

Santa Monica Daily Press

A newspaper with issues

Charges of bias spark spate of school reforms

School district proposes sweeping changes on tracking discipline

BY ANDREW H. FIXMER
Daily Press Staff Writer

Concerns that police are called for disciplinary infractions involving minority children more often than whites at Santa Monica schools have sparked administrators to propose a series of sweeping reforms.

Santa Monica-Malibu Unified School District Superintendent John Deasy will ask the school board tonight to create a new tracking system that will document every time police are called to a school campus. If police are called, principals would be required to document the incident with the school district within 24 hours.

"The principal of each school shall ensure that board policies and regulations

related to student discipline are observed by all school staff and that disciplinary rules are fairly and consistently enforced, without regard to race, creed, gender or sexual orientation," the proposed policy states.

Principals also would be required to contact a child's parents before the police are called, and to document what actions are taken by police officers.

"It will be the first time we would have a form for something like this," said Laurel Schmidt, director of the school district's Student Services Department. "Every school will be reporting a police presence systematically."

Though the forms themselves are confidential because they contain sensitive information about individual students, data from the forms would be compiled annually and released to the public, Schmidt said.

Deasy also is proposing teachers

See REFORM, page 5



Andrew H. Fixmer/Daily Press

Rabbi Neil Comess-Daniels (holding guitar) and City Councilman Kevin McKeown (far left) demonstrate outside Loews Santa Monica Beach Hotel Wednesday.

Clergy protest Loews hotel

BY ANDREW H. FIXMER
Daily Press Staff Writer

During an emotional demonstration in front of Loews Santa Monica Beach Hotel, more than a dozen area clergy leaders accused the establishment of threatening its workers.

Members of Clergy and Laity United for Economic Justice, or CLUE, held a rally Wednesday in front of the hotel on 1700 Ocean Avenue to protest the treatment of workers who they believe have been disciplined for supporting the living wage ordinance and unionization efforts.

"Workers have been given warnings because they have publicly supported enacting a living wage ordinance and organizing a union to protect their rights," said Rabbi Neil Comess-Daniels. "Well, we are here to put the hotel's management on warning that they cannot intimidate their workers."

The living wage law would raise the minimum wage for low-income workers at coastal businesses that earn more than \$5 million a year from \$6.75 to \$10.50 with health benefits or \$12.25 without benefits.

See PROTEST, page 5

Minority students facing greater rate of suspensions

BY ANDREW H. FIXMER
Daily Press Staff Writer

Recently released data indicates black and Latino children continue to be suspended at a far greater rate throughout Santa Monica's schools than white students.

Student suspension data released by the Santa Monica-Malibu Unified School District's Student Services Department shows that students from both minority groups were suspended at a much higher percentage rate than other racial groups during the last school year.

The state requires the school district to submit the annual report to track middle and high school student suspensions, expulsions and criminal acts.

However, the numbers historically show minority students are suspended disproportionately more than the percentage they make up in the total student body.

For example, despite making up less than one-third of the total Santa Monica High School student body, Hispanic students still accounted for more than 40 percent of all students that were suspended last year.

And black students, who make up only 11 percent of the student body, were suspended 23 percent of the time.

At Lincoln Middle School, black students make up 12 percent of the population, but they were suspended 24 percent of the

See SUSPENSIONS, page 5

Panel advances bill aiding CA TV and movie production

BY DON THOMPSON
Associated Press Writer

SACRAMENTO — It's important to keep Hollywood focused in California to aid both the state's economy and its identity as the world's entertainment capital, a Senate committee decided Wednesday.

The Senate Revenue and Taxation Committee advanced a bill granting incentives for producing television shows and movies within California, to compete with other states and nations trying to lure

television and movie productions.

Even productions ostensibly centered in California — like "L.A. Law: The Movie" and "Pasadena" — are increasingly being filmed in Canada or other states, bill supporters said.

The film and television industry is a vital aspect of Santa Monica's economy, generating \$1.5 billion in payroll and vendor expenditures annually, according to an industry study. The city is also home to

See BILL, page 6

Free pier concert tonight

By Daily Press staff

There are only three free Thursday concerts left at the Santa Monica Pier for the summer. Tonight's theme is family reggae, performed by Morgan Heritage. Patriarch Denroy Morgan and a portion of his 29 offspring bring you real, heart-felt, up-in-the-hills roots reggae from Jamaica.

The opening act, Upstream, performs an energetic style of rock influenced reggae, techno, funk, hip hop and soca.

Next week's highlight is Grammy winner Delbert McClinton.

Each concert, held on the beach next to the pier, will begin at 7:30 p.m. and end 9:30 p.m.

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♈ ARIES (March 21-April 19)

★★★★★ A dream or vision puts you on edge this morning. You might need to pinch yourself! Commit 100 percent right now, and you'll gain. You're blessed with high creativity and understanding. Use this cycle constructively. Tonight: Romp away.

♉ TAURUS (April 20-May 20)

★★★ Your word choices impact others' responses. Sometimes a close friend or loved one interprets your words in a way that you perhaps don't intend. Become more aware of how you sound. Express nurturing rather than bossiness. Tonight: Pizza anyone?

♊ GEMINI (May 21-June 20)

★★★★★ Get your head on straight when dealing with someone you care about. You might not be confident this morning and dealing with "what if" scenarios. What happens could be very dynamic and opening if you let go of worry. Be yourself. Tonight: Someone puts his or her cards on the table.

♋ CANCER (June 21-July 22)

★★★ Financial doors open for responsible Moon Children. You might have been weighing the pros and cons of a personal expenditure, not exactly sure what will work. An indulgence delights a family member and might not be as costly as you think. Tonight: Bring home flowers.

♌ LEO (July 23-Aug. 22)

★★★★★ All signs point to go, but don't overestimate someone's capacity. Not everyone has your energy or endurance. Recognize associates' limits, and you'll become a better manager. Lead while others follow. Understand your role right now. Tonight: As you like it.

♍ VIRGO (Aug. 23-Sept. 22)

★★★ You might feel OK early on. You have a more active dream life than you realize. Pace yourself, knowing that you might need to break a little more often. Home in on a money matter. Tonight: Early to bed.

♎ LIBRA (Sept. 23-Oct. 22)

★★★★★ Don't limit yourself. Seek out other sources and get feedback. Your willingness to stretch could make all the difference in which doors open. Teamwork stars as your best suit. Others willingly contribute. Decide to explore new horizons. Tonight: Find your friends.

♏ SCORPIO (Oct. 23-Nov. 21)

★★★ Take charge at work. Stop mulling over a personal matter, even if it is delightful mind candy. Emphasize delivering what others expect. Follow your sixth sense with a superior or boss. Promote understanding. Don't allow problems to build. Tonight: Everyone wants you!

♐ SAGITTARIUS (Nov. 22-Dec. 21)

★★★★★ Decide that there are no problems, and you'll head in the right direction. A friend seeks you out. Call an expert in if you're unsure of yourself. Your ability to manage separates you from the flock. Be willing to increase your knowledge. Tonight: Consider a course or seminar.

♑ CAPRICORN (Dec. 22-Jan. 19)

★★★★★ Handle your work with efficiency. Reach out for trusted associates, whether you feel comfortable delegating or not. Face facts: You cannot cover all bases simultaneously. Run your work life like a baseball team. Let everyone be a player! Tonight: Go along with another's wishes.

♒ AQUARIUS (Jan. 20-Feb. 18)

★★★★★ Your strong feelings emerge toward a friend or associate. If you can, opt to not react but rather to respond. Knee-jerk reactions won't get you what you want. Happiness surrounds those who detach and don't get locked in emotional patterns. You can do it! Tonight: Accept an invitation.

♓ PISCES (Feb. 19-March 20)

★★★ All work and no play might not be OK, but on the other hand, it allows you to clear the deck for the weekend. If you feel overwhelmed, ask someone you trust to pitch in. You could be surprised at how helpful this person can be. Tonight: Put your energy where it counts.

CORRECTION — The caption in Wednesday's page 1 photo was incorrect. It should have said "Pico Improvement Organization."

QUOTE of the DAY

"Schizophrenia beats dining alone."
— Anonymous

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LOCAL



COMMUNITY BRIEFS

Tennis tourney to benefit breast cancer

By Daily Press staff

Tennis, anyone?

Tennis players are now being recruited to participate in the fifth-annual "Westside Challenge to Beat Breast Cancer" event on Saturday, Sept. 21, at the UCLA/Los Angeles Tennis Center.

