



Santa Monica Daily Press

July 10-11, 2004

A newspaper with issues

Volume 3, Issue 206

DAILY LOTTERY

FANTASY 5

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DAILY 3

Daytime: 5 5 5

Evening: 1 5 8

DAILY DERBY

1st: 12 Lucky Charms

2nd: 02 Lucky Star

3rd: 10 Solid Gold

RACE TIMES: 1:43.73



NEWS OF THE WEIRD

BY CHUCK SHEPARD

■ Salem, Mass., police Sgt. David Connelly was finally arrested in January after an alleged two-year vandalism spree; according to police in nearby Lynnfield, Connelly had been angry at a 2001 court decision against him by Judge Howard Whitehead, who lives a few blocks away, and at least 90 times in two years had driven by Whitehead's house and tossed empty beer cans into the yard.

■ Adding to the list of stories that were formerly weird but which now occur with such frequency that they must be retired from circulation: (69) The civic-minded drunk who recognizes the danger in trying to drive home but who instead puts his adolescent child behind the wheel, or, as Michael Johnston did in Peachtree City, Ga., in June, got a blind friend to drive (supposedly "guided" by Johnston's instructions). (70) And the construction worker who is accidentally shot in the head with a nail gun, but who survives just fine (and winds up with a souvenir X-ray, which also appears in newspapers around the world), as happened to Isidro Mejia in Los Angeles in May.

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Nicky Five Aces/Special to the Daily Press

The Wailing Souls, a reggae band, set the tone and the vibe for Thursday's crowd at the Santa Monica Pier's Twilight Dance Series. Ras Michael headlined the concert. The pier hosts live music each Thursday through September.

Taggers draw city's ire



Daniele Hamamdjian/Special to the Daily Press
A new type of graffiti made with acid, like this one on a business owner's window at Lincoln Boulevard and Kensington Road, is becoming more prevalent.

DANIELE HAMAMDJIAN

Special to The Daily Press

Over the past 40 years, graffiti vandals have drawn a fine line between tagging and artwork.

What began as an attempt to boost morale in inner city neighborhoods around the world evolved into territorial marking by gangs. Santa Monica is certainly not immune to the practice — be it artistic or not — and has experienced a noticeable increase over the last 20 years.

"Graffiti's are not only from gang members, but from kids, as well as the homeless," said Jaime Fiesco, a graffiti-removal technician who works for City Hall.

While Fiesco considers graffiti a form of artistic expression, gang members have convinced people otherwise by increasingly vandalizing newspaper racks, trash bins, telephone polls, bus benches, trees and particularly sidewalks, he said.

Removing graffiti costs Santa Monica \$128,000 every year, including salaries,

See TAGGED, page 4

Olympic H.S. taps Gates as new principal

BY JOHN F. MULLER

Special to the Daily Press

LINCOLN BLVD. — Less than six months since its top administrator used a school board meeting to lash out at district officials, Olympic High School has a new principal in place.

Janie Gates took the reins last week, replacing Suzanne Toyryla, who chose to leave the district rather than accept a reassignment to Malibu High and a pay cut. District Superintendent John Deasy refused to comment on the circumstances surrounding Toyryla's departure. She had served as principal at the high school for the past seven years.

A Santa Monica resident of 13 years, Gates has 28 years of administrative experience at the Los Angeles County Office of Education. She worked as a teacher in special education before serving as an administrator in the division of juvenile court and then the county's alternative education division. Most recently, Gates worked to promote "No Child Left Behind" programs throughout southern California. She has also participated in the local PTSA alongside her husband.

Gates and Deasy agree the new principal's experience working with students with special needs would help her succeed at Olympic. Gates said she was drawn to the school as an educator devoted to alternative programs. Her immediate decision to apply for the position came out of a desire to shorten a commute that often sent her across the state. She was selected by a group of faculty, administrators, parents and students.

A continuation school, Olympic traditionally strives to give its students the special attention its administrators believe they need. With just over 50 graduates this year, Olympic High's student body never exceeded 145 students on campus for its seven teachers.

Olympic students, who range in age from 15 to 20 years old, have typically had rough lives — about 30 percent of the students are on probation, more than 20 percent are special education students, and half of the students work to support families.

Gates stressed that alternative education requires smaller class sizes, tailored assignments and one-on-one instruction — characteristics Olympic has been trying to build on.

"There are a lot of great things that are currently in place," said Gates. "(I'll be) working with the staff to offer more and more options for students. We'll see if there are areas to grow and build more and more support

See OLYMPIC, page 5

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Eddie Guerboian

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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)
★★★★ Be more aware of what is happening within yourself. If you have a hunch involving a possession or a lottery ticket, go for it. Remember, you don't need to explain yourself. You have a strong way of stating your case. Tonight: Out with that favorite person. Flirt and talk.



TAURUS (April 20-May 20)
★★★★ Friends tug at you. Your popularity tosses you in a new direction. Be willing to float with the unexpected rather than structure every moment. Flex, and everyone will have a good time. Don't be surprised if your pals show up at your home. Tonight: The party is where you are.



GEMINI (May 21-June 20)
★★★ Know when to vanish, but you might want to grab a favorite friend or loved one. Life proves dicey, especially if the two of you seclude yourself. You need to be frank and direct with this person. Don't hide your thoughts. Tonight: Still unable to be found.



CANCER (June 21-July 22)
★★★★ Where your friends are is where you want to be. Some traveling is possible, or perhaps trying something new. Be open to someone who is very different. You could go overboard with spending. Careful, please. You don't have a money tree in your back yard. Tonight: Where the action is.



LEO (July 23-Aug. 22)
★★★★ Someone wants to zero in on you. You might have strong feelings. You could run away and do something on your own. Deal with finances. Make calls and reach out for others only when you are ready. Tonight: Be yourself.



VIRGO (Aug. 23-Sept. 22)
★★★★ Take off, because whether you're single or attached, you'll find that a change of pace helps you see a loved one or key associate differently. Share more of yourself — your ideas, problems and fears. You will be relieved. Tonight: Do something very different.



LIBRA (Sept. 23-Oct. 22)
★★★★ You might be up for a must appearance. Don't worry; you naturally attract others. You choose the right words. Your popularity increases, allowing more windows to open. Let go and worry less. A male friend might be bossy. Tonight: In the limelight.



SCORPIO (Oct. 23-Nov. 21)
★★★★ Visit different places. Go for the offbeat. You intuitively know what to do and when. Laughter surrounds you. Go to a park and hop on the jungle gym or seesaw. You will delight yourself and a child. Tonight: Try a new restaurant.



