

Santa Monica Daily Press

A newspaper with issues

Farmers Market fun



Carolyn Sackariason/Daily Press
Kasey Arko, left, and Sasha Borcekove dance to the music of Randy Weeks, a band that performed at the Main Street Farmers Market on Sunday.

City's sex offender population at 50

BY ANDREW H. FIXMER

Daily Press Staff Writer

In a time when child abductions are common, local authorities are keeping a watchful eye on the 50 registered sex offenders in Santa Monica.

The Los Angeles County Sex Offender database shows that only one of the 50 sex offenders is considered "high risk," while nearby Venice Beach has 46 sex offenders and Marina Del Rey has 10.

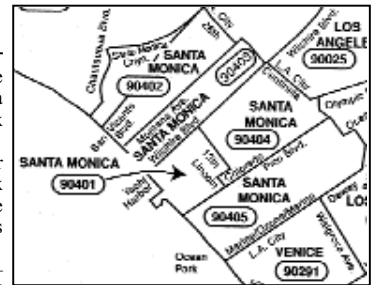
In Santa Monica's five zip codes — 90401, 90402, 90403, 90404 and 90405 — there are 12, 3, 5, 16, 14 sex offenders registered, respectively. (see map)

Only one man — living in the 90405 zip code — is considered "high risk," which means he has multiple sex-related convictions. He is Clark Ashley, a black male, who has been convicted of rape by force or intimidation, oral copulation and oral copulation with a person under 14.

Santa Monica Police Lt. PJ Guido said the department has been monitoring all of the city's registered offenders. SMPD also keeps lists of people with chronic drug and violent crime arrests.

In the case of Ashley, Guido said the police department has notified the neighborhood of his presence and history.

"People have been notified under (U.S. Department of Justice) recommenda-



The map above separates the City of Santa Monica into zip code zones.

tions," Guido said. "Police officers did notify schools and other facilities of his being nearby. But he has followed all the rules and is living here in compliance (with the law)."

Santa Monica's other 49 registered sex offenders are classified as "serious offenders," and typically only have one conviction — many for crimes that were not against children.

Cities with populations over 100,000 are required by state law to give information to the public about registered sex offenders living in the area. For those cities with smaller populations, like Santa

See OFFENDERS, page 5

Film footage may not be protected, lawyers say

BY JOHN WOOD

Special to the Daily Press

Screenwriters and filmmakers take heed — just because you possess original material doesn't mean you own it.

Ownership of previously uncopyrighted original material does not necessarily grant a copyright, say local entertainment attorneys and Library of Congress officials.

Once a script, song, film or other piece of work has entered the public domain, it's nearly impossible to claim a copyright.

This may be good news for Santa Monica filmmaker Michael Rose, who recently lost a lawsuit in Santa Monica Small Claims Court after he used 62 seconds of an old Ford Motor Co. promotional footage in a special he produced for the History Channel last year.

Though Judge Pro Tem Richard Goldstein ruled against Rose, experts say the case is out of the court's jurisdiction.

"Copyright law is preempted by federal court and federal law," said entertainment attorney Michael Donaldson. "A state trial judge has no jurisdiction or authority to rule on matters concerning copyright."

Shortly after producing the History Channel film, Rose received an invoice for \$7,956 from Manny Samaniego, who

owns the master to the 1960s Ford promotional footage.

Samaniego claimed he put the footage back into circulation in 1995, thereby establishing what he called a common law copyright.

"If this was a public domain piece of work, then no one can come along and claim a copyright."

— MICHAEL KLEIN
Attorney

So when Rose didn't pay up, Samaniego sued and won.

In his decision in favor for Samaniego, Judge Goldstein cited principles of fairness and awarded Samaniego \$1,450, plus court costs. Samaniego had filed a \$5,000 claim, the maximum allowable amount in small claims court.

Samaniego testified he obtained the Ford footage from an unnamed friend in Washington who bought a film lab's

See LAWSUIT, page 5

Legislature and cities clash over affordable housing

BY JIM WASSERMAN

Associated Press Writer

SACRAMENTO — Each bill cleared one house of the state Legislature, then triggered searing soul-searching sessions about how to house struggling lower-wage workers and ease financial disparities between older cities and newer suburbs.