More than 80 tennis players at all levels are expected to participate in the round-robin tournament. Proceeds will benefit the low-cost mammography-screening program at Santa Monica-UCLA Medical Center.

In addition to the tournament, the event features a festival with family entertainment, silent auction, post-tournament reception and an awards ceremony. Massages and souvenir bags are provided to all players.

To register or for more information, call tennis coordinator Rick Grant at (310) 573-1606.

Senior citizens to learn about Medicare status

By Daily Press staff

Santa Monica's Commission on Older Americans meeting will feature guest speaker, Ruth Roemer, J.D., a nationally known leader in the field of public health, on Wednesday, Aug. 21, 1:30 p.m. at the Ken Edwards Center, 1527 Fourth Street. Roemer, who will speak on the current status of Medicare and proposals for including prescription drug coverage, has served as president of the American Public Health Association and has received numerous awards.

The Commission on Older Americans meets the third Wednesday of each month, and residents are invited to attend and share their concerns regarding needs about programs and services for seniors in Santa Monica.

What's wrong with this picture?



Carolyn Sackariason/Daily Press

The Santa Monica Pier sign, a historical landmark, was damaged Wednesday when an unknown vehicle clipped the 's' off 'cafes.' At about 2 p.m., someone found a portion of the sign and numerous pieces of neon tubing lying on the north side of the street, at the pier entrance. According to the police report, it appears that a truck with a tall boom may have clipped the sign. Anyone with information should contact the Santa Monica Police Department at (310) 458-8451.

The Q-Line

In the past two weeks, the Big Blue Bus has been involved in three fatalities. Two weeks ago, a Big Blue Bus slammed into a car on Sepulveda Way in West LA carrying three people. Two of them died. Last week, an elderly man was struck and killed while he was crossing Ocean Avenue at Broadway in the crosswalk.

The fatalities have been ruled as accidents. And while the Big Blue Bus hadn't been involved in a fatality since 1998, some people question if its drivers are being as safe as possible on the roadways.

Residents have reported that buses,

including the Metro, are seen speeding, running yellow lights and using their horns way too frequently on the streets of Santa Monica.

So this week, Q-Line question wants to know:

"Do think the buses are being driven safely? Why or why not?"

Call (310) 285-8106 with your response before Thursday at 5 p.m. We'll print them in Friday's paper. Please limit your comments to a minute or less; it might help to think first about the wording of your response.

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Santa Monica Daily Press




surf report

Information compiled by Jesse Haley

Surf should hold steady as a new, minor southwest swell replaces the fading southwestern. It will build today, but it looks like waves won't get much from the small swell.

LA County's breaks promise two- to three-foot surf and under through Friday.

LA County Public Health gives Leo Carrillo a "C" beach advisory and Paradise Cove gets a "B."

Beware, Santa Monica beaches sport "B" ratings from Montana north to the Sunset storm drain.



**Today's
Tides:**

Low-	4:16 a.m.	-1.00'
High-	10:35 a.m.	4.21'
Low-	3:36 p.m.	1.90'
High-	9:40 p.m.	6.59'

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

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LETTERS

Pico neighborhood stiffed

Editor:

For more than five decades, no one residing in the Pico neighborhood has been elected to the Santa Monica City Council. For many years, SMRR leaders promised that they would soon endorse a representative from the Pico neighborhood. Recently, we were told that VERITAS was not necessary because THIS TIME a Pico representative would be endorsed in 2002.

At the Sunday, Aug. 4, SMRR convention the Pico neighborhood was SNUBBED AGAIN. Mid-cities also was passed over again. North of Montana Avenue was added to the list of the unrepresented neighborhoods. Slate leaders declared that they want the seat held by Robert Holbrook, the only councilmember who resides north of Montana.

By endorsing these candidates, Abby Arnold, Kevin McKeown and Pam O'Connor, here is the slate's plan for your City Council:

Pico neighborhood: Zero, None

Mid-Cities: Zero, None

North of Montana: Zero, None (Slate opposes Robert Holbrook, the current north of Montana councilmember)

Sunset Park: 2, Richard Bloom and Herb Katz

Wilshire corridor: 2, Kevin McKeown & Pam O'Connor

Ocean Park: 2, Mayor Michael Feinstein & Abby Arnold

City Central: 1, Ken Genser

Why allow slate leaders to decide if your neighborhood will be represented? Why not empower yourself to choose your own neighbor representative?

Paul DeSantis

Yes On VERITAS Committee

Museum of Flying needs fuel from city

Editor:

(This letter was originally addressed to the Santa Monica City Council.)

On behalf of the board of directors of the Santa Monica Historical Society Museum, with the utmost respect and love for the city of Santa Monica and its rich history within itself, it is with great sadness that I write to you our concern on the current situation and future of the Museum of Flying.

Being a museum dedicated solely to the history of the Santa Monica Bay area, we believe that history will always have an impact on the present and future of any and every community. We also believe that history rewrites itself every day due to the

changing environment of our society. Though history has brought us to where we are today, history cannot predict where we will be in the future. On this basis, the Santa Monica Historical Society Museum strives to preserve the knowledge and understanding of our city's history so that we can teach and share it with our present community and future generations to come. Just as children need the love, support and knowledge of their parents, our local history needs the love, understanding and support from its city.

The Museum of Flying is today, the only resource for our community, children and schools to participate in fully and completely to understand how much of an impact Donald Douglas Sr. and his love for aviation has made on the city of Santa Monica. Santa Monica took on national and international recognition with Douglas' round the world flight in 1924. Donald Douglas Sr. "put Santa Monica on the map." Where else in Santa Monica can one go to see aircrafts face-to-face, be inspired to be innovative, and learn to have a respect and understanding of Santa Monica's history in aviation? Just as the importance of the place where a child is born, the location and city in which Donald Douglas' dream was born is also of great importance.

We ask that you do all in your power to help keep the Museum of Flying where it belongs, here in the city of Santa Monica. This museum has provided a place for our community to find its roots in a society that is constantly changing. If the Museum of Flying is having financial difficulty, then perhaps a \$1 year lease from our city would help. We ask you to ask yourself this question: "Where would I be if I did not know my own life history?"

Thank you for your time and consideration to help keep the Museum of Flying in Santa Monica.

Louise Gabriel
Santa Monica

Speaking the truth to power

Editor:

I enjoyed reading of Mr. Smith's idealistic exploits and am glad he is thinking of starting up in activism again. But he left out the large group that HAS been protesting like he did in the 60s: all those young people (and old) in the streets of Seattle shouting about Corporate Crime; the ones at the Democratic Convention in 2000 here in LA with the same signs about Corporate Crime; etc, etc, etc. They were speaking the truth to power then, and most of Smith's generation mocked them. Turns out they were right, right?

H. Rosenfeld
Ocean park

Santa Monicans are becoming detached from each other



TITTINGER'S TAKE

By Michael J. Tittinger

"Next" ... "Next?" ... "NEXT!!!!!"

The girl behind the counter at one of Santa Monica's popular coffee shops had begun to grow impatient. Nobody waiting in line behind the woman on her cell phone — chatting away and oblivious to all proceedings — could really blame her. Standing in line for a \$5 cup of Joe, watching the clock through Ray Ban sunglasses to assure yourself there is still adequate time to make it to work, you tend to have a revelation or two.

Am I becoming that detached woman holding everyone up?

With each passing guest ordering a cappuccino, frappuccino or mama-mios, I was struck by how little interaction took place between the counter girl and her customers. Not that I blame her. She was working her tail off grinding and steaming and placating and didn't have a whole lot of time for amenities, not that her "guests" were offering any.

We all know the knock on Santa

Monicans, and Californians in general — they are disassociated, blasé, into their own thing. Well, we can either accept this as the way it is or make efforts to alter it. There is a certain unalienable logic behind most stereotypes, in that much of the time they prove true.

Shortly after moving into my first apartment here in Santa Monica, I was taking a break from the arduous task of unpacking boxes and putting things in their places — new places anyway. I stood out on my common balcony, breathing in the cool spring air and watching the wind play havoc with the swaying palm just outside my door. It was late in the evening, well after midnight, and the streets were almost completely quiet. Soon after, one of my new neighbors approached the stairwell across the 20-foot courtyard, walked up the steps and proceeded to walk past my direction. I knew he was aware I was there and waited for him to look over so I could offer a friendly hello, however he awkwardly looked the other way, staring at apartment doors and windows he'd seen a thousand times rather than offer a glimpse in my direction. I was disappointed, but shrugged and went back to work inside my new digs. But for some reason that non-encounter has stuck with me. It more

or less set a tone for many of the interactions to come in my adopted hometown, a microcosm, if you will, of a bigger societal detachment.