SAGITTARIUS (Nov. 22-Dec. 21)
★★★★ You might want to think through a decision that involves a partnership and funds. Talk to some experts. If this involves property, do your homework. The more you know, the better your choices will be. Tonight: Don't risk more than you can afford to lose.



CAPRICORN (Dec. 22-Jan. 19)
★★★★ Look at life from a new point of view. Others encourage you to stretch in a new direction. Why not? Experiment and see what you might like that could be quite different. Surprises happen as long as you are out and about and open. Tonight: Have a long-overdue talk.



AQUARIUS (Jan. 20-Feb. 18)
★★★★ Family and home take stronger priorities than normal. You might want to get your home ready for a visit or get-together. Friends drop in out of the blue. Why not invite others over for a party where everyone pitches in? Tonight: Happy at home.



PISCES (Feb. 19-March 20)
★★★★ Your unpredictability takes you in a new direction, but could unnerve a loved one or child. Be aware of what your actions do to others. Have a long-overdue chat. Make time for some exercise in order to chill out. Tonight: Play away.

Santa Monica Daily Press

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LOCAL



Relay for Life a community event

By Daily Press staff

Later this month, Santa Monicans will rally together for 24 hours to battle cancer.

The American Cancer Society Relay For Life is an overnight team event that raises awareness of cancer in the community and raises money to fight the disease.

The team event begins Saturday, July 24, at 9 a.m. and runs continuously until 9 a.m. on Sunday, July 25.

Leading up to the event, the Daily Press will highlight volunteers' stories.

Jean McNeil Wyner

Physician and community liaison at Santa Monica-UCLA Medical Center.



I have worked in the community of Santa Monica for the past 20 years and reside in Marina del Rey with my husband, Dr. Norton Wyner.

I have been active in the American Cancer Society Relay For Life in Santa Monica for the past three years and have been responsible for the opening and closing ceremonies each year.

The American Cancer Society has always been important in my life. I was a breast health educator for the ACS for many years and enjoyed speaking to corporations about breast health. I also served on the coastal division board of directors for a number of years.

It was very exciting for me when we started the Santa Monica Relay For Life and I wanted to be a part of the event from the beginning. Both of my parents died from cancer and my husband is a cancer survivor, so this event is special to me.

This is an important event for everyone and there is something for everyone at Relay For Life. It is a wonderful opportunity for parents to spend quality time with their children. Children love the idea of camping out for the night, eating popcorn and watching movies with their parents. The Luminaria Ceremony is very touching, and I enjoy personally decorating paper bags in memory of my mother and father, and in honor of my husband and close girlfriend, also a cancer survivor. After dark, lit candles are placed in the bags and are positioned around the track at Santa Monica College. It is an impressive sight. I also enjoy walking around the track while visiting with friends. I love the food that is donated by restaurants in our community.

So join our event on July 24-25 and be a part of helping to eradicate cancer in our lifetime. It is safe to spend the night as the Santa Monica Police Department have a presence for the 24-hour period. I'm counting on seeing you there.

The Santa Monica community has raised more than \$100,000 since 2002, when the first American Cancer Society Relay For Life was held. This year, the third annual Relay will be held at Santa Monica College's Corsair Field on July 24-25.

Teams are made up of at least 10 to 20 people who will walk or run around the SMC track in shifts, with the goal being that someone is on the track at all times. Each team member raises money in the weeks leading up to the event. The event is not only to raise money to fight cancer, but also to remember loved ones who lost their battle to the disease and celebrate the lives of those who have survived.

There will be dozens of cancer survivors — representing all forms — walking the opening lap on Saturday morning. From there, the weekend is all about fun, community and raising money. To participate, recruit friends, family members, co-workers and neighbors to form a relay team. People camp out and create a community party atmosphere together.

For more information, contact the SMRFL Committee at (310) 348-0356.

CORRECTION — Due to an editing error, the time of the annual meeting of the Wilshire/Montana Neighborhood Coalition was inaccurate in Bill Bauer's "My Write" opinion column in the July 9 edition. It will be held today at 11 a.m. at the Reed Park Auditorium.



SURF REPORT

Saturday will see the modest SW Southern Hemi NW wind/ground swell mix continue. Most areas hang in the 2-3' range, while standout SW/combo breaks see occasional shoulder-high sets. The mix will be fading slowly on Sunday and into Monday, so look for smaller surf then.

Winds are light and variable in the morning through the weekend, building out of the W 8-12 knots for the afternoon.

OUTLOOK: By Tuesday a new S swell will pulse up through the day and hold some waves into Wednesday. It will be fairly small again, mostly knee-to waist-high at the better exposed spots. Those waves fade on Thursday.

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

Today the water is:

66°

	LOW TIDES				HIGH TIDES			
	Morning	Height	Evening	Height	Morning	Height	Evening	Height
SATURDAY	10:37	1.8	N/A	N/A	5:25	3.2	5:33	5.2
SUNDAY	12:53	1.0	11:28	2.2	7:00	3.2	6:15	5.4
MONDAY	1:44	0.5	12:18	2.5	8:13	3.3	6:54	5.6
TUESDAY	2:26	0.1	1:04	2.7	9:06	3.4	7:30	5.8
WEDNESDAY	3:02	-0.2	1:44	2.7	9:45	3.5	8:05	5.9
THURSDAY	3:36	-0.4	2:21	2.7	10:18	3.6	8:39	6.0
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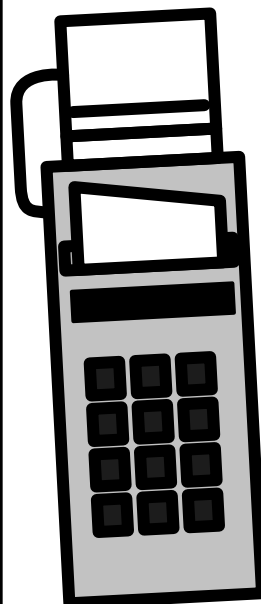
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LOCAL

Ousted school principal wishes no one 'ill will'

OLYMPIC, from page 1

to ensure the success of our students."

Specifically, Gates said she wants to build a stronger network of parents to ensure that students are getting the support they need and parents remain informed. She scheduled a parents meeting for September and plans to hold similar meetings every subsequent six weeks.

While faculty members complain that the district pays Olympic little attention — teacher Anthony Fuller pointed out that only one school board member had visited the school before January's meeting — Gates expects little trouble getting the school's voice heard.

"I'm going to work with Dr. Deasy to make sure that whatever Olympic needs it will be given that support from the school district," she said. "The school district has been very responsive since I've been here."

