or spinal tissue from infected animals.

There have been no confirmed cases of mad-cow disease in the United States, nor have there been any confirmed cases of anyone contracting the human variant in the United States from eating infected meat products.

"I think you're just as likely to get West Nile virus as the mad-cow disease," Baker says. "Nobody worries about it."

He's probably right. According to the Centers for Disease Control and Prevention, the risk of getting the human variant of the disease even in the United Kingdom — where most cases occur — is perhaps about 1 case per 10 billion servings.

"If people want to go the extra mile to make themselves safe, they could avoid these things."

— JIM MURPHY
Montana state health department

Unlike other diseases that can be found in meat products, such as E. coli, the agent that carries mad cow cannot be killed by cooking it at high temperatures. But health officials have not developed a specific recommendation about eating cow brains, mostly because there have been no cases of mad-cow disease in the United States, said Jim Murphy of the state health department in Montana.

"At this point, we don't have a reason to say, don't do this," he said.

But Murphy also noted that the incubation period of the human form of mad cow can be decades, meaning health officials won't know about any outbreak until long after someone is infected.

"If people want to go the extra mile to make themselves safe, they could avoid these things," he said of cow brains and other spinal tissue.

The brains Baker gets come frozen and complete. They are mostly round and — very unappetizingly — still have a noticeable feature where the brain stem came connected.

Earlier this spring, Baker had to find a new supplier after his old brain source found better money selling to people using them to cure leather.

At the Ox, brains and eggs costs \$6 and comes with hash browns and toast. For some, it helps to douse them in Tabasco sauce or lots of gravy. Some chase it down with a shot of whiskey.

Keeland, the short-order cook, said some orders are placed by college freshman going through an initiation of some sort.

"I've had to write actual notes verifying that so-and-so ate the brains and eggs," she said.

And, of course, the Oxford crowd has never seemed overly concerned about minuscule health or safety risks. Open 24 hours a day, the Ox was for years known as a tough bar, where fights were common and police visits frequent.

It's in that venue that brains and eggs stayed at the top of the menu.

"I liken it to a roller coaster," Baker observed. "There's the illusion of danger — but actually no real danger."

NATIONAL



Billions spent on national parks maintenance

BY JOHN HEILPRIN

Associated Press Writer

WASHINGTON — After spending \$2.9 billion in two years on a backlog of maintenance in national parks, the Bush administration can't say how much fixing up remains to be done.

"We've really got to get an honest handle on what the maintenance backlog is," Donald Murphy, deputy director of the National Park Service, told a Senate subcommittee Tuesday.

Murphy said the Park Service won't have a close estimate until a couple years from now, when it expects to complete an inventory of manmade structures in the national parks.

Interior Secretary Gale Norton gave President Bush a report last week that she said represented significant progress toward reducing the backlog — and included a first-ever inventory of park facilities.

She said the administration had spent \$2.9 billion to help reduce an estimated \$4.9 billion maintenance and repair backlog.

The report was intended to show the strides made since Bush's 2000 presidential campaign, when he accused the Clinton administration of leaving the parks in poor condition and promised to push for \$5 billion on maintenance over five years.

Sen. Daniel Akaka, D-Hawaii, a member of the Senate national parks subcommittee, asked if the figures trumpeted by Norton meant that the maintenance backlog had been reduced to \$2 billion.

"No, I wouldn't start down that road," Murphy said, explaining it was simply a comparison of two figures, based on the latest information available.

But it was not the latest. The Park Service used information collected in 1993 to estimate the maintenance backlog was \$6.1 billion as of January 1997. The General Accounting Office, an investiga-

tive arm of Congress, found the proper figure should have been \$4.9 billion, since the other \$1.2 billion was for building new facilities. In January of this year the GAO cited figures provided nearly a year earlier by the Interior Department that put the backlog figure between \$4.08 billion and \$6.8 billion as of February 2002.

The effort to compile a new inventory was begun under the Clinton administration after a 1998 GAO report faulted the Park Service for lacking any systematic means of tracking needed repairs and maintenance.

"The park maintenance backlog knows no party line," Thomas Kiernan, president of the National Parks Conservation Association, an advocacy group, told the subcommittee Tuesday. "It has accumulated through Democratic and Republican administrations and Congresses."