I remember hoping that my neighbor had been an exception, not the norm. I don't want to be oblivious to those around me. I don't want to be surprised when a passerby looks me in the eye and smiles as I pass them on the street.

I, for one, am resolving to attempt to reconnect with the people around me, literally around me, and not those on the other end of cell phones and e-mails. But I can't do it alone. We all need one another's help because we are in this together, whether we reside in Santa Monica or Beverly Hills or Compton. No man is an island. I'm not making the soapbox call to everyone out there to change their lives, volunteer and become a utopian society, though I won't dissuade anyone whose heart tells them to follow that path, but maybe we can take a wee step.

I'll start with the man in the mirror.

From this day on I am vowing to not wear sunglasses inside, to lose my cell phone while I am being waited on. I will not sport my Walkman while walking city streets, try to look people in the eyes and say "hello" to perfect strangers at least 10 times a day. I will nod and smile when

their eyes meet mine, and maybe even still offer a "hello" when they go out of their way not to make eye contact with me.

My little Declaration of Non-Independence isn't going to change the world, but it just might enhance the immediate world around me. I may not feel so numb when I read about gang land violence, lethal Big Blue Bus accidents or stray bullets dropping into our pre-schools after having communicated with so many of my neighbors and fellow residents throughout the day. I may even be able to put a name with a face when I hear of tragedy or triumph in our town.

The person on the other end of that cell phone is very important in our lives, however that already-developed relationship is stunting the growth of other burgeoning relationships in the end. A wink and a smile can go a long way, but the message doesn't get through with a pair of Ray Bans on your face and a cell phone growing out of your ear.

Santa Monica doesn't have to live up to any reputation or stereotype, it is what we make it. It is already a beautiful, often heart-warming place in which to live, but shooting for utopia will never steer us wrong.

... "Next!?!"

(Mike Tittinger is a freelancer 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 smdp.com. All letters must include the author's name and telephone number for purposes of verification. Letters also may be mailed to our offices located at 530 Wilshire Boulevard, Suite 200, Santa Monica, 90401, or faxed to (310) 576-9913. All letters and guest editorials are subject to editing for space and content.

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STATE

Legislature hopes to woo TV, film industries

BILL, from page 1

thousands of industry employees who earn their living from entertainment production.

Many jobs in post-production studios are located in Santa Monica, and a large number of outdoor scenes take place in Santa Monica, generating millions of dollars in revenue for the city and local businesses.

The bill sent to the Senate Appropriations Committee would give state tax credits to film, television and commercial production companies that keep at least half their production in California. The credit would apply only to productions with total wage payments between \$200,000 and \$10 million.

California can't match the incentives offered by some other locations, said one of the bill's authors, Assemblywoman Rebecca Cohn, D-Saratoga.

However, "this policy will show that we value the film industry," and could tip the balance in California's favor, Cohn said. "Given the role that this industry played in getting us out of the last recession, I want to hold on to as many of these good paying

jobs in Southern California as possible."

Tax watchdog groups and Senate President Pro Tem John Burton, D-San Francisco, questioned the cost of the credits.

The Franchise Tax Board estimated the credit would cost the state \$650 million over the six years it would be in effect, topping out at \$175 million in fiscal 2005-06. Most years the cost is projected to be about \$115 million.

However, the Department of Finance projected that the tax credit would stimulate the overall economy to the point that the state's revenue loss would be cut by about 20 percent.

Sen. Jack Scott, D-Altadena, the Revenue and Taxation Committee chairman, suggested the measure's cost be cut by shortening the tax credit's duration after it takes effect in 2004, and by capping the salaries that would be eligible for the credit.

"We're not trying to save the salaries of stars. We're trying to save the salaries of people who work," Scott said, not only directly on films but caterers, dry cleaners, and other related businesses.

FCC issues record fine to company for 'junk faxes'

BY DANNY FREEDMAN
Associated Press Writer

WASHINGTON — The Federal Communications Commission issued a record fine of nearly \$5.4 million Wednesday against a California company for sending "junk faxes" to businesses and consumers.

The fine against Aliso Viejo-based Fax.com is the largest ever by the commission for violations of the Telephone Consumer Protection Act. The law protects against unsolicited faxes, telemarketing calls and prerecorded messages, among other things.

"Fax.com appears to have founded its business on the practice of sending unsolicited faxes in flagrant violation" of the law, Kathleen Q. Abernathy, an FCC commissioner, said in statement. "Despite repeated warnings from the commission and numerous consumer complaints, the company appears to have made no effort to mend its ways."

The fine is also the FCC's first against a company known as a "fax broadcaster." According to the FCC, Fax.com sent

advertisements and other messages on behalf of more than 100 businesses for a fee, sparking 489 violations.

The FCC said it believes Fax.com "engaged in a pattern of deception to conceal its involvement in sending the prohibited faxes, and that the company has not been forthcoming in its dealings with the agency."

A lawyer for Fax.com, Mary Ann Wymore, said the company feels the rules on unsolicited advertising are an unconstitutional restriction of its freedom of speech.

"We are extremely disappointed in what the FCC did today," she said. "We just found out about it today, so we need to take a look at it, but I feel confident that we're going to challenge it."

The company has 30 days to either pay the fine or file a response with the FCC. The fine calls for the company to pay the maximum penalty of \$11,000 per violation.

The FCC is also issuing citations to more than 100 businesses that used Fax.com, warning that they too could be liable to pay the maximum fine if they continue to send unsolicited faxes.

RIAA appeals federal ruling cutting Web music royalties

By The Associated Press

LOS ANGELES — Both sides in the dispute over Internet music royalties said Wednesday they will appeal a recent federal decision setting royalty rates for music broadcast over the Internet.

In June, the U.S. Copyright Office decided to charge Webcasters 70 cents per song heard by 1,000 listeners, or half of what a government panel had proposed in February.

That decision angered both Internet music broadcasters, who said the rate was still too high, and the recording industry, which said it did not fairly compensate

artists and record labels.

Wednesday, the deadline for appealing the ruling, the Recording Industry Association of America, which represents the major music labels, said it would notify the U.S. Court of Appeals for the District of Columbia Circuit of its intention to appeal. Actual briefs will be filed later this year.

About two dozen Internet broadcaster, including America Online Inc., Listen.com and Live365.com, also notified the court of their intention to appeal, according to the Digital Media Association.

STATE



Proposed tax sharing experiment clings to life

BY JIM WASSERMAN
Associated Press Writer

SACRAMENTO — A bill to launch the nation's second major regional tax-sharing experiment in metropolitan Sacramento is on life support, with one more week to make its case with a reluctant Senate committee.

Facing mounting opposition, Assemblyman Darrell Steinberg, D-Sacramento, said Wednesday he may lose his fight for one of this year's most unprecedented and contentious bills. But he promised "absolutely" to return next year with similar legislation.

Steinberg wants to copy a 1970s-era system that will share more than \$300 million in property taxes this year among 187 cities of metropolitan Minneapolis-St. Paul. Many officials there say tax sharing has created a stronger metro area by lessening the financial disparities between richer and poor cities.

But the idea, despite a single-vote Assembly victory this year and support from neighborhood activists, labor unions, environmentalist and major state newspapers, has drawn fire from 117 California cities. Wednesday, city officials across the state joined lobbyists for home builders, commercial property developers, stores and real estate agents, urging the Senate Local Government Committee to kill Steinberg's bill, AB680.

But with the bill on its apparent deathbed, Steinberg again received a reprieve, asking committee chairman Tom Torlakson, D-Antioch, for the "courtesy" of another week. Torlakson, who supports the tax-sharing concept as a possible partial solution to hyper-competition among cities for lucrative shopping centers and auto malls, gave Steinberg a similar second chance in June.

Afterward, an agitated Steinberg said to his stunned and disappointed opponents, "I respect you all. It's not going away. I'm not going away."

The powerful Assembly Appropriations

Committee chairman, who has life and death power over other legislators' bills, had asked the committee to take his case to a new Assembly-Senate conference committee to work out an unspecified regional cooperation bill before the Legislature adjourns Aug. 31.

**"Just get it over now.
It's a bad bill."**

— JUDITH VALLES
Mayor of San Bernardino

But Sens. Mike Machado, D-Linden, and Nell Soto, D-Pomona, who have consistently opposed Steinberg's tax-sharing vision, again expressed reservations. With Soto being a possible tiebreaker in Steinberg's favor, city officials from Soto's district again lined the hearing room as they did in June. They fear an experiment launched in Sacramento will spread statewide.