Toyryla and Olympic faculty members said they still do not understand why the former principal was reassigned.

"The superintendent wanted to get rid of me," she said. "None of us knows why he wanted to get rid of me."

Toyryla said she had not been given the same consideration other employees had and could not accept a counseling job after working as a teacher, counselor, assistant principal and principal over the years.

"I truly wish great success for Olympic High School," Toyryla said. "It was wonderful working with wonderful students. That's how I'm leaving it. I wish no one ill will."

Toyryla confronted the school board with a group of faculty, students and parents in January to respond to Deasy, who

she said came into her office and alerted her that the school would be shut down. Deasy has refused to discuss Toyryla's comments.

Fuller and Jack Casey, who has taught at Olympic for 25 years, said that the faculty and students remain united in their support for Toyryla. The faculty presented the former principal with jewelry from Tiffany's as a parting gift, and the students organized a good-bye party complete with a homemade cake and speeches.

"You're supposed to increase the effectiveness of the school with the students and the community," Casey said. "She did that to an outstanding degree. Then, to be let go, who knows what went on behind closed doors."

Gates did not express any concerns about coming into a community that had such strong support for her predecessor and a limited understanding of her departure. She has hit the ground running, holding two faculty meetings in her five days on the job, and commended Toyryla for helping to smooth the transition.

"I've been very welcomed," she said. "The staff has been very open. They've communicated very easily with me. It's been a very easy entrance, actually."

"It's a wonderful staff, very close knit."

Casey was strong in his support for the new principal, despite his consternation over Toyryla's departure.

"Our new principal has come in with what I consider to be a very positive charge from the district," he said. "Her charge is to build on what is here and to take it to the next level."

"That's what we've been asking for for years."

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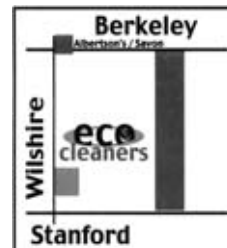
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OPINION

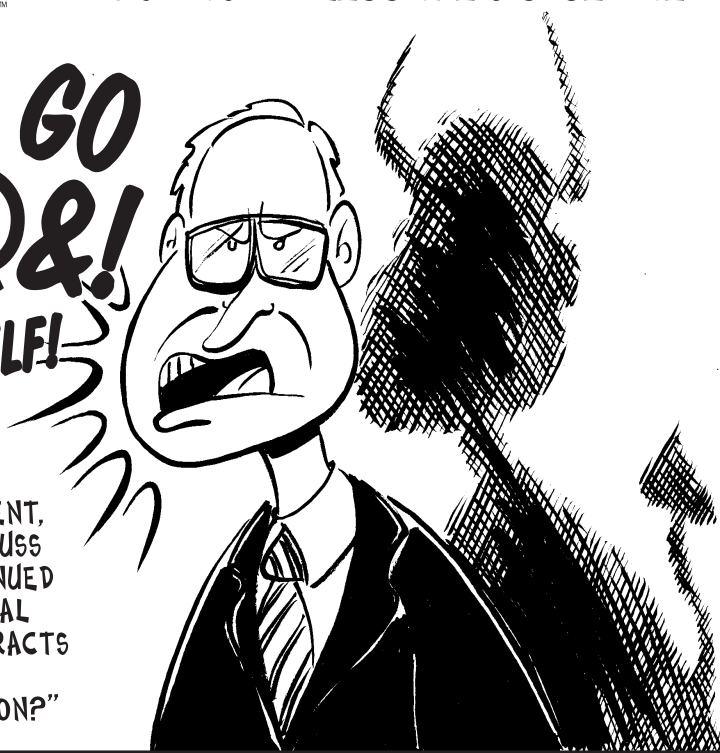
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LETTERS TO THE EDITOR

'Parking militia' must be stopped

Editor:

I noticed in today's edition (SMDP, July 8, page 1) that the Santa Monica councilmen are up for re-election. I work in an architect's office on Third Street and am regularly in the area in off hours, which leads me to this: Who has the responsibility for the traffic officers regulation in issuing tickets and the fines that are assessed? I cannot even begin to describe the stories to you of such abuses in power these officers daily exercise — there is zero tolerance for any harmless violation. I know someone who was literally a minute over their time and was coming out to their car only to have an officer write her up. There is no exercise in logical judgment. Please tell me there has been a story done by your paper that highlights the vagaries of this army of mini-cars that patrol the streets en masse (On the Fourth of July, I counted no less than 10 of these officers in a two-block radius). And for what purpose? Are these excesses to pad the Santa Monica coffers at the expense of the citizens? Are we not taxed enough? I read an article recently in a magazine which detailed how cops in small towns were setting up traps to elicit exorbitant amounts of tickets and fines, which constituted a great deal of the city's budget. Through public outcry, the state boards finally cracked down and began to issue sensible regulations in these towns.

I am outraged daily with stories of friends parking only inches into the magical red painted curbs, which seem to be determined haphazardly and only to cause frustration with parking shortages, and then fined fees upwards of \$60 or more. I was told by the California DMV that fines for parking violations are determined in ranges and that each district determined the exact amounts, which is done by elected councilmembers. So please, please, please tell me there is someone with sense that is running for the council that vows to reduce traffic fines and cut back on the costs of running the parking militia.

Derek Seiling
Santa Monica

In lieu of the loo

Editor:

Last week, I sent you a letter explaining what happened when I spoke with the Barnes & Noble staff and manager. How unfriendly they were.

This morning, I received a call from the CEO's secretary of Barnes & Noble. She assured me that the bathrooms will be opened again with a special procedure.

If a patron of the store wants to use the store bathroom, they will go with that person, unlock the bathroom door, wait for that person to complete their stuff, then lock it up again.

That's a fine solution and I think every one now is happier at Barnes & Noble at Third Street.

I was glad to be of service in this matter, spontaneously yours.

Derek Lantzsich
Santa Monica

Who let good manners, good cheer into election?



MODERN TIMES

BY LLOYD GARVER

Like many other hopefuls, I sat close to the phone in the wee hours Tuesday morning waiting for John Kerry to ask me to be his running mate. Since the only official duty of the vice president is to preside over the Senate, I figured if I got the position, I could still keep this job. (I actually, thought Coach K had the inside track) However, Kerry named energetic, cheerful, optimistic John Edwards. Political experts often suggest that a perfect vice presidential candidate should have something that the presidential candidate doesn't have. In this case, it's true. John Edwards has a pulse.

While he doesn't guarantee a single state, Democrats hope that Edwards will infuse the campaign with energy and vitality. They hope he'll help keep people awake while Kerry speaks.