Barry Hill, who directs the GAO's natural resources and environment team, testified Tuesday that "up to now, the main-

tenance backlog is just a best guess — it's a moving target."

"There's really no accountability for the money that's being invested," Hill said.

Murphy insisted that didn't mean the agency was using smoke and mirrors; in two years the Park Service tackled 900 projects, including 325 to rehabilitate buildings, 186 to improve water, wastewater and sewer facilities and 60 to upgrade fire safety. An additional 500 projects were under way this year, he said, and 400 more are planned for 2004.

The projects ranged from \$16.5 million to repair cracks at New York's Federal Hall National Memorial to \$4.1 million for a new visitor center that better protects underground resources at California's Lava Beds National Monument.

"The projects are real projects, there is progress being made," Murphy said. "What we don't have is a clear inventory of the total scope."

Dish-maker's products are listening for extra terrestrials

BY WANG FENG

Associated Press Writer

IDAHO FALLS, Idaho — Wander into the front yard of John Anderson's manufacturing plant, and you might think you're in a NASA warehouse or a CIA surveillance facility.

An array of receptor dishes in all sizes guards covers the dirt yard. Some are big enough to roof a two-bedroom house. Others are no bigger than a computer screen.

Anderson Manufacturing Inc. of Idaho Falls makes dishes with uses, admits Anderson, that exceed his wildest imaginations.

Some of the largest ones — shiny aluminum alloy dishes, 21 feet in diameter — are manufactured for a bunch of scientists in California who are scanning the skies in search of radio signals from aliens.

The Search for Extraterrestrial Intelligence, SETI, is the official name, and the scientists are buying an army of these giant radio telescopes from Anderson.

In fact, Anderson's products play such a crucial role in the ambitious program that his company has gained some national publicity.

The dishes, custom-ordered by SETI, will eventually form the Allen Telescope Array. The project is named after its chief sponsor, Microsoft Corp. co-founder Paul Allen.

They will sprawl across 150 acres of wilderness in Hat Creek, Calif., and be able to scan a piece of sky six times wider than the full moon, gathering data from up to 32 stars at the same time.

"I have already shipped eight of them to California, and I am waiting for an order by August for the remaining 350," said Anderson, 65, president and owner of the company he started 43 years ago.

Unlike TV dishes that receive and decode satellite signals, the SETI dishes listen for radio signals in a specific "window" of the microwave spectrum from 0.5 GHz to 11.2 GHz, Anderson said.

"It took the SETI two years to design the dish, and it took me one year to design the tooling to make them,"

said Anderson, a veteran engineer and inventor.

A native of Firth, Idaho, he dropped out of Brigham Young University after studying engineering for 2 1/2 years to start his own business in 1958.

His company, one of the biggest custom-manufacturing plants in Idaho, now operates in 80,000 square feet and employs 42 people.

Precision dishes are the biggest sector in Anderson's booming business. He has recently started making a dish the same size as those for the SETI for NASA's Jet Propulsion Laboratory. It will be used in communicating with outer-space exploration vehicles.

Meandering his way between gigantic machinery and several half-finished SETI dishes, Anderson is an enthusiastic believer in extraterrestrials and has full confidence in his products.

"These are by far the most aggressive and viable research tools ever made," he said. "I know God has created other planets with people on them, and it would only be a matter of time before they find them."

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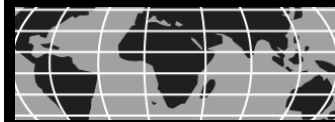
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WORLD BRIEFLY

Militants claim they bombed Israel

By The Associated Press

JERUSALEM — The militant group Islamic Jihad claimed responsibility Tuesday for a bombing in central Israel that killed two people and apparently violated a weeklong cease-fire pledge.

The group threatened more violence if Israel does not meet its demand for a mass release of Palestinian prisoners. "Release the prisoners or the consequences will be grave," the group said in a leaflet faxed to The Associated Press.

Meanwhile, momentum appeared to be building toward a visit by Palestinian Prime Minister Mahmoud Abbas to the Israeli Knesset, where he would lobby for a broader release of Palestinian prisoners — addressing an issue that has emerged as a major obstacle to the drive to end 33 months of Mideast violence.

It was not clear whether the attack Monday night had been carried out by a splinter within Islamic Jihad and whether it had received authorization from the group's leaders in advance.