"Just get it over now," said San Bernardino Mayor Judith Valles, urging committee members to kill it. "It's a bad bill."

Supporters expressed regrets that their cause has lost momentum.

"I am very disappointed that a lot of us aren't ready to go there yet," said Trinh Nguyen, Sacramento manager for the Surface Transportation Policy Project.

Wednesday's hearing came days after talks seeking an alternative to tax sharing fell apart. Capital-area cities offered Steinberg an unprecedented regional housing vision: to make 10 percent of their housing affordable to moderate, low and very low-income residents. In return they asked Steinberg to guarantee them \$100 million across five years to defray an estimated \$341 million needed to subsidize it all. Those involved in talks said Steinberg couldn't promise the money amid the state's budget deficit and cities wouldn't agree without it.

Judge lets undocumented worker seek damages

By The Associated Press

SAN FRANCISCO — A federal judge has ruled an undocumented worker can seek damages from his employer, who allegedly reported the worker to immigration officials after being sued for unpaid wages.

U.S. District Judge Charles Breyer ruled Tuesday that Macan Singh can sue his former employer — who happens to be his uncle, Charanjit Jutla — for emotional distress and punitive damages.

Singh has spent the past 14 months in jail, awaiting deportation proceedings after the Immigration and Naturalization Service arrested him in May 2001.

He claims Jutla promised an eventual business partnership when recruiting him from India. Instead, he said his work at C.D.&R's Oil was compensated only with meals and a spot to sleep on his uncle's floor from May 1995 to Feb. 1998.

Singh said his uncle turned him in to INS officials a day after agreeing to a \$70,000 settlement for back pay. Singh's lawyer, Christopher Ho of the Legal Aid Society's

Employment Law Center, said the money is being held in trust by a law firm.

But Judge Breyer wrote that "barring claims like Singh's 'would provide a perverse economic incentive to employers to seek out and knowingly hire illegal workers.'"

In a 5-4 decision U.S. Supreme Court ruled in March that an illegal immigrant who was unlawfully fired could not seek back pay for the time he would have remained working. The court noted the worker wasn't legally entitled to work and said allowing damages would condone lawbreaking.

That ruling would prevent Singh from collecting additional damages if he proves Jutla caused the arrest, said Eugene Franklin, Jutla's lawyer.

But in subsequent rulings, several judges have rejected arguments that the high court's rulings eliminated all damages, and have allowed illegal immigrants to claim wages and overtime for periods they actually had worked.

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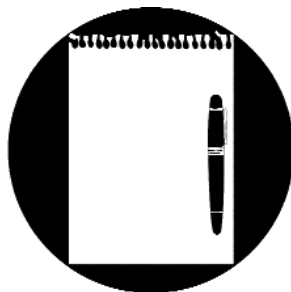
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STATE

Tonga says jester-investor cost island kingdom \$26M

BY RON HARRIS
Associated Press Writer

SEBASTOPOL — Jesse Bogdonoff was both the investment adviser and court jester of Tonga, but the Pacific island kingdom isn't laughing anymore.

The king says in a lawsuit that Bogdonoff's foolhardy strategies and ridiculous commissions drained a Tongan royal trust fund of \$26 million — almost half the country's annual budget.

Bogdonoff blames the Tongans for the losses, saying they got cold feet and pulled out before he could recoup their money. "It turns out they are like most people because most people panic," he said.

The dispute has landed in federal court in San Francisco, with lawyers for the Tonga Trust Fund suing the American it once entrusted to "fulfill his royal duty sharing mirthful wisdom," according to a decree by King Taufa'ahau Tupou IV.

Bogdonoff, 47, took the jester title to avoid a spat with his former employer, the bank where he first started managing the fund. He really had a higher duty in Tonga: making money.

For a time, during the technology boom, he did. But things went bust after he invested in riskier ventures — a dot-com film distribution start-up, a speculative energy company and a business that hoped to profit from the unused life insurance of the terminally ill.

Now the fund has only \$2.2 million, and the king claims Bogdonoff and two associates lied about the investments and helped themselves to large fees.

Tonga — a 170-island archipelago that has about 100,000 subjects and relies heavily on pumpkin and vanilla exports — has little hope of regaining its fortune, reaped from fees on passports sold to nervous Chinese living in Hong Kong before the Chinese takeover. Bogdonoff says he is practically broke.

Bogdonoff, who earned his MBA at night school, stumbled upon the trust fund when he was selling securities for Bank of America. The money — \$21 million at that point — was languishing in a checking account, earning a steady if not exhilarating 1.7 percent interest.

Bogdonoff persuaded the bank and the

king to let him manage the money in 1994, then switched it to low-risk bonds earning 7 percent interest. Later he added Bank of America mutual funds to the portfolio.

"The market was taking off. We made \$11.5 million in the next three years," Bogdonoff said.

Bogdonoff quit Bank of America in 1999 but wanted to keep the Tongan account, which was now at \$26.5 million after occasional expenditures by the king. Promising a flat fee of \$250,000 a year, he won the deal, according to the lawsuit.

Bogdonoff then persuaded the Tongan trustees to make riskier investments, including putting \$20 million into a deal with Millennium Asset Management Services of Nevada, which bought viatical settlements. In viatical settlements, terminally ill people sell their life insurance policies for cash up front.

Bogdonoff projected a 30 percent return in two years, pitching the deal as "the perfect no-risk investment," the lawsuit claims. But with AIDS patients living longer through drug therapy, many viaticals proved to be poor investments.

Tonga is also suing Donald Kaplan, president of Services International Corp., which marketed the viaticals to the king, and Hershel Hiatt, then head of Millennium Asset.

Tonga claims Bogdonoff conspired with the two men and other associates to take \$6.25 million in secret commissions and fees on the viatical investments.

Bogdonoff says his contract entitled him to commissions and did not limit the fees to any particular amount. He says he spent his share of the money on taxes and his own poorly performing investments.

Kaplan did not return repeated calls for comment, and Hiatt could not be located. Tonga's San Francisco lawyers did not return calls.

The court has assigned the case to a dispute-resolution program, with an eye toward a settlement. No trial date has been set.

Meanwhile, Bogdonoff still has his fool's cap, but the mirth is a memory.

"This was really rough. My whole identity had been built up through my success," he said. "I love these people, and I tried to help them."

Venture capitalists suffer sixth straight quarterly loss

By The Associated Press

SAN FRANCISCO — Venture capital losses continued to pile up early this year, but not as fast as last year, according to an industry report released Wednesday.

The value of venture capital funds declined by an average of 6.3 percent during the first three months of the year, according to a review by industry research firm Venture Economics for the National Venture Capital Association. At the same time last year, venture capital funds fell by an average of 10.7 percent.

It marked the sixth consecutive quarter of losses for the shellshocked venture capital industry.

For the year ending March 31, venture capital funds plunged by an average of 24.4 percent. Those results were slightly better than the industry's average loss of 27.8 percent during calendar 2001.

The lower losses do not necessarily mean the worst is over for venture capitalists. Unlike publicly held funds, venture capitalists don't have to immediately recognize their losses in privately held startups.

Some venture capitalists have acknowledged they are hoping for a stock market rebound that would justify maintaining the current values of their startups.

If the market remains in slump, venture capitalists eventually will be forced to write off even more investments — a move that would deepen the industry's losses.

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Americans hike their borrowing in June at brisk pace

"The unnerving daily reports of corporate impropriety, terrorism ... only damage confidence. Buying decisions are determined by economics, not attitudes," said Richard

"As long as the economic fundamentals remain positive — as we believe that they will — consumers will continue to spend," he predicted.

“As long as the economic fundamentals remain positive ... consumers will continue to spend.”

— **RICHARD YAMARONE**
Economist with Argus Research Corp.

With the recovery losing momentum from the beginning of the year, the Federal Reserve has opted to leave short-term interest rates at 40-year lows in each of its four meetings this year. Low rates might motivate con-

The Fed's report on consumers includes credit card debt and loans for autos, boats and mobile homes. It does not include loans backed by real estate, such as home mortgages or increasingly popular home equity loans.

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But it does ship its one-of-a-kind SUVs elsewhere around the globe, especially to places where "have a safe trip" is more than just a nice thing to say.

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Bucker said the cars are designed for protection, not attack.



briefs

WESTSIDE/CENTRAL

MTA Localizes Operations

In an effort to improve service, MTA is decentralizing management of the Metro Bus system into two local centers, each with its own general manager. San Francisco Valley, San Gabriel Valley, South Bay, Central/Ventura, and Gateway Lines sectors will be in place by the end of this year.