Republicans showed great speed by putting out anti-Edwards material within 3.6 seconds of the announcement. However, this isn't considered an official record because it was nastiness-aided.

The GOP chose a curious method of attack. Their main point seemed to be that John Kerry would've preferred to have John McCain as a running mate, and "John McCain supports George Bush, so ha-ha." They flooded the airwaves with McCain saying nice things about the president. However, showing McCain instead of Cheney like this might just suggest that, like Kerry, Bush wishes he could have John McCain as a running mate — but he's stuck with Cheney.

In fact, ever since Cheney uttered the unstatesmanlike words on the Senate floor, "Go BLANK yourself," we haven't seen much of the guy. Maybe he's back in his "undisclosed location."

Despite Kerry's announcement, there are still some question marks left in presidential politics. A big one is, why is Ralph Nader running? Does he shun the spotlight so much that he desperately wants us to forget all the wonderful things

he did? Or, is he just hoping to get the free use of a car?

But now that it's definitely a Kerry/Edwards ticket, the immediate issue for the Democrats is coming up with some good campaign slogans. They might go with, "Everyone can use another John." "He's the one who didn't go to Yale." Or a more general, "If we arrest you, we'll tell you why."

For some bizarre reason, Republicans seem to think that the public will see Edwards' lack of experience in politics as a bad thing. They imply that Edwards is "too young." I'm not sure when 51 became young, but I like it. The Democrats, on the other hand, hope that Edwards' youthful exuberance will make up for his lack of experience.

Several questions about all this remain. Will those who were born wealthy say it's not fair that Edwards rose above his humble roots? Will we hear things like, "it's not my fault I had everything handed to me. If I hadn't, I could've succeeded just like that showoff Edwards?"

During the primaries, Edwards was steadfast in his refusal to attack his opponents. Will his good manners last throughout the campaign? Will people get tired of his cheerful nature and begin to long for a scowling face?

Experts seem to think that it will lead to a very spirited vice presidential debate. The Republicans are probably a little wary about this. There is some concern that the debate could go something like this:

JOHN EDWARDS: "I welcome this debate, and hope that my opponent and I will illuminate our positions rather than resort to personal attacks."

DICK CHENEY: "Oh, go BLANK yourself."

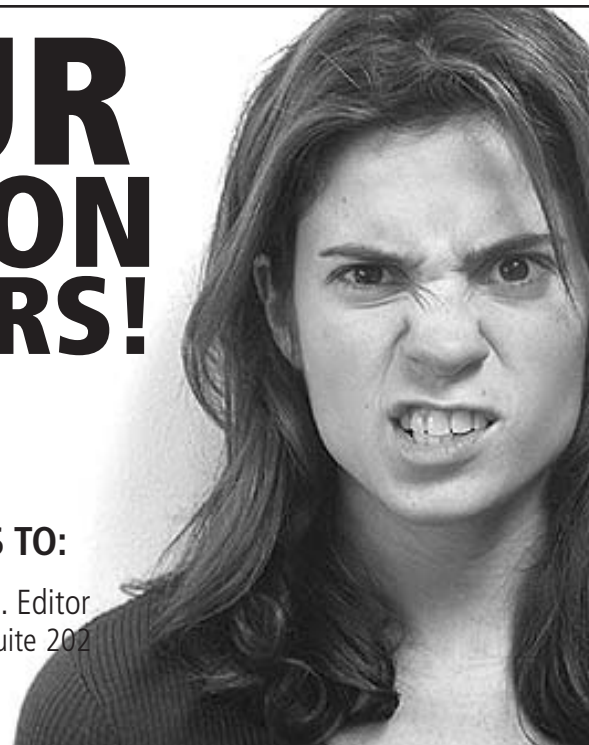
Maybe they won't have to take that risk. Maybe they'll just send John McCain to the debate instead.

(Lloyd Garver has written for many television shows, ranging from "Sesame Street" to "Family Ties" to "Frasier." He also has read many books, some of them in hardcover. He writes the "Modern Times" column for CBSnews.com's Opinion page and can be reached at smdp@lloydgarvermoderntimes.com).

YOUR OPINION MATTERS!

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OPINION



The QLine

RESIDENTS IN NO MOOD FOR GAME OF TAG

This past week, Q-line asked:
"Why can't graffiti be considered an art form, regardless of its illegality? Why isn't it socially accepted?"

Here are your responses:

© "Graffiti on a surface dedicated to that use could be considered an art form. After all, art is in the eye of the beholder, but graffiti defacing public or private property is no more than juvenile exhibitionism. The 'graffiti artists' enjoy thumbing their noses at society. They take advantage of well meaning but sadly misguided efforts to channel their frustration in a positive way. Defacing private or public property is not the answer, these people need to feel like they have a stake in society. Education is the answer, it's the best anti-graffiti measure."

© "I'm from New York. Graffiti goes back long before the hip hop culture began. The reason why we started doing graffiti was to brighten up the neighborhood, to also motivate those who were down and depressed, to take our minds off the negativity that surrounded our outside environment. Instead of planting flowers, you painted pictures, pictures that expressed how you really feel, pictures that expressed the hurt and pain and the loss you felt of a family member or a friend, pictures that opened up the heart and opened up the minds and opened up the imagination. What you call vandalism, is what you do when you go to somebody's \$100,000 house and you write a name or gang name on their house, that's vandalism. When you organize the artwork and you put it on a wall, that's artwork. Those are artists who are getting together expressing themselves, expressing the community and how it feels. That is not vandalism. Tagging somebody's house is vandalism. Tagging is vandalism. You people should know this. With our economy, being the way it is, this world is not black and white, there's color and that's what the artwork represents, and that's what everyone needs to accept. Everything is not peachy. Let the artists express themselves. Let City Hall put the murals up. Let everyone have their freedom because that's what this country is supposed to be about."

© "Your graffiti question is the dumbest I've ever seen. What gives somebody the right to paint other people's property? You want to do art, do it on your own canvas."

© "The murals are a work of art, and to spray paint over a mural is graffiti and an act of destruction. If they want to be artists, do like the rest of the artists do, buy themselves some canvas or some wood and paint their pictures. To spray paint over someone else's work of art is not artistic, I'm sorry."

© "Graffiti cannot be considered an art form because true artists do not destroy another artist's work as seen on our local murals. If you look at the graffiti walls at Venice Beach, you will see that this subliterary crap has spread beyond the sanction wall itself and like

a cancer has spread to surrounding public property. Most people's only exposure to graffiti is its ugly presence on private and public property. Don't look to our City Council to take any meaningful steps to eradicate this social ill."