The bombing is the first since Palestinian militants declared a cease-fire on June 29.

Twins die during separation surgery

By The Associated Press

SINGAPORE — Neurosurgeons separated 29-year-old Iranian twins joined at the head Tuesday after two days of delicate surgery, but both sisters died shortly after their parting.

The hospital announced Ladan Bijani's death, then, a few hours later, a nurse involved in the surgery said her sister Lelah had died.

"Everyone upstairs is crying," said the nurse, speaking on condition of anonymity. "We treated them like family because they had been here for seven months."

Hospital officials have yet to officially announce the second death.

Earlier, doctors said Ladan died after they were unable to stabilize her condition.

"As the separation was coming to a close, a lot of

blood was lost. The twins were subsequently in a critical state," said Raffles hospital spokesman Dr. Prem Kumar.

Debris caused Columbia's demise

By The Associated Press

SAN ANTONIO — A chunk of foam insulation similar to the one that came off during Columbia's liftoff punched a large ragged hole in a shuttle wing mock-up, and the accident investigator in charge of the test said it proved that the debris doomed the spaceship.

"We have found the smoking gun," said Scott Hubbard, a member of the Columbia Accident Investigation Board.

The 1.67-pound piece of fuel-tank foam insulation fired at real shuttle wing parts Monday blew open a gaping 16-inch hole. The crowd of about 100 onlookers gasped and cried "Wow!" when the foam hit — the impact so violent that it popped a lens off one of the cameras recording the event.

The foam struck roughly the same spot where insulation that broke off Columbia's external fuel tank smashed into the shuttle's left wing during launch. Investigators had speculated that the damage led to the shuttle's destruction during re-entry over Texas in February, but Monday's test offered the strongest proof yet.

Men wanted for nursing jobs

By The Associated Press

CLEVELAND — With the ranks of nurses strained nationwide even as the baby boomer generation ages, hospital recruiters are turning to what they consider an untapped market for new nurses: men.

Better pay, ample jobs, career mobility and even an emphasis on the rigorous demands of the job have combined to lure men into a realm dominated by women.

"It is a field that is defined by gender for most people," said Michael Brakel, 30, of Honolulu, an incoming senior nursing student at Hawaii Pacific University.

Of the nation's 2.7 million nurses, an estimated 146,902, or 5.4 percent, are men, according to a 2000 survey by the Division of Nursing of the U.S.

Department of Health and Human Services. That was up from 2.7 percent in 1980, the survey found.

GOP: Suits cause rising healthcare costs

By The Associated Press

WASHINGTON — Legislation to cap damage awards in medical malpractice cases is headed for a partisan wreck in the Senate, where Republicans say frivolous lawsuits are creating a health care crisis, and Democrats argue that mistakes by doctors and hospitals are to blame for sharply rising insurance premiums.

"Caps don't bring malpractice rates down," Sen. Dick Durbin, D-Ill., said Monday as the GOP-controlled Senate clashed over legislation strongly backed by President Bush.

"Our current medical liability system encourages excessive litigation, drives up costs and is literally scaring doctors out of the medical profession," countered Sen. Mitch McConnell of Kentucky, the Senate GOP whip.

The legislation would limit noneconomic damages, commonly known as pain and suffering, to \$250,000. Punitive damages would be capped at the greater of \$250,000 or twice the amount of economic damages, which cover medical expenses, loss of wages, funeral expenses and similar costs. States would be permitted to enact higher limits.

U.S. bridges on the mend

By The Associated Press

WASHINGTON — Motorists hitting the open road this summer will drive across thousands of newly repaired or replaced bridges, but they'll still find one in four spans needing repairs or failing to meet current standards.

After billions of federal highway dollars over the last decade earmarked for repairing or replacing bridges, the number considered deficient — they need repairs, cannot adequately handle traffic loads or do not meet safety standards — declined 18 percent from 1992 to 2002, from 199,090 to 163,010, according to an Associated Press computer analysis of Federal Highway Administration data.

That new total still amounts to 28 percent of bridges.

The drop in deficient bridges coincided with passage of two federal transportation bills that earmarked \$36.5 billion for repairs beginning in 1992 — more than double the \$15.3 billion allocated during the previous decade.