An 'EZpass' For All Buses

A new regional "EZpass" will go on sale this fall, good on Metro Bus and Metro Rail along with many other facilities in the county. It simplifies fare collection and costs just \$5.50 monthly (\$3.75 for seniors/disabled/Medicaid).

More Service For Less Money

MTA will spend \$166 million less this year but deliver more Metro Bus and Rail service to its customers—all without increasing the fare.

Freeway Wbes? Here's Metro

The MTA-funded Metro Freeway Service Pilot program of assisting stranded vehicles on Southland freeways has helped 2.6 million motorists since it started in 1991. The service keeps traffic moving by providing an average of 80,000 calls per month.

Fast Service To Red Line

What's red and white, makes fewer stops and is 25% faster? Answer: Metro Rapid bus service, which will serve the Metro Red Line on Vermont Avenue starting this fall. In all, 28 new Metro Rapid lines are planned countywide for the next several years.

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NATIONAL

Scientists discover hormone that makes you feel full

BY JOSEPH B. VERRENGIA
AP Science Writer

Scientists have isolated a hormone that makes us feel full when we eat, and they demonstrated its potential as a new weight-loss drug by injecting volunteers with the substance before a big buffet lunch.

The participants injected with the so-called "third helping hormone" ate one-third less than usual and resisted snacking for up to 12 hours, scientists reported.

The hormone infusion was "sort of a fake meal," said the study's senior author, Steven Bloom of the Imperial College of London. "The brain was fooled into thinking that it had already eaten."

The experiment offers a preliminary but promising opportunity to develop a new drug to curb obesity, researchers said.

Still, some cautioned that treating overweight people with direct hormone injections has not been proven effective and may be dangerous.

Public health officials have been warning of an obesity epidemic in the United States, and the problem is spreading around the globe. The International Obesity Taskforce estimates 300 million people worldwide are obese.

In the United States, obesity is implicated in the deaths of 300,000 people annually from heart disease, stroke, diabetes and cancer.

The hormone experiment was reported in Thursday's issue of the journal *Nature*. Scientists in England and Oregon isolated the hormone PPY3-36 that is secreted by cells lining the intestines. Levels of the hormone rise in the blood after eating and

remain high between meals.

Using mice, researchers first identified its effect on the hypothalamus, a part of the brain that regulates appetite.

Then, 12 people of normal weight — 6 men and six women in their 20s — were injected with extra hormone or a placebo saline solution. Two hours later, they were offered an Indian curry buffet lunch — chicken or vegetarian, spicy or mild.

The volunteers who received the hormone boost ate one-third less than they did at previous meals.

However, other scientists in the study said the one-time experiment does not by itself prove that the injections can safely control appetite or reverse obesity. How the body might respond to elevated PPY3-36 levels over time is unclear.

"It would not make a suitable weight loss drug due to its potential effect on other important systems of the body," said Oregon Health Science University neurobiologist Roger Cone. "Scientists still have a long way to go before the development of a drug that can help Americans fighting obesity."

Researchers who did not participate in the experiment were intrigued by the findings.

"Everyone decreased their food intake, so that's pretty significant," said Dr. Richard Atkinson, president of the American Obesity Association.

Among the hurdles to developing a "third helping" drug: proving whether the hormone safely reduces body weight and fat over the long term, and finding a more tolerable method than intravenous infusion.

"If you raise the levels of some hormones, the body becomes tolerant and it

stops working," Atkinson said. "They need to give this every day for months and see if it results in significant weight loss."

Previous studies have focused on limiting the effects of ghrelin, a hormone made by stomach cells that boosts appetite.

New non-hormonal prescription weight control drugs are coming on the market, including Meridia, which influences brain chemistry associated with appetite.

But Meridia and similar drugs usually result only in modest weight loss, Atkinson said. Combinations of new drugs might be more effective, he said.

Over-the-counter weight loss treatments are a \$40 billion industry. Yet sci-

entists still are untangling the body's complex chemical signaling system known as the adipostat, which continually adjusts food intake and energy expenditure.

Some hormones, like insulin, act over the long term to regulate levels of body fat. Other short-term hormones like PPY3-36 are released to trigger hunger pangs or communicate satiation.

The human metabolism evolved millions of years ago to store energy for times when man's ancestors returned from the hunt empty-handed. Today, many people have an abundance of food and get little exercise, and yet our adipostat has not adjusted.

Two laptop computers missing from U.S. Central Command

By The Associated Press

TAMPA, Fla. — Two laptop computers are missing from the military command center coordinating the war in Afghanistan, officials said Wednesday.

The Air Force Office of Special Investigations is investigating the computers' possible theft from U.S. Central Command, office spokesman Maj. Mike Richmond said. The computers disappeared Thursday.

Central Command would not release further details, such as what information was stored on the computers and what office or person was responsible for them.

Central Command, led by Army Gen. Tommy Franks, is responsible for U.S. security interests in the Middle East. It oversees the continuing military operation in Afghanistan and has been deeply involved in planning for a widely expected U.S. effort to topple Iraqi leader Saddam Hussein.

The headquarters is part of MacDill Air Force Base.

Just this week, aa government audit was released that showed the Justice Department lost 400 computers last year. Most belonged to the FBI and the Immigration and Naturalization Service, and many had classified information. The agencies said poor tracking of equipment was likely to blame, not theft.

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INTERNATIONAL



Saudi Arabia will deny U.S. access to attack Iraq

BY DONNA ABU-NASR

Associated Press Writer

JIDDAH, Saudi Arabia — Saudi Arabia will not give the United States access to bases in the kingdom for an attack on Saddam Hussein, but the foreign minister said Wednesday the longtime U.S. ally does not plan to expel American forces from an air base used for flights to monitor Iraq.

In an interview with The Associated Press, Prince Saud said the 70-year-old U.S.-Saudi alliance was just as solid now as before the Sept. 11 terror attacks on the United States.

He said Osama bin Laden, who was stripped of Saudi citizenship and who directed the al-Qaida attacks, had intended to drive a wedge between the two countries when he chose 15 Saudi citizens to be among the 19 hijackers who crashed planes into the World Trade Center in New York and the Pentagon.

Beyond that, Saud denied the kingdom sends financial aid to Palestinian suicide bombers who have killed more than 260 Israelis in 22 months of Mideast violence.

Opposition to a U.S. attack to overthrow Saddam is gaining strength in Europe as well.

In an interview published Wednesday, German Chancellor Gerhard Schroeder said military action would wreck the international front fighting terrorism worldwide and in Afghanistan, throw the Mideast into turmoil and hurt the world economy.

In Britain, a country seen as President Bush's strongest backer against Iraq, Mike O'Brien, Foreign Office minister for the Middle East, suggested Baghdad's recent gesture to readmit weapons inspectors could make military action unnecessary.

Saud said his government had made no secret of its opposition to a U.S. strike on Iraq. When asked if the

kingdom would allow the United States to use Saudi facilities for such an attack, the prince said:

"We have told them we don't (want) them to use Saudi grounds."

The United States reportedly has quietly moved weapons, equipment and communications gear from Saudi Arabia to the al-Udeid Air Base in Qatar in recent months, concerned the kingdom would limit Washington's ability to act freely in the region.

In Washington, Defense Secretary Donald H. Rumsfeld said talk of a U.S. strike against Saddam Hussein was hypothetical and that the president had not asked the Saudis for use of their territory.

"The president has not proposed such a thing; therefore, I don't find it really something that has been engaged as such," Rumsfeld said in response to a question about Saud's remarks.

The Saudi prince, while not addressing Bush's declarations that Saddam must be removed as Iraq's leader, said U.S. goals could be met with other tactics.

"The attack is not the right policy to take, especially since there is a possibility of implementing what the attack is purported to be used for — which is the return of the (U.N. weapons) inspectors," he said.

Saud spoke English during the interview at his office in the seaside Conference Palace complex, and stressed his government had relayed its views consistently to Washington both in public and private.

Bush offered assurances Wednesday he would explore all options and consult broadly before choosing a method of dealing with "threats that could eventually hurt our freedoms."

"I will promise you that I will be patient and deliberate, that we will continue to consult with Congress and, of course, we'll consult with our friends and allies," he said during a speech in Mississippi.

The United States has spoken publicly about ousting Saddam for his refusal to live up to promises he made at the conclusion of the Gulf War, including his refusal to allow the return of U.N. weapons inspectors.