© "Graffiti by another name is still graffiti."

© "Illegal graffiti is disgusting, it's gang-related, it's egotism-related, it's vulgar, it's not kindly, it's not good and it's not from a good source. The illegal graffiti in Santa Monica have curse words. They use gang slogans, it's disgusting. Real graffiti is art whereby you're painting a mural on a wall, but gang-related graffiti is not right and it should be upheld against. We don't want to see this kind of graffiti in this neighborhood. Recently I painted a wall that was graffitied, it had curse words on it, including the 'f' word. It was horrible."

© "If graffiti is applied to a surface with the consent of the owners of that surface, it would be considered an art, like it or not. Usually it is applied to other people's property or worse yet, on nature itself to everyone's property. That's when it becomes an assault, the artist puts his right to express himself above the rights of others, that's just obnoxious self-obsession."

© "Graffiti can't be considered art unless you believe a dog lifting its leg to mark its territory is art. Hip hop and culture don't belong in the same sentence, unless you believe infantile rhymes and holding one's parts is cultured. Check your dictionary."

© "Only a moron refers to graffiti as art."

© "You ask stupid questions most of the times, so you will mostly get stupid answers. God, grow up."

© "Leonardo Da Vinci was an artist, Norman Rockwell was an artist, graffiti taggers are vandals unless they have permission from the property owners who they're defacing. They're nothing more than the dogs that pee to mark their territories."

© "Regarding your graffiti question, I thought you already did your April Fool's issue this year."

© "I live in the Pico neighborhood. My house, garden walls, garage doors, dumpster and once, even my car, have been vandalized by gang-banging graffiti punks. I've spent thousands of dollars to repair this damage. You suggest this may merely be artistic expression. I have a suggestion for all who consider this art: Please provide your name and address so all these poor misunderstood artists might be more appreciative than you for their devious destructive talent."

Deadly duel cheated us all



HERE'S THE THING

BY LARA M. BROWN, PH.D

It was a hazy mid-summer morning. It was early. Vice President Dick Cheney, having recently been replaced by President Bush with Sen. John McCain on the Republican ticket, stood anxiously on a hill on the New Jersey side of the Hudson staring at New York. He was waiting.

Waiting for the man whose very presence reminded people that the Democrats were better stewards of the economy than were the Republicans. One thought bothered him more than most: Why didn't the tax cuts create more jobs? Supply-side economics couldn't be wrong. If the economy were stronger, he thought, I'd still be on the ticket — I'd still be relevant.

Former Treasury Secretary Robert Rubin appeared from around the bend. Behind him another man followed, carrying a sleek wooden case. It held two pistols. A man, who had been waiting silently with Cheney, approached the man with the case. He opened the case, removed the pistols, loaded them, and handed one to Cheney and one to Rubin. Each man then took a few steps away from the other and turned back around.

The man with the case, breaking the morning's silence, yelled: "Present." Shots rang out. Rubin fell to the ground. Cheney dropped the pistol and left.

The date was July 11, 2004.

If this scenario seems improbable, think again. It's very nearly what occurred two hundred years ago tomorrow — July 11, 1804.

Two prominent men, Vice President Aaron Burr and First Treasury Secretary Alexander Hamilton, engaged in a duel on the bluffs at Weehawken, New Jersey. The affair of honor left Hamilton mortally wounded and Burr forever ruined.

The reasons for the interview are vague. Hamilton and Burr had long been political rivals, as Burr had aligned himself with both the Federalists (Hamilton's party) and the Republicans (Jefferson's party) as suited best his needs. Despite this, Hamilton and Burr had on many occasions collaborated professionally on legal cases and they were personally cordial, dining at each other's homes and socializing together among Manhattan's elites.

Though it was no secret that in the tied election of 1800, Hamilton had helped Thomas Jefferson (his despised philosophical rival) ascend the presidency over Burr, this was an insufficient charge for a duel. Duels were not supposed to be fought over politics. While Hamilton may have rubbed salt in Burr's wounds by campaigning on behalf of Morgan Lewis over him for Governor of New York in 1804 (once Burr had lost favor as the vice president, the Republicans had chosen George Clinton to run with Jefferson), politics was politics. Duels were personal, not political.

Duels were the way a "gentleman" could defend his reputation against libelous remarks — untrue, character assassinations — honorably. Lawsuits claiming libel were not sufficiently becoming of elites. Legal action revealed cowardice.

The correspondence took place in late June of 1804 and began with Burr. He charged Hamilton with maligning his char-

acter. Burr had a letter from Dr. Charles Cooper, who had heard Hamilton criticizing Burr at a dinner party. Burr wanted Hamilton to either acknowledge or deny the incident. Burr's charge turned on a phrase, "still more despicable," where Burr explained that, if what had been written was not the worst then clearly Hamilton must owe him an apology. Hamilton, who was both mystified and annoyed by Burr's letter, infuriated Burr with his answer. He neither affirmed nor denied the incident, and he wrote back that the charge was not specific enough for him to comment on. Their correspondence quickly spiraled out of control. Within days, the two men had agreed to meet at Weehawken. Within a month, Hamilton was dead and Burr was on the run, having to leave New York because he was now the prime suspect in a murder trial.

One of the more interesting parts of this duel is not Hamilton's death, but instead his life.

It was extraordinary. His accomplishments were varied and numerous, from establishing the nation's credit and system of finance to creating and stabilizing the institutional precepts of our national government. He argued the case that became the basis of our country's libel law and he founded what has developed into the Coast Guard. Hamilton not only helped build a strong military run by civilians, but he also liberalized trade, supported abolition, and believed that society should be based on a meritocracy. He fought tirelessly to keep the country together, defending the Constitution, working to build "a more perfect union." He had public character of the kind we rarely see today. He turned down offers to make money time and again, citing his public role and the possible perceived conflicts of interests, if he were to privately profit from his positions.

While he was not a saint — he engaged in an extramarital affair that turned into a scandal and he regularly attacked his political opponents with venomous fervor — it also was clear that he loved his wife and that he passionately believed in the causes he fought for.

One can't help but wonder, what would have happened had he lived past 49? His wife, Elizabeth (Betsey or Eliza to him), lived until she was 97. She died in 1854. What would Alexander have accomplished had he been with us 50 more years?