Bush calls slavery one of history's 'greatest crimes'

BY DARLENE SUPERVILLE

Associated Press Writer

GOREE ISLAND, Senegal — President Bush called slavery "one of the greatest crimes of history" Tuesday and inched closer toward sending American troops to a peacekeeping force in Liberia.

Bush gave a wide-ranging speech on slavery and race in a visit to an Atlantic seaport where slaves once were packed onto ships and sent to America. It was his first day of a five-nation trip to Africa.

Meeting with regional leaders, Bush discussed whether to commit U.S. troops to a peacekeeping force in Liberia, founded by freed American slaves in 1822. "We're now in the process of determining the extent of our participation," Bush said. He said he had yet to make up his mind.

Aides said Bush's comments signaled there would be some involvement of U.S. forces, although the size and role of such a contingent remains an open question.

On Goree Island, Bush toured a centuries-old house that was used as a processing center for countless thousands of Africans who were herded aboard ships that took them into slavery in America.

"Human beings were delivered, sorted, weighed, branded with marks of commercial enterprises and loaded as cargo on a voyage without return," Bush said. "One of the largest migrations in history was also one of the greatest crimes of history."

Bush did not apologize for slavery but noted Americans throughout history "clearly saw this sin and called it by name."

"The spirit of Africans in America did not break," Bush said. "Yet the spirit of their captors was corrupted." The president recited a litany of Africans and African Americans who made contributions to American society, from the arts to politics: abolitionist Frederick Douglass, slave-poet Phillis Wheatley and Martin Luther King Jr.

"The stolen sons and daughters of Africa helped to awaken the conscience of America," he said.

Despite painful shared history, Bush said the United States and African nations must work together to eradicate disease and war, and to encourage greater business ties.

"We know that these challenges can be overcome because history moves in the direction of justice," Bush said.

Bush stood with Senegalese President Abdoulaye Wade, who said African nations need help building their economies so they can overcome slavery's legacy.

"All Africans are asking for is infrastructure so Africans can work," he said, specifically requesting "heavy military equipment" to help with farming.

"By walking on this martyred island, part of the heritage of mankind will remain strongly in the hearts for long years to come in Senegal, in the United States," he said.

Bush, along with his wife and one of their twin daughters, Barbara, Secretary of State Colin Powell, national security adviser Condoleezza Rice and the Wades, took a tour of the two-story stone slave house, painted a coral pink, on Goree Island.

Upstairs, the group received a briefing on the building's tragic history from the longtime curator, Joseph Ndiaye. Downstairs, they looked through the slave quarters for men, woman and children.

"Very moving — very touching," he said. "It reminds us to never forget history."

The president shed his suit jacket and tie in the heat, opting instead for rolled-up shirt sleeves and an open collar. He put the jacket back on for his speech.

Mrs. Bush had also changed, from a gray skirt suit to a mint pantsuit and beige sneakers.

Bush went to Goree Island aboard Wade's presidential yacht after meeting in Dakar with Wade and the heads of seven other West African democracies.

Bush said the group had "a good discussion" on Liberia. Among the leaders was President John Kufuor of Ghana, the head of the 15-country Economic Community of West African States, which has been deeply involved in talks over how to stabilize Liberia.

"We're now in the process of determining the extent of our participation," Bush said. "The U.N. is going to be involved but the U.S. will work with ECOWAS."

Bush aides said that Bush's comments on "participation" with the West African democracies on bringing an end to the civil war in Liberia represented a further definition of the administration's evolving position.

Upon arrival in Senegal Tuesday morning, Bush headed straight into a meeting with Wade, an ally in his anti-terror campaign.

After that session, Bush and Wade met with their West African democratic counterparts: Kufuor, Mathieu Kerekou of Benin, Pedro Pires of Cape Verde, Yahya Jammeh of Gambia, Amadou Toumani Toure of Mali, Mamadou Tandja of Niger and Ahmad Tejan Kabbah of Sierra Leone.

Clusters of curious onlookers gathered on dirt roads to watch Bush's motorcade pass by, many standing with their arms folded across their chests, some clapping and waving.

It was a marked contrast to the reception given President Clinton on his first Africa trip, in March 1998. Clinton's first stop, in Ghana, drew the largest crowds of his presidency, estimated at 500,000 people. Later on the same trip, thousands of people lined Senegal's streets to cheer, jump, clap, wave, sing and play drums for Clinton.