But legislation designed to address both issues — finding affordable housing and reducing the sprawl of retail areas — ground down amid political pressures and cities reluctant to change.

Experts say the demise of both bills, SB910 and AB680, reveals again how distrust between state and local governments blocks solutions at the troubled edges of California's growth. In a state desperately short on housing and often seeing stores close in older neighborhoods only to

reopen in newer ones a few miles away, balking cities downed both bills, fearful of heightened state power over their affairs.

"Coming up with a different system that doesn't make anybody demonstrably worse off is difficult and may be an impossible task," said Paul Lewis, a government affairs specialist at the Public Policy Institute of California.

The newest casualty of mutual state-local mistrust is SB910, which proposed the state levy stiff fines on an estimated 30 percent of California cities that shirk their share of affordable housing. Capitol staffers call it the hardest thing they've worked on in years. Insiders who spent contentious months trying to find common ground expressed disappointment as its death became obvious late Thursday.

See HOUSING, page 6

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

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

♈ ARIES (March 21-April 19)

★★★★ Go to the head of the class. Be the boss right now. Don't defer to anyone else. Your leadership starts the day on the right foot. In fact, you make the rest of the week easier as a result. A loved one or child rebels if you try to approach him or her the same way. Tonight: Be a friend.

♉ TAURUS (April 20-May 20)

★★★★ Read between the lines. You discover much more going on with a boss, parent or authority figure. Touch base with others at a distance. If need be, find an expert about upcoming plans. An associate throws a tantrum just as you think you've finished work! Tonight: Turn on the answering machine.

♊ GEMINI (May 21-June 20)

★★★★ Deal with others as if each one is the most important person in your world. Maintain eye contact. Ask for opinions. As a result, you'll draw out associates and bond on an even better level. Sudden news could transform plans. Know that everything is for the best. Tonight: Follow the music.

♋ CANCER (June 21-July 22)

★★★★ Others seek you out. Listen to suggestions. In fact, with so many people dropping by your door or buzzing on your phone, you might easily think you scheduled a meeting! Maintain your sense of humor, especially with one close associate who might be jealous. Tonight: Make peace.

♌ LEO (July 23-Aug. 22)

★★★★ You're focused on your work, determined to get a head start on the week. Don't forget to take good care of yourself as well. Your high energy draws an important acquaintance. Unexpected developments surround a partnership. Tonight: Follow another's lead.

♍ VIRGO (Aug. 23-Sept. 22)

★★★★ Use your imagination. Reveal more of your inner thoughts, and success will greet you. Take your time thinking through a decision. Others give you feedback. Refuse to take someone's criticism personally. Everyone has the right to self-expression. Tonight: Be more disciplined about exercising.

♎ LIBRA (Sept. 23-Oct. 22)

★★★★ Stay centered when dealing with family and loved ones. You build on a strong foundation and impervious logic as far as business is concerned. Nevertheless, an uproar could surround your emotional ties. Emphasize your wonderful sense of humor. Others will laugh at themselves. Tonight: Romp, even if it is Monday.

♏ SCORPIO (Oct. 23-Nov. 21)

★★★★ Others seek you out. You make calls. Reach out for associates and friends as well. You accomplish a lot if you relate to others on a one-on-one level. Take responsibility. Willingly put in the hours necessary, despite another's flak. Recognize that this person only wants to be with you. Tonight: Surprises happen.

♐ SAGITTARIUS (Nov. 22-Dec. 21)

★★★★ Handle your moneymaking ventures with a firm hand. Decisions made now could have long-term implications. Investigate news that impacts you. Check out the sources. Make sure what you're hearing is real, especially if you're going to make a decision based on this information. Tonight: Let a friend know you're thinking of him or her.

♑ CAPRICORN (Dec. 22-Jan. 19)

★★★★ Forge ahead, understanding how much others respect your judgment. Nevertheless, you don't want to make another's decisions or be responsible for his or her situation. Make your boundaries clear. Help others own their power. Tonight: Treat yourself.