Under U.N. Security Council resolutions, sanctions imposed after Iraq's 1990 invasion of Kuwait cannot be lifted until U.N. inspectors certify that its biological, chemical, and nuclear weapons have been destroyed along with the long-range missiles to deliver them.

Last week, Iraq invited U.N. chief weapons inspector Hans Blix to Baghdad for technical discussions that could lead to a resumption of the inspections, more than 3 1/2 years after inspectors left Iraq ahead of U.S. and British airstrikes and were barred from returning.

Washington has dismissed the invitation as a ploy and U.N. Secretary-General Kofi Annan rejected the Iraqi offer, saying Baghdad must accept Security Council terms for the return of weapons inspectors.

The Saudi sentiments on a new attack against Iraq are shared by most Arab nations even though they joined the U.S.-led Gulf War coalition that liberated Kuwait in 1991. Saudi Arabia invited U.S. troops to the oil-rich kingdom to help defend it against Saddam's forces.

But now, with strong anti-American sentiment rising in the region because of the perceived U.S. backing for Israel against the Palestinians, Arab leaders say this is not the time to risk further instability.

Asked about reports Saudi Arabia had asked the United States to remove gradually its thousands of troops from the Prince Sultan air base, Saud said "nothing of this sort has happened ... nothing is happening in the present, and we don't consider that anything will change in the future."

Saud said he was unaware of any troops or equipment being moved out of the base and declared Saudi support for continuation of decade-old U.S. patrols of Iraqi skies to keep Saddam's army in check.

Archaeologists unraveling ancient Mideast drug trade

BY JASON KEYSER

Associated Press Writer

JERUSALEM — A thriving Bronze Age drug trade supplied narcotics to ancient cultures throughout the eastern Mediterranean as balm for the pain of childbirth and disease, proving a sophisti-

cated knowledge of medicines dating back thousands of years, researchers say.

Ancient ceramic pots, most of them nearly identical in shape and about five inches long, have been found in tombs and settlements throughout the Middle East, dating as far back as 1,400 B.C., said

Joe Zias, an anthropologist at Jerusalem's Hebrew University.

The drugs were probably used as medicine and the finds are helping researchers better understand how ancient people treated illness and disease.

"It's a window to the past that many people are unaware of," Zias told a recent conference in Israel on DNA and archaeology. "Here's something used in prehistoric times and it's used until today."

When turned upside down, the thin-necked vessels with round bases resemble opium poppies pods. If there was any doubt about what was inside, the round bases have white markings, designs that symbolized knife cuts made on poppies bulbs so the white opium base can ooze and be harvested, Zias said.

The Mycenaean ceramics were analyzed with a procedure called gas chromatography that turned up traces of opium.

Hundreds of the pots have been found and they commonly show up in the hands of antiquities dealers in places like Jerusalem's Old City. "Give me an hour there and I could find you 10 of them," Zias said.

Based on ancient Egyptian medical writings from the 3rd millennium B.C., researchers believe opium and hashish — a smokable drug that comes from the concentrated resin from the flowers of hemp plants — were used during surgery and to treat aches and pains and other ailments. Hashish was also used to ease menstrual cramps and was even offered to women during childbirth.

Based on Egyptian writings, archaeologists believe the opium was eaten rather than smoked.

The drugs are part of a medical record that shows the ancients were far more advanced than most people realize, Zias said, noting evidence that European people did cranial surgery as long as 10,000 years ago, while the Romans left records

of 120 surgical procedures.

Mark Spigelman, a Zias colleague at Hebrew University, found one of the poppy-shaped ceramic pots from the middle Bronze Age in Siquara, a Giza cemetery near the pyramids outside of Cairo during a dig four years ago. The pot, found in an 18th Egyptian Dynasty grave, was identical to other pots found throughout ancient Israel and the Middle East.

"These guys were selling opium all over the Middle East," Spigelman said. "This is the original Medellín cartel, 3,500 years ago," he said in a joking reference to the violent Colombian cocaine cartel.

It seems more likely, however, that the ancient trade was run by respected healers rather than violent drug lords.

"We know for sure these things were used for medical purposes," Zias said. "The question is whether they were used for recreational purposes."

In an archaeologically rich area of central Israel, Zias found another clue. While excavating a tomb from the late Roman period in the town of Beit Shemesh 10 years ago, he found the skeleton of a 14-year-old girl who died in childbirth around 390 A.D. On her stomach was a fleck of a burnt brownish, black substance.

"I thought it was incense," Zias said. But when he had it analyzed by police and chemists at Hebrew University, it turned out to be a seven gram mixture of hashish, dried seeds, fruit and common reeds.

Seven glass vessels containing traces of the drug were found near the skeleton. She probably used them to inhale the smoky cocktail to aid her delivery. Medical researchers have found that other than relaxing the user, hashish increases the force and frequency of contractions in women giving birth; and it was used in deliveries until the 19th century, after which new drugs were developed.

Afghanistan attack



Karel Prinsloo/Associated Press

A British soldier patrols a street in Kabul, Afghanistan, after security was stepped up following an attack on an Afghan army base in Kabul Wednesday. Attackers struck after dawn Wednesday against an Afghan army base in south Kabul, and up to 15 people were killed, including 11 guerrillas, authorities reported. The base commander claimed the attackers were Arabs and Pakistanis, but that could not be confirmed. It was the most serious battle in the capital area in months, and came just a day after U.S. troops killed four men in Kunar province, 90 miles to the northeast.



SPORTS

Baseball players agree to test for steroids

BY RONALD BLUM

AP Sports Writer

NEW YORK — Baseball players ended decades of opposition to mandatory drug testing Wednesday by agreeing to be checked for illegal steroids starting next year.

Under the proposal, which addresses one of the key issues in contract talks, players would be subjected to one or more unannounced tests in 2003 to determine the level of steroid use. If the survey showed "insignificant" use, a second round of tests would be set up in 2004 to verify the results.

If more than 5 percent of the tests were positive in either survey, players would be randomly tested for two years.

The union did not say what penalties, if any, would be levied against players who test positive for steroids.

"We had an obligation to bargain on it. It was a serious issue," union head Donald Fehr said. "It took a lot of time and effort and thought."

It was unclear how management would react to the players' offer.

"We haven't had any feedback yet," Fehr said.

Owners, however, have proposed far more extensive testing.

Players would be tested three times a year for steroids and other performance-enhancing drugs, and once a year for illegal drugs such as cocaine.

Former MVPs Jose Canseco and Ken Caminiti admitted steroid use earlier this year, and Canseco estimated that up to 85 percent of all major leaguers took muscle-enhancing drugs during the years he played, 1985 to 2001.

"As players, we want to be able to clear our name from what Caminiti and Canseco said," Toronto's Vernon Wells said. "Unfortunately, we have to prove our innocence. If none of that happened we wouldn't have to do this."

Fehr wouldn't say how widespread support for testing was among players. USA Today reported last month that it surveyed 750 players in June and that 79 percent of those

responding supported independent testing for steroid use.

The NFL and NBA test players for steroids and illegal drugs. The NHL has a policy similar to baseball's, testing players only if there is cause. For example, a player could be tested if he is convicted of a crime involving drugs or enters rehab.

Under the baseball union's proposal, players could also be tested for illegal steroids if teams showed "reasonable cause."

Both sides also discussed minimum salary, benefits and debt control.

The union's executive board is to meet Monday in Chicago and could set a strike date for what would be baseball's ninth work stoppage since 1972.

Players fear that without a contract to replace the deal that expired Nov. 7, owners would change work rules or lock them out after the World Series. The union wants to control the timing of a potential work stoppage, preferring late in the season, when more pressure is on the owners.

Henman eliminated; Hewitt, Roddick advance

By The Associated Press

MASON, Ohio — Fourth seed Tim Henman lost to Fernando Gonzalez in the second round of the Cincinnati Masters Series tournament Wednesday 7-6 (3), 6-2.

Top-seed Lleyton Hewitt, the reigning U.S. Open and Wimbledon champion, advanced when his opponent, Davide Sanguinetti, withdrew because of a right toe injury.

No. 12 seed Andy Roddick earned his second consecutive straight-set win 6-4, 6-3 over Nicolas Kiefer. No. 16 Carlos Moya advanced with a 6-2, 6-4 win over Sjeng Schalken.

Also advancing to the third round were Tommy Robredo, who eliminated Greg Rusedski 6-2, 3-6, 6-3, and Xavier Malisse, who outlasted Ivan Ljubicic 4-6, 7-6 (7), 7-6 (7).