In this year of Hamilton's death, several commemorative events are taking place to celebrate his life and to ponder this question. Tomorrow, more than 600 participants and scholars will gather in Weehawken to witness a reenactment of the duel and to discuss Hamilton's legacy (<http://duel2004.weehawkenhistory.org/events.php>). Beginning in September, the Gilder Lehrman Institute (<http://www.gilderlehrman.org/>) and the New York Historical Society (<http://www.alexanderhamiltonexhibition.org/>) are launching an exhibition on Alexander Hamilton, "The Man Who Made Modern America," that will travel across the country for six months.

As the 200th anniversary of Hamilton's death passes and the presidential election of 2004 approaches, we once again are reminded of the choices before us. "A more perfect union" is not beyond our reach.

(Lara M. Brown, Ph.D., is an education policy consultant and a visiting scholar at UCLA's Institute for Social Science Research. She can be reached at larambrown@aol.com)



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Rent Control Board	Two Seats
Board of Education	Three Seats
College Board of Trustees	Three Seats

Eligibility

Requirements: Candidate must be a registered voter in the jurisdiction at the time nomination papers are issued to him/her. All vacancies are for four-year terms.

Filing Period:

July 12, 2004 to August 6, 2004. However, because City Hall will be closed Friday, August 6, nomination papers will be accepted through Monday, August 9, until 5:30 p.m. Nomination papers will be issued by the City Clerk starting on July 12, 2004, and throughout the nomination period. In order to qualify, a candidate must obtain at least 100 valid signatures, from voters registered in the jurisdiction, on his/her petition. Candidate Workshops will be held on July 12, 2004, at 8:30 a.m., and July 14, 2004, at 5:30 p.m., in Council Chambers at City Hall. Candidates not able to attend the workshops will be issued nomination papers throughout the filing period at the City Clerk's Office upon request. There is no filing fee.

LAST DAY TO REGISTER TO VOTE: OCTOBER 18, 2004

YOUR HELP IS NEEDED!! There is a dire need for polling sites and for precinct workers for the November 2, 2004, election. If you are interested in working as a precinct worker or offering a poll location, please call (562) 466-1373.

For information on the following related topics, please call the City Clerks Office at 458-8211:

Elected Official Duties
Campaign Fundraising
Establishing Campaign Committees
Related Election Regulations
Initiative Process



STATE

Clarke labels treatment of prisoners 'war crime'

BY BILEN MESFIN

Associated Press Writer

SAN FRANCISCO — Former White House terrorism czar Richard Clarke called the mistreatment of Iraqi prisoners at Abu Ghraib a "war crime" and again blasted the Bush administration for actions that he said are intensifying the threat of terrorism.

"We have a major problem and we have not improved it over the last three years," Clarke said Thursday at the annual conference of the American Civil Liberties Union. "It, in fact, has gotten worse."

An unlikely medley of speakers, including former Republican congressman Bob Barr and FBI whistleblower Coleen Rowley, joined Clarke to talk about the increasing tension between civil liberties and national security. Later Thursday, Colorado Gov. Bill Owens, a Republican, debated former Democratic presidential contender Howard Dean on the same issue.

Clarke leveled the worst of his volleys against the Bush administration for its handling of terrorism, which he said had helped al-Qaida mutate into an uncontrollable entity "that no longer need Osama bin Laden to direct it," he said.

A counterterrorism adviser to the last three presidents, Clarke left the Bush

administration in early 2003, and has since been unrelenting in his criticism of the president's strategy and the invasion of Iraq.

Agreeing that terrorism was a real threat to the United States, he proposed that the government pour money — at least \$90 billion over the next five years — into fortifying fire departments and hospitals.

"Why aren't we spending that money on homeland security?" he asked, rhetorically. "Because we're spending \$200 billion over the course of two years" on Iraq.

Turning to the issue of civil liberties, Clarke pointed to the administration's treatment of terror suspects like Jose Padilla as an example of tactics that are eroding the nation's credibility.

An American citizen, Padilla was taken to a military prison and designated off-limits to his lawyer and others.

"The whole point of fighting the Jihadists is to stop a group of people who would take away our civil liberties," Clarke said. "It makes no sense for us to do their work for them."

Clarke also drew laughs when he mentioned the response he received when he told someone he planned to speak at an ACLU convention.

"I have a little secret," he said, to appreciative chuckles. "I joined the ACLU in 1971."

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STATE



Houses passes CalFed, \$389M water project bill

By The Associated Press

WASHINGTON — The House approved a \$389 million California water bill Friday, taking a major step forward in long-fought plans to restore the Sacramento-San Joaquin Delta and ensure water supplies for millions of residents.

The bill to authorize the California Federal Bay-Delta Program — better known as CalFed — passed on a voice vote.

“For over 10 years we have been trying to move this process forward to develop a comprehensive water plan to benefit all of California, and this legislation does just that,” said Rep. Richard Pombo, R-Tracy, chairman of the House Resources Committee. “This legislation addresses the water needs of California, bringing adversaries together for the first time on many of these issues.”

The bill authorizes funding for a wide range of water programs, including stor-

age projects, stabilizing delta levees and conducting flood management programs.

The bill has yet to pass the Senate and there are important differences between the version that passed the House and the version the Senate is considering. Perhaps most importantly, the House version contains a measure opposed by some Democrats that would allow the secretary of the interior to approve water projects without congressional signoff. Congress would be given 120 days to disapprove of projects, but would not be asked to approve them.

The CalFed program, a state-federal effort, has been in the works for a decade. The current effort stems from a 2000 agreement, reached after years of negotiations, on a package of projects to restore the delta region and ensure water for different groups of users. About 80 percent of California's drinking water passes through the delta.

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NATIONAL

Teen accused of slaying family on Donaldson ranch cites abuse

BY PETE HERRERA

Associated Press Writer

ALAMOGORDO, N.M. — A 14-year-old boy accused of killing his family at newsman Sam Donaldson's ranch appeared in Children's Court Friday and denied the charges.

Cody Posey — who has alleged he was abused by his father before the killings — entered the courtroom wearing the same clothes he wore Wednesday when he was questioned and arrested at the Lincoln County Sheriff's Department.

His attorney, Gary Mitchell, entered a denial of charges on Cody's behalf to three counts of murder and one count of tampering with evidence.

"We're going to spend an awful lot of time finding out what happened and figuring out what caused all of this," Mitchell said. "I suspect there's going to be a lot of questions as to why people ignored the signs that should have told them we had a young man desperately fighting for his sanity and help."

Cody has said he wasn't working fast enough to clean horse stalls at the ranch in southern New Mexico so his father slapped him across the face.

He told Lincoln County sheriff's deputies it wasn't the first time his father, manager of the Chavez Canyon Ranch, had hit him. He said he was tired of being hit.