♒ AQUARIUS (Jan. 20-Feb. 18)

★★★★ Take your time with personal matters, especially those involving a child or loved one. Realize what you want from a key tie. Understanding counts, but so does revealing the depth of your feelings. Give up any tendencies to use shock to get what you want. Tonight: The world is your oyster.

♓ PISCES (Feb. 19-March 20)

★★★★ Keep your goals in mind at work. You might be concerned with a domestic matter but not getting the results you desire. Remain sure of your self when dealing with associates and co-workers. Don't mix business and pleasure. Tonight: Curl up with a good book.

QUOTE of the DAY

"Everything hurts."

— Michaelangelo Antonioni

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LOCAL



NEWS BRIEFS

Sept. 11 events planned all day in city

By Daily Press staff

The community will have several opportunities on Wednesday, Sept. 11, to gather, remember and reflect on the tragic events of last year at the World Trade Center, the Pentagon and in Pennsylvania.

The primary community observance will begin at 7 p.m. on the south side deck of the Santa Monica Pier. There will be tributes to emergency responders by the Santa Monica Police and Fire Departments, a tribute to survivors and special readings by community members, silence in memory of those who lost their lives and a closing ceremony of remembrance and hope. Attendees may park in Lot 1 north of the pier (1550 Pacific Coast Highway). Big Blue Bus lines 1, 7 or 10 serve the pier, which is wheelchair accessible.

In addition to the larger evening event, several smaller events are scheduled for earlier in the day on September 11:

■ **Morning observances:** An early morning gathering is planned by the Santa Monica Bay Interfaith Council at the west end of the Santa Monica Pier beginning at 6:45 a.m. The Santa Monica Fire Department will hold tributes at each of the city's four fire stations beginning at 7 a.m., in conjunction with ceremonies being held at fire stations throughout the nation that morning. Neighbors of the fire stations are invited to walk over to participate with the men and women of the Santa Monica Fire Department in a brief, solemn flag ceremony and tolling of bells. Fire Stations are located at 1444 7th Street, 222 Hollister, 1302 19th Street and 2405 Ashland Avenue (no parking available).

■ **Noon observance:** Members of the residential and business communities who find themselves in the Civic Center area mid-day are invited to gather with City Hall and county courthouse staff in front of City Hall at noon for a ceremony in memory of the victims of the Sept. 11, 2001 terrorist attacks and in tribute to emergency responders. Santa Monica Fire and Police Departments will participate and a vocal tribute will precede a moment of silence.

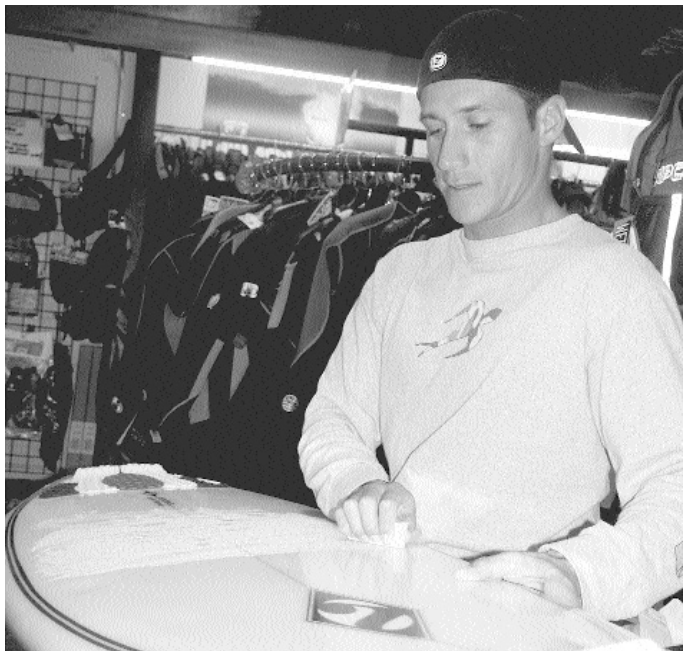
CityTV Santa Monica CityTV Channel 16 is producing "Santa Monica Remembers September 11," with a wide range of Santa Monicans sharing their thoughts about 9-11, how the tragedy affected them, our community and the nation. The program will air all day, from 8 a.m. to midnight, on channel 16.