From Goree Island, Bush departed late Tuesday for South Africa.

Bush's five-day trip to Africa, his first to the continent as president, also takes him to Botswana, Uganda and Nigeria.

SPORTS



SPORTS IN BRIEF

By The Associated Press



BASKETBALL

■ **EAGLE, Colo.** — Prosecutors need more time before deciding whether to bring charges against Kobe Bryant, who is accused of sexually assaulting a woman at a resort near Vail last week.

Eagle County District Attorney Mark Hurlbert said Bryant might not be charged at all, but he refused to discuss details of the allegations against the five-time NBA All-Star.

Bryant's lawyer, Pamela Mackey, said the Los Angeles Lakers' guard "expects to be completely exonerated," and she accused the sheriff's office of rushing the case against the advice of prosecutors.

■ **PHOENIX** — Damon Stoudamire was arrested on marijuana charges after allegedly trying to pass through an airport metal detector with almost 1 1/2 ounces of the drug wrapped in aluminum foil.

The Portland Trail Blazers' guard was stopped at the Tucson airport Thursday as he prepared to board a flight to New Orleans, police said.

The team immediately suspended Stoudamire and fined him \$250,000.

He was charged with possession of marijuana and possession of drug paraphernalia, both misdemeanors.

■ **ORLANDO, Fla.** — Orlando Magic guard Darrell Armstrong was arrested early Monday after being accused of fighting with a female police officer outside a nightclub.

Armstrong was charged with battery on a law-enforcement officer and resisting arrest without violence. He was released after posting \$1,000 bond.

■ **MILWAUKEE** — Free agent guard Gary Payton won't return to the Bucks after declining an offer from the team.

New Bucks general manager Larry Harris said he spoke with Payton's agent, Aaron Goodwin, who confirmed Payton has declined to stay with Milwaukee.

■ **NEW YORK** — Mike Sweetney, the ninth pick in last month's NBA draft, signed a three-year contract with the New York Knicks. He will make about \$4.95 million under the terms of the NBA's rookie pay scale.

■ **SEATTLE** — Nick Collison, the 12th pick in last month's NBA draft, has agreed to a contract with the Seattle SuperSonics. Terms of the deal were not disclosed.

■ **OAKLAND** — The Golden State Warriors signed first-round draft pick Mickael Pietrus to a three-year contract.



GOLF

■ **NORTH PLAINS, Ore.** — Hilary Lunke won the U.S. Women's Open with a 15-foot birdie putt on the 18th hole of a three-way playoff.

She is first qualifier to capture the most prestigious trophy in women's golf.

After Angela Stanford made birdie on the final hole to tie for the lead, Lunke sunk a 15-footer that broke sharply to the left and fell into the cup.

Kelly Robbins finished third in the playoff.

CYCLING

■ **SEDAN, France** — Lance Armstrong finished in a pack behind winner Baden Cooke of Australia in the second stage of the Tour de France.

Armstrong finished 54th and was in 10th place overall, 11 seconds behind Bradley McGee. The Australian retained overall leader's yellow jersey with a 52nd-place finish.



SOCCER

■ **LYON, France** — Cameroon's Marc-Vivien Foe died during the Confederations Cup last month because of a heart attack caused by an enlarged left ventricle, the state prosecutor said.

State prosecutor Xavier Richaud presented the results of Foe's autopsy, and said the 28-year-old forward's heart problems might have been congenital.

Richaud said the autopsy did not show doping or toxic substances.

Foe collapsed June 26 during a game against Colombia in the semifinal round of the Confederations Cup and was pronounced dead 45 minutes later.



HOCKEY

■ **ISTANBUL, Turkey** — New York Rangers forward Roman Lyashenko was found dead in a hotel room while vacationing in Turkey.

The Rangers said the cause of death wasn't immediately known. However, Turkey's Anatolia news agency reported it was a suicide.

Yuri Koritskiy, a Russian consular official, said Lyashenko had been with his mother and sister in Antalya, a southern Mediterranean resort province popular with Russian and other European tourists. He said Lyashenko died Saturday but would not provide any other details.