Cody is accused of then killing his father Delbert Paul Posey, stepmother Tryone Posey and 13-year-old stepsister Mary Lee Schmid, whose bodies were unearthed from a shallow grave near their home at the Donaldson's ranch.

The judge granted a 30-day extension to the 10 days prosecutors normally have to determine whether to seek to sentence a juvenile as an adult. Both sides asked for the extension while the investigation continues.

District Attorney Scot Key said the boy could face adult penalties, including up to 30 years in prison, if convicted.

Following the argument with his father on Monday, Cody Posey told investigators that he took a gun from his stepsister's saddlebag in the barn and went into the house.

Tryone Posey, who was reading a book in the living

room, was shot twice in the head, according to an affidavit filed in court Thursday. His father, who came racing into the house, was also shot in the head.

Cody confessed to then shooting his stepsister in the head. The affidavit said the teen shot the girl a second time because she was still moving.

The bodies were dragged outside and loaded into the bucket of a backhoe. The affidavit said Cody tried to bury the bodies in one area but couldn't dig a hole.

After hiding the bodies in a manure pile, the affidavit said Cody went to his room, removed his bloody clothes and boots and went to a friend's house about 15 miles away, where he spent the two before his arrest, told the Associated Press in an exclusive interview Thursday. Salcido said Cody lived with his mother after his parents divorced, but came to live with his father after his mother died.

Salcido said he was present during questioning of Cody by sheriff's deputies Wednesday. Salcido, whose sons Gilbert and Leo are friends of young Posey, said the teen had stayed with his boys Monday and Tuesday — playing basketball, frolicking in the river and shooting off fireworks — but said nothing about the slayings.

"He told me these were the happiest two days he'd had in his life. ... He thanked me for letting him stay," the elder Salcido said.

Salcido said Cody didn't break down until deputies took him away Wednesday for additional questioning.

"They told him, 'Cody, tell us the truth, tell us what really happened.' Then he broke down," Salcido said. "That's when he started crying, saying he knew it was wrong but that the world would be better off without them in this world. He was tired of all this abuse."

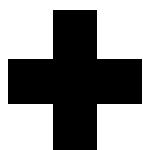
Salcido told the AP that the boy also told deputies his father hit him with a shovel and tried to strangle him during the Fourth of July weekend but the boy managed to fight him off.

The pattern of abuse was well known to his sons and to others in the community, Salcido said.

Donaldson told The Associated Press he had never witnessed any such abuse nor heard of any against the boy. Donaldson has described the Poseys as "the all-American ranch family." He said Paul Posey was hard on his son, but that he never heard the father raise his voice.

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NATIONAL



World court says Israeli barrier on West Bank is affront to world

BY ARTHUR MAX
Associated Press Writer

THE HAGUE, Netherlands — The U.N.'s highest judicial authority decided Israel's planned 425-mile-long barrier in the West Bank violates international law and must be dismantled, according to court documents that were leaked ahead of the announcement.

As it began reading its decision, the International Court of Justice said Friday it has jurisdiction to rule on the legality of the barrier, which Israel is building in response to Palestinian suicide bombings that have killed hundreds of Israelis.

The Tel Aviv newspaper Haaretz, quoting court documents, reported that by a 14-1 vote the judges found the barrier, along its planned route, "gravely infringes" on the rights of Palestinians and cannot be justified by military needs or national security, and violates international law. The lone dissenter was U.S. judge Thomas Buerghenthal.

After being leaked to reporters, the document began appearing on Internet sites.

"Israel is under an obligation to terminate its breaches of international law; it is under an obligation to cease forthwith the works of construction of the wall being built in the Occupied Palestinian Territory, including in and around East Jerusalem, to dismantle forthwith the structure therein situated," said the document, found on the Internet site www.electronicintefada.net.

The 15-member court's advisory opinions are non-binding but bear moral, historic and political weight. They can be the basis for U.N. action.

The advisory opinion was sought by the U.N. General Assembly in December at the Palestinians' request. The court heard three days of testimony in February.

The court dismissed Israel's objections that the General Assembly acted irregularly in asking it for an advisory opinion.

It also rebuffed Israel's argument the court should refrain from interfering because the issue was political, not legal, and could disrupt Mideast peace efforts.

"A legal question also has political aspects," said the ruling. "The court accordingly has jurisdiction to give the advisory opinion" requested by the General Assembly.

The Palestinians had said they expect the court to rule in their favor, and officials in Jerusalem said on condition of anonymity they expected a decision critical of Israel.

"We are confident we will have a positive result," Nasser Al-Kidwa, the Palestinian U.N. observer, said Thursday.

Israel, hoping to keep the issue low key, sent no senior officials to The Hague and said it would not comment until after the decision is delivered. The ruling likely will be lengthy and complex.

The barrier is a complex of high concrete walls, razor-wire fences, trenches and watch towers. About one-

fourth, or about 100 miles, has been completed, much of it close to the pre-1967 border although some of it dips into the West Bank.

If the court says it has jurisdiction, then rules the barrier illegal, the Palestinians will seek a General Assembly resolution demanding that Israel dismantle the wall, Al-Kidwa said earlier. If the Israelis refuse, the Palestinians will seek Security Council enforcement and risk a U.S. veto.

"An advisory opinion is important in itself. It alone should be enough to make a difference" and force Israel to remove the barrier, Al-Kidwa told reporters.

Israel says the barrier is needed to stop Palestinian suicide bombers, who have killed hundreds of Israelis since late 2000. Israel says there has been a sharp drop in infiltrations from the West Bank since barrier construction began, and adds that there have been almost none from Gaza, which has been surrounded by a fence for years.

Palestinians say the barrier imposes intolerable hardships on innocent people, separating them from schools, agricultural fields or workplaces. They also say the barrier is nothing but an Israeli land grab that will make it impossible to establish an independent state alongside Israel.

Palestinians won some support last week from the Israeli Supreme Court, which ordered the government to reroute a 25-mile section of the barrier near Jerusalem.

The court said Israel must temper security with human rights and ruled that the disputed section "severely violated" the freedom of movement and "severely impaired" people's livelihoods.

Prime Minister Ariel Sharon accepted the decision and told senior defense and military officials to review the fence's route in problematic areas. Sharon previously denounced the world court hearings as "a campaign of hypocrisy."

The Supreme Court's ruling was unlikely to influence the outcome of the case in The Hague, where deliberations already were concluded, according to diplomats who have been following the case.

Several Israeli survivors and relatives of bombing victims gathered near the Peace Palace to press their argument that the barrier is essential for Israel's security.