Malisse has gone to tiebreakers in four of six sets through the first two rounds, winning three.

Henman, who also lost to Gonzalez in the first round of the Rome Masters Series in May, fell behind 4-0 in the second set before fighting back to set up three break points in the seventh game.

But Gonzalez fought off all three points to hold serve, and Henman double-faulted on match point to complete

Gonzalez's upset.

"I was pretty confident coming in, which adds to the mystery of why I played so poorly," Henman said. "The conditions weren't the best. It was windy and the balls were bouncing around, but that couldn't hide the fact of how badly I played."

Hewitt had been leading, 5-0, in the first set when Sanguinetti withdrew.

"I still don't know where my game is," Hewitt said. "Obviously, it would have been a lot nicer to have won properly, but I'm through to the round of 16 and can't complain. Obviously, matches are going to get tougher and tougher from now on."

Hewitt said he plans to appeal the ATP's decision to fine him for refusing an ESPN interview two days before his first-round match Tuesday. Hewitt disagrees with the ATP ruling that the interview was part of his contractual obligations.

As a player ranked in the top 10, Hewitt faces a fine of either \$20,000 or half his prize money, whichever is greater. Each player who reaches the round of 16 earns \$30,000.

Up next for Hewitt is Finland's Jarkko Nieminen, who held off qualifier Hyung-Taik Lee 6-2, 3-6, 7-5.



Al Behrman/Associated Press

Andy Roddick hits a volley during a second-round match with Nicolas Kiefer, of Germany, at the Masters Series Cincinnati tournament Wednesday in Mason, Ohio. Roddick beat Kiefer 6-4, 6-3.

U.S. skating federations asks ISU to form ethics panel

BY NANCY ARMOUR

AP Sports Writer

With the sport reeling from accusations of an Olympic fix, the U.S. Figure Skating Association is calling for an independent ethics commission. Now.

USFSA president Phyllis Howard sent International Skating Union head Ottavio Cinquanta a letter asking that such a commission be formed "with all deliberate speed."

"I am concerned that there is a residual effect here, that people have in their minds that it is a corrupt sport," Howard, a member of the ISU council, said Wednesday.

"I do think it's very important the ISU deal with this in such a way that it puts to rest any perception that skating is a corrupt sport."

Such a board could look into ques-

tions about the Salt Lake City Games, but also any future ethical problems.

"I am concerned that ... people have in their minds that it is a corrupt sport."

— **PHYLLIS HOWARD**
USFSA president

Howard recommended that the ethics panel be independent of the ISU council, which currently handles disciplinary matters. While she didn't want to get into details until Cinquanta responds, she left open the possibility of involving people outside the sport.

"It is critical," she wrote in her let-

WTA Tour JP Morgan Chase Open Results

By The Associated Press

Wednesday at The Manhattan Country Club, Manhattan Beach, Calif.
Purse: \$575,000 (Tier II) Surface: Hard-Outdoor

SINGLES

Second Round

Daja Bedanova (8), Czech Republic, def. Alexandra Stevenson, United States, 6-3, 6-2.
Anne Kremer (10), Luxembourg, def. Marie-Gaiech Mikaelian, Switzerland, 6-2, 6-2.
Nathalie Dechy (15), France, def. Iroda Tulyaganova, Uzbekistan, 6-4, 6-2.
Janette Husarova, Slovakia, def. Meghann Shaughnessy (14), United States, 6-4, 6-4.
Eleni Daniilidou, Greece, def. Daniela Hantuchova (6), Slovakia, 6-4, 6-2.
Amanda Coetzer, South Africa, def. Anna Smashnova (11), Israel, 6-0, 6-2.

ter, "that the integrity of such a group is beyond reproach and has immediate public acceptance."

There was no answer to a telephone call placed to ISU headquarters in Lausanne, Switzerland, on Wednesday.

Reputed Russian mobster Alimzhan Tokhtakhounov was arrested last week in Italy on a U.S. criminal complaint accusing him of fixing the results of the pairs and ice dancing competitions at the Salt Lake City

Olympics. The complaint, filed in Manhattan federal court, was based on wiretaps.

Italian police said Tokhtakhounov might have contacted up to six judges to help secure a gold medal for the Russians in pairs in exchange for a victory by the French ice dancing team.

Tokhtakhounov has denied the accusations. On Tuesday, he said he will fight extradition to the United States, a battle that could drag on for weeks.

COMICS



The Dinette Set by Julie Larson



Natural Selection® By Russ Wallace



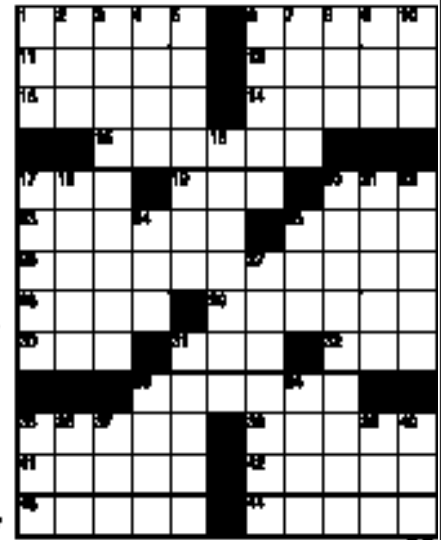
CROSSWORD By THOMAS JOSEPH

- ACROSS**
- They have edible shells
 - "Roots" writer
 - Make fit
 - Bouquet
 - Boys' night-out activity
 - Muddle
 - Puzzle
 - Corn holder
 - Like some marlin's
 - Type of fish
 - Flowery shrub
 - "Dear me!"
 - Holmes' home
 - Wile in dole
 - Tried to hit
 - Ball
 - Picture
 - Writer Nellie
 - Winter melon
 - Poor sport's cry
 - Minnesota lecture
 - Vigorous
 - Michelangelo work
 - Solitary sort
 - Mated accessory
- DOWN**
- Spigot
 - Commotion
 - Patissier's employee
 - Stone sign
 - Alias of Tolkien's Anagorn
 - Prone to smelling
 - Met highlight
 - Bagel looper
 - Flightless bird
 - Puppy cry
 - Reeds
 - Explorer John



Yesterday's answer

- Conductor
- Nymph
- Seal
- cheer
- Jazz
- Flair to
- trumpet
- Worms,
- Sheq of the NEA
- at times
- Eccentric
- 38 Status —
- Went
- 37 Seabee's org.
- ahead
- 28 Spanish gold
- 38 Greek vowel
- Yodelers' milieu
- 40 Shop item



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NEWS OF THE WEIRD by Chuck Shepard

Fugitive caught by DNA sample of saliva

Eight-year fugitive John Thomas Boston, 39, who mailed a note in March to Louisville, Ky., police just as he crossed into Canada, informing them that they would never catch him, was arrested in April in Dallas and charged not only as a fugitive but for the first time with three 1994 rapes. Boston's main error (other than returning to the U.S. from Canada) was to lick the envelope containing the taunting note; his DNA allegedly matched evidence from the rapes.

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Calendar

Thursday, August 8, 2002

movies

Loews Broadway Cinema
1441 Third St. at Broadway
The Bourne Identity (PG-13) 11:30, 2:15, 5:00, 7:45, *Stuart Little 2* (PG) 11:00, 1:15, 3:30, 5:45, 7:55, 10:00. *Martin Lawrence Live* 11:15, 2:00, 4:45, 7:30, 10:15. *Full Frontal* 10:45, 1:30, 4:15, 7:00, 9:45, 10:30

Mann Criterion
1313 Third St.
Minority Report (PG-13) 3:10, 7:10, 10:30. *Men in Black II* (PG-13) 11:30, 2:10, 4:45, 7:40, 10:10. *Austin Powers in Goldmember* (PG-13) 11:00, 12:30, 1:30, 2:30, 4:15, 5:15, 7:00, 8:00, 9:40, 10:40. *My Big Fat Greek Wedding* (PG) 11:10, 5:00, 7:30, 10:00. *K-19: The Widowmaker* (PG-13) 12:40, 4:00, 7:20, 10:45. *Lilo and Stitch* (PG) 10:45, 12:40, 2:45 XXX (PG-13) 12:01

AMC Theatre SM 7
1310 3rd Street
Signs (PG-13) 12:00, 1:00, 2:35, 4:00, 5:15, 7:00, 7:55, 9:45, 10:30 *Eight Legged Freaks* (PG-13) 9:35. *The Country Bears* (G) 12:10, 2:15, 4:45, 7:00, 9:30. *Mr. Deeds* (PG-13) 12:30, 2:45, 5:00, 7:15. *Road to Perdition* (R) 12:45, 4:15, 7:10, 9:20, 10:05. *Reign of Fire* (PG-13) 12:55, 3:15, 5:35, 8:00, 10:20.