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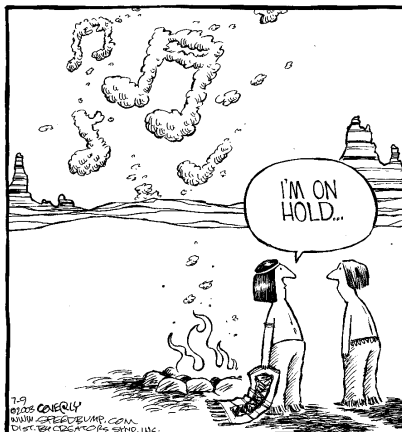
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 - 13 Fresh air
 - 14 Not new
 - 15 Butler of fiction
 - 16 Avarice, e.g.
 - 17 Distress call
 - 18 Road curve
 - 19 Approving words
 - 22 Gin flavor
 - 23 Sunset spot
 - 26 Worried words
 - 29 Unruly group
 - 32 Tissue layer
 - 33 By way of
 - 34 Plummer of "Pulp Fiction"
 - 36 Sub shop
 - 37 Copycat's phrase
 - 38 Car quartet
- DOWN**
- 39 Getting on
 - 40 Silly
 - 41 Benefit
 - 42 Cake shapers
 - 1 Sneak attack
 - 2 Bouquet staples
 - 3 Weapons cache
 - 4 Trudge
 - 5 Big weight
 - 6 Rat's puzzle
 - 7 Over-head
 - 8 Sounds
 - 9 Lock

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Laemmle's Monica 4-plex

1332 2nd Street,
Whale Rider PG-13 1:44
12:15, 2:45, 5:15, 7:45, 10:15,
Spellbound G 1:37
12:15, 2:40, 5:05, 7:30, 9:55,
The Legend of Suriyothai R 2:34
12:45, 3:55, 7:05, 10:15
L'Auberge Espagnole R 1:55
1:35, 4:25, 7:15, 10:05

Landmark, Nu-Wilshire

1314 Wilshire Blvd
Capturing the Friedmans NR1:47
4:30, 7:00, 9:45
Winged Migration G 1:27
5:00, 7:30, 10:00

Loews Cineplex Broadway

Cinemas
1441 Third Street Promenade
28 Days Later R 1:52
11:00, 1:40, 4:25, 7:05, 9:50
Terminator 3: R 1:49
10:45, 1:20, 4:05, 6:45, 9:25, 12:05
Also 11:45, 2:20, 5:00, 7:35, 10:20
The Hulk PG-13 1:18
11:35, 2:50, 6:05, 9:15

AMC Santa Monica 7

1310 Third Street Promenade
Alex & Emma (PG-13) 1:45
8:00pm, 10:20pm
Bend It Like Beckham PG-13 1:52
12:45, 4:00, 7:15, 10:10
Bruce Almighty PG-13 1:34
12:20, 2:40, 5:05, 7:40, 10:00
Finding Nemo G 1:41
11:40, 12:20, 2:10, 3:00, 4:35,
5:30, 7:05, 9:30
Legally Blonde 2: Red, White, & Blonde PG-13
11:50, 2:20, 5:10, 7:00, 7:50, 9:40, 10:25
Sinbad: Legend of the Seven Seas
PG 1:25
11:30, 1:50, 4:15,

Mann Criterion 6 Theaters

1313 Third Street Promenade
2 Fast 2 Furious PG-13 1:48
11:00, 4:45, 7:35
Charlie's Angels: Full Throttle PG-13 1:51
10:30, 11:30, 12:15, 1:15, 2:15, 3:00, 4:00, 5:00,
5:45, 7:00, 7:45, 8:30, 9:45, 10:30,
Hollywood Homicide PG-13 1:55
2:00, 10:20
Rugrats Go Wild
10:00, 12:00, 2:05
The Italian Job PG-13 1:51
10:45, 1:30, 4:15, 7:05, 9:35
The Matrix Reloaded R Unknown
4:20, 7:20, 10:15
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PEOPLE IN THE NEWS

News flash: Britney Spears admits she has had sex

By The Associated Press

■ **NEW YORK** — After years of saying she'd wait until she was married to lose her virginity, Britney Spears is acknowledging that she had sex with her ex-boyfriend, Justin Timberlake.

"I've only slept with one person my whole life," the pop star tells *W* magazine for its August issue.

"It was two years into my relationship with Justin, and I thought he was the one," she pauses, then adds, "But I was wrong! I didn't think he was gonna go on Barbara Walters and sell me out."