"People in Europe don't understand what a terrorist attack means," said Eliad Moreh, 28, who barely survived a bombing at a Hebrew University cafeteria two years ago that killed her friend sitting across the table.

"I'm afraid the court won't take into consideration the fear, anguish and damage Israel is going through as a result of Palestinian terrorism. If you don't understand that, you can't understand what the fence is all about."

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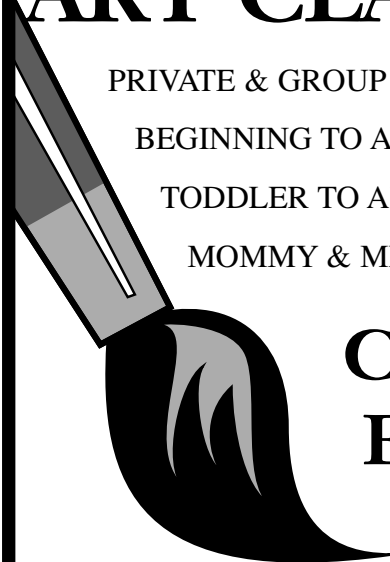
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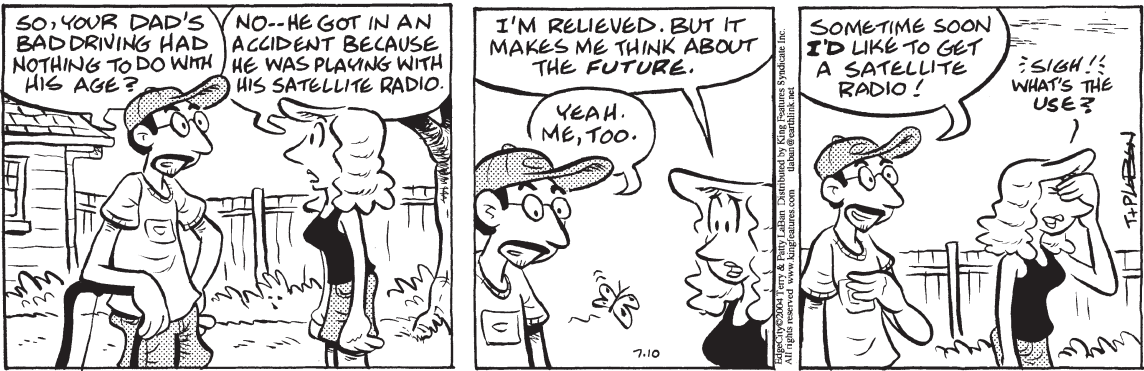


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PEOPLE IN THE NEWS

Axl Rose has appetite for destructing new album

By The Associated Press

LOS ANGELES — A federal judge has rejected a request by singer Axl Rose to stop an independent record label from releasing an album called "Hollywood Rose: The Roots of Guns N' Roses."

Cleopatra Records had purchased the rights to some recordings of Hollywood Rose, which included Axl Rose and Jeffrey "Izzy Stradlin" Isbell, who later formed Guns N' Roses.

Rose, also identified in court documents as William Bruce Bailey, and other GNR members Saul "Slash" Hudson and Michael "Duff" McKagan objected to the release of the album when they learned of its title.

There was no telephone listing for Rose, and he couldn't be reached for comment.

Cleopatra Records brought the case to court to determine its rights, and Rose and the others filed a counterclaim and also sought a preliminary injunction.

U.S. District Court Judge Gary Allen Feess denied the request for an injunction by citing the "nominative fair use" doctrine. Federal law allows a person to use

another's trademark "to identify the trademark owner's product or service, for the purpose of making a comparison, stating a criticism or establishing a point of reference," the judge wrote in his ruling.

Hollywood Rose lasted for about nine months in the mid-1980s and recorded a demo tape. Former band member Chris Weber, whose parents paid for the demo, sold his rights to the recordings in November 2003 to Cleopatra Records.

With Rose as frontman, Guns N' Roses reached superstar status in the late 1980s after the release of "Appetite for Destruction," which includes hits such as "Paradise City," "Sweet Child O' Mine" and "Welcome to the Jungle."

LONDON — Britain's advertising watchdog upheld a complaint that a poster for hip-hop duo OutKast that showed a smoking gun was irresponsible and could be interpreted as glorifying gun use.

But the Advertising Standards Authority threw out another complaint that the poster, which shows one band member in a white suit and bowler hat and the

other wearing a white cap and holding a pink gun, promoted racial stereotypes.

A spokeswoman said the ruling meant that OutKast should stop using the poster, which promotes their double album, "Speakerboxxx/The Love Below." There was no immediate comment from music company BMG UK.

BMG UK and Ireland Ltd., which represents the duo, had argued the poster was no more likely to provoke violence or aggressive behavior than marketing campaigns for Hollywood films, such as the James Bond movies, that feature guns or violence.

They said many film posters featured more explicit images of guns and violence and the man holding the gun was "one of the artists least likely to glorify violence."

They said that because the gun was pink, readers would realize the image was ironic.

But the authority, which can order an offending ad to be withdrawn, said Thursday the fact that the gun was smoking implied it had been recently fired and the color was irrelevant.

Agassi looks to kick it into gear at Mercedes Cup tourney

Local Sports

BY TOM A. MCFERSON

Special to the Daily Press

The 2004 Mercedes Benz Cup begins on Monday, kicking off the men's summer tennis hard-court circuit. Andre Agassi, winner of eight grand slam titles and currently ranked 10th in the world, headlines the event.

The tournament continues through July 18. Due to a reorganized men's circuit and the upcoming Summer Olympics, the Mercedes Benz Cup was scheduled a week earlier this year.

Agassi, after a spotty first six months of the year, comes into the tournament hoping to build momentum for the summer. A hip injury forced his withdrawal from last month's Wimbledon, and nervous tournament organizers are hopeful

that Agassi will be healthy and ready by his Tuesday evening first round match.

Other big name players expected include Mark Philippoussis of Australia, 2003 winner Wayne Ferreira of South Africa and Paradorn Srichipan of Thailand. A collection of American players also will be taking part, including Mardy Fish, Taylor Dent, Vince Spadea, Robby Ginepri, Jan Michael Gambill and James Blake.

The Mercedes Benz Cup is played at the Los Angeles Tennis Center on the campus of UCLA, near Pauley Pavilion, with total prize money hitting \$1 million.

Day and evening sessions of tennis will take place throughout the week. Tickets can be purchased on site, or by calling (310) 825-2101.

Qualifying rounds for lower ranked players takes place July 10 and 11, and can be viewed by the public for free.

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