Landmark Nu-Wilshire
1314 Wilshire Blvd.
Sex and Lucia (NR) 1:30, 4:15, 7:00, 9:45. *Lovely and Amazing* (R) 12:15, 2:30, 4:45, 7:15, 9:30.

Laemmle Monica
1332 2nd St.
Read My Lips (NR) 1:30, 4:15, 7:00, 9:45. *Tadpole* (PG-13) 1:30, 3:35, 5:40, 7:45, 9:55. *Who is Cletis Tout?* (R) 1:00, 3:20, 5:40, 8:00, 10:20. *The Good Girl* (R) 12:30, 2:50, 5:10, 7:30, 9:55.

Today Community

Wilshire/Montana Neighborhood Coalition Open Board of Directors Meeting, Thursday, August 8, 7-9PM, at the Ken Edwards Center will feature a discussion of the Sustainability Element of the Santa Monica City General Plan. City staff member, Dean Kubani will present the results of a 10-month effort to determine indicators of sustainability and how to measure them. The status of efforts to save the Ballona Wetlands will also be presented, along with results of the neighborhood group's Annual Meeting.

The Westside Walkers, a FREE program sponsored by UCLA Healthcare's 50-Plus Program! Walking programs for adults 50 or older looking for safe, low-impact exercise in a comfortable environment. The Westside Walkers meet Tuesdays and Thursdays, from 8 a.m. to 10 a.m., at Westside Pavilion, Pico Blvd. Between Overland Ave. and Westwood Blvd. In West LA. For more information about the program, call

(800)516-5323.

Senior Suppers - Discounted meals for people AGE 55 or older are served daily, from 3:30 p.m. to 7 p.m., in the cafeteria at Santa Monica-UCLA Medical Center, 1250 16th Street in Santa Monica. \$3.69 Info only: (310)319-4837.

Theater / Arts

Santa Monica Playhouse is proud to present Picon Pie! The World Premiere of a joyous and poignant musical play about the life and loves of legendary Molly Picon. Admission is \$23.50. Show starts at 8:00 p.m. 1211 4th Street, Santa Monica. For more information please call (310)394-9779 or visit www.santamonicaplayhouse.com.

Los Angeles Arts Academy, Summer Art Camp in Santa Monica & Westchester. Ages 5 to 13 years old. Lots of fun: art, acting, singing, karaoke, drawing, sculpture, drum circles, field trips & more! June 24 through August 16, M-F 9 a.m. to 3 p.m. (except field trip days). Now enrolling! laarts@earthlink.net.

Friday Community

Santa Monica Strutters, a FREE program sponsored by UCLA Healthcare's 50-Plus Program! Walking programs for adults 50 or older looking for safe, low-impact exercise in a comfortable environment. The Santa Monica Strutters meet Mondays, Wednesdays, and Fridays, from 8 a.m. to 10 a.m., at Santa Monica Place, Fourth St. and Broadway Ave. in Santa Monica.

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Music / Entertainment

Comedy Underground - All improv groups, special on this Friday, \$5.00 gets you in for all three shows! *Addle Essence* 5:00, 8:00 p.m., *Off The Wall* 5:00, 9:00 p.m., *Unusual Suspects* 5:00, 10:00 p.m. 320 Wilshire Blvd. (310)451-1800. The Joint, 8771 W. Pico Blvd., W. LA. One of the most exotic rooms in the local rock-facility pantheon. Pizza. Cover \$10 - \$5. Full bar. Over 21. (310)275-2619.

Open Mic Music. UnUrban Coffeehouse. 3301 Pico Blvd., Santa Monica, (310)315-0056.

14 Below, 1348 14th St., Santa Monica. If the band stinks, take advantage of commodious booths, pool tables, and fireplace. Full Bar. Over 21. (310)451-5040.

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KEEP YOUR DATE STRAIGHT

**Promote your event in the Santa Monica Daily Press Calendar section.
Fax all information to our Calendar Editor: Attention Angela @ 310.576.9913**



BACK PAGE



A case of mistaken identity

By The Associated Press

BRANDENBURG, Ky. — Relatives went to a funeral to mourn a teenager after a fatal car wreck, only to learn that the body in the casket wasn't his.

Their loved one, John D. Grubs Jr., was lying in a hospital tended by the family of the boy who actually died, John's friend Jeremy Hylemon.

The mix-up wasn't discovered for three days, until Saturday's funeral.

"People have been asking me how this happened, and I have to tell them, 'I don't know,'" said Richard Siclari, a Jefferson County deputy coroner.

Many officials and hospital employees blamed grief for the bad identifications by both families. But Jeremy's relatives say they raised questions but were brushed off.

Jeremy, 15, and John, 16, were together July 31 when their car left the road and hit a tree. Both were flown to Louisville for treatment, and the families were called in. Jeremy died later that morning at University Hospital; John had critical injuries but survived.

At Saturday's funeral, John's friend Joe Gatrost noticed that the corpse had pierced ears. "The only reason I had doubts was because John didn't have his ears pierced," Gatrost said.

Jeremy's maternal grandmother, Carol Kerns, was called to the service and realized the boy in the coffin was not John but her grandson, said Meade County Sheriff's Deputy William Sego. Otherwise, the body

would have been cremated, Sego said.

The Jefferson County coroner's office confirmed the identification Monday with dental records.

Kerns said that her daughter — Hylemon's mother, Kim — questioned whether the injured boy was Jeremy, but hospital workers dismissed her.

"She said, 'That don't look like Jeremy. His nose is too big.' The hospital said he suffered head trauma when he went through the windshield. She said, 'Well, his upper lip is fatter.' And they said that's due to the head trauma," Kerns told The Courier-Journal of Louisville.

"Every time she'd say something, they'd say it was head trauma," Kerns said.

Hospital spokeswoman Shelly Hazle denied the family account, saying relatives did identify the injured teen as Hylemon.

Siclari had escorted John's family to a hospital room to see the dead boy. The body didn't have any facial injuries, but a cloth covered the top of the head because of a severe head injury.

"They cried and prayed and said, 'This is John,'" Siclari said. "It's just a terrible case of mistaken identity." Jeremy's family, meanwhile, watched over the boy who turned out to be John for three days at the same hospital.

Snakes cut power

By The Associated Press

SANTA FE, N.M. — There were no sets, the orchestra was stuck on stage and performers had to change by flashlight. But the show went on.

A power outage caused by two bull snakes that slithered into a switching gear didn't stop the Santa Fe Opera from performing Tchaikovsky's "Eugene Onegin" Monday night. The electricity came on part-way through the opera.

The snakes' interruption made for "an interesting evening of theater" for the 2,100 people who attended, said Tom Morris, the opera's director of administration.

A generator provided some electricity for the theater, but the orchestra — which usually is lowered electrical-

ly beneath the stage — was stuck in the middle, blocking the way for sets.

Performers prepared in a wardrobe area lit by lanterns and flashlights. Battery-powered lanterns were placed in nine bathrooms. Bartenders used flashlights.

The snakes weren't so lucky. The voltage at the site of the equipment "can be fatal to humans so the snakes probably didn't have a chance," said Don Brown, a spokesman for the Public Company of New Mexico.

A similar outage after an opening night performance 17 years ago was caused by a rodent that chewed through a power cable and "didn't survive the experience," Morris said.

Cursing the sewers

By The Associated Press

LIVERMORE, Calif. — A man who put a curse on the city's sewer system said he will remove it if the city apologizes.

Adam Fortunate Eagle Nordwall, formerly of Hayward, claims to have put a curse on the city back in the early 1970s, after he said officials mistreated a totem pole he gave Livermore as a gift.

The 20-foot totem pole depicts Robert Livermore, the town's founder, sitting under an eagle, which is supposed to protect the city.

When officials went to install the pole, they cut several feet off the bottom and set it in concrete.

Nordwall said the act desecrated his work of art, and demanded it be restored. When city officials refused, Nordwall said he put a curse on the sewer system.

A week later, sewers in the city backed up.

Workers restored the pole, and in 1995 upgraded it with new paint.

But Nordwall said he will only lift the curse if the city apologizes during an official ceremony.

Mayor Marshall Kamena supports the idea.

"I'd rather not mess with something I don't understand," he said Tuesday.

What do Shaq and Lenny Krayzelberg have in common?

as quoted in USA Today



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