Spears, 21, and Timberlake, the 22-year-old 'N Sync singer, met as kids while performing on TV's "The Mickey Mouse Club." They were pop's high-profile power couple for three years before breaking up in spring 2002.

In the video for his song "Cry Me a River," Timberlake gets revenge on a Spears look-alike for a betrayal.

"The most painful thing I've ever experienced was that breakup," Spears says. "We were together so long and I had this vision. You think you're going to spend the rest of your life together. Where I come from, the woman is the homemaker, and that's how I was brought up — you cook for your kids. But now I realize I need my single time."

The singer also discusses her rumored fling with Irish actor Colin Farrell, whom she accompanied to the premiere of his movie "The Recruit" in February.

"Yes, I kissed him. Of course I did! He's the cutest, hottest thing in the world — wooh! He's such a bad boy. But it was nothing serious," she says. "Seriously, I haven't had a boy in a really long time, and I'm really craving ... just a kiss, man. Just a kiss would be nice."

■ **ROCHESTER HILLS, Mich.** — Eminem has bought a 29-room, 15,000-square-foot mansion last owned by former Kmart Corp. chairman Chuck Conaway.

The rapper, born Marshall Mathers III, paid nearly

\$4.8 million for the home, which has six bedrooms, nine bathrooms, heated marble floors and Honduras mahogany paneling.

It's located on six acres near Rochester Hills in northeast Oakland County, nearly 20 miles from Detroit and the neighboring blue-collar suburbs where Eminem grew up. Madonna grew up in nearby Rochester.

The mansion sold in February for about \$1 million less than the original asking price, according to real estate records *The Detroit News* cited in a story Tuesday.

Kmart fired Conaway in March 2002, less than two months after the Troy-based retailer filed for Chapter 11 bankruptcy protection. He's been named in pending shareholder and employee lawsuits that sprang from the bankruptcy, in which Kmart closed about 600 of its 2,100 stores — a move affecting about 52,000 employees.

The *News* said Conaway's attorney, Scott R. Lassar, did not return a telephone call. Eminem's publicist, Dennis Dennehy, declined to comment on the purchase of the mansion.

The mansion was built in 1988 by former industrialist Rick Bellestri, who was sentenced to five years in prison in 1997 after pleading guilty to tax fraud, racketeering and other charges.

■ **LOS ANGELES** — A public memorial for R&B great Barry White has been planned for early August, his family said.

The event will combine a celebration of the singer's life with the dedication of a public recreation center in his name. The exact date has not been set.

A private memorial service was set for Tuesday in Los Angeles.

"We wish to extend our thanks to everyone who has offered expressions of sympathy and love for our father, husband and brother," his family said in a written statement Monday. "Your kind words of support and encouragement mean more than we can say and have helped to sustain the family during this difficult time."

The family said the South Park Recreation Center will be renamed after White, who grew up in that section of Los Angeles.

The singer, who had kidney failure from years of high blood pressure, died July 4 at 58. He'd been undergoing dialysis and had been hospitalized since a September stroke.

White's popularity reached a peak in the 1970s, but he enjoyed a resurgence in the late '90s when his songs were featured on the Fox series "Ally McBeal."

■ **LOS ANGELES** — Darva Conger, who married a man she'd never met on live television, has found wedded bliss the second time around.

Conger, a nurse who works in Ventura County, married a paramedic named Jim six months ago.

"He brought me a patient into the emergency room and six weeks later he proposed and less than a year after that we got married," she said Monday. "Life is much more mellow and happy and good."

Her new husband said he never saw the Fox television show "Who Wants to Marry a Multimillionaire," where Conger wed comedian Rick Rockwell three years ago. Within weeks, she had the union annulled and said repeatedly that she wanted her privacy back. Later, she posed for *Playboy* magazine.

Conger still has a Hollywood agent, although she said she only accepts projects that interest her. She'll appear with Evan Marriotti of "Joe Millionaire" fame in an episode of "National Lampoon's Funny Money" airing Aug. 10 on the Game Show Network.

"This is not an industry or a career you can do halfway unless you have something else that pays the bills," she said. "I don't want it enough to devote myself to it full-time and never wanted it."

Conger and Rockwell's television nuptials helped launch the reality craze that has spawned such shows as "The Bachelor," "The Bachelorette," "Joe Millionaire" and "Temptation Island."

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