Discussion about city water

By Daily Press staff

"Santa Monicans for Safe Drinking Water," a group that is opposed to the city's decision to fluoridate the water, will meet today at 7 p.m. at the Ken Edwards Center, located on Fourth Street.

Where's the surf?



Carolyn Sackariason/Daily Press

Nick Nevarez, of ZJ Boarding House, waxes a rental surfboard for prospective customers before they hit the breaks Sunday afternoon.



Fading swell from the south keeps exposed beaches in waist-to rarefied, chest-high waves. Expect a drop from Sunday's heights. Conditions should remain clean at south facing breaks, a little northwest wind swell helping at west facing exposures.

Wednesday, however, we should begin to see something new fill in. The steep, southern hemisphere swell, from off the Australian coast, is expected to build into early next week.



High-	6:00 a.m.	3.24'
Low-	10:27 a.m.	2.47'
High-	5:04 p.m.	5.42'

Location	Monday	Tuesday	Water Quality
County Line	2-3'/Fair	2-3'/Fair	A
Zuma	2-3'/Fair	2-3'/Good	B
Surfrider	1-3'/Fair	1-3'/Fair	A
Topanga	1-2'/Poor	1-2'/Fair	A
Breakwater	2-3'/Fair	2-3'/Fair	B
El Porto	2-3'/Fair	2-3'/Fair	A

The Q-Line

City officials are considering installing cameras at various intersections throughout the city to bust motorists running red lights.

Surveillance cameras are also going to be installed on the beach so emergency personnel can monitor activity on the packed shoreline.

Some have even suggested that surveillance cameras be placed on the Third Street Promenade to reduce crime.

Many argue that these cameras are an invasion of privacy. This week Q-Line

wants to know:

"Are these surveillance cameras necessary? Do you think your privacy is compromised when 'Big Brother' is watching?"

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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OPINION

LETTERS

Disgusted with local politics

Editor:

Two factions are fighting for power. Instead of asking "Which Santa Monicans For Renters Rights faction will dominate our November election?", the real question is "Why should we allow slates to dominate our city council elections?" "Why not open up the process so all council candidates can participate on a level playing field?"

SMRR's war chest already exceeds \$100,000, and the slate machine will have hundreds of union and non-union volunteer campaign workers — many from out of town. No ordinary candidate can possibly challenge such a Goliath political machine.

Let's face it, the "real" election took place on Aug. 4 at the SMRR endorsement convention. In effect, this November all we will do is participate in a "SMRR run-off" over whether two or three SMRR candidates are elected. Is this democracy?

Speaking as a Pico neighborhood resident, I am outraged that none of our serious problems were on the agenda at the August SMRR convention. For years, SMRR leaders promised that they would soon endorse a Pico resident to the city council. SMRR has totally dominated local politics for two decades. SMRR easily could have endorsed at least one Pico resident in 20 years if they really cared about us. Instead, they allowed an entire generation of Pico residents to pass by without seeing one Pico resident elected to the city council.

We Pico residents are tired of hearing "now is the time to pull together" behind the SMRR slate, in the "next" election SMRR will endorse a Pico resident. Recently,

SMRR leaders said that the VERITAS district election charter amendment on this November's ballot is not necessary because THIS TIME in 2002, a Pico resident will be endorsed. Guess what happened at the SMRR convention? Pico neighborhood city council candidates were SNUBBED AGAIN.

I believe that We the People who live in the Pico neighborhood need to stand up and take charge. I am tired of slate leaders deciding whether or not a resident in the Pico neighborhood will be endorsed, and if so, why should slates dictate who will represent us?

I am disgusted with politics as usual. I support VERITAS election reform on the November ballot. VERITAS guarantees that the Pico neighborhood district will have a representative on the city council.

Critics say that even with VERITAS district elections, slates will continue to dominate our city government. This is not true. Elections in smaller districts take the corrupting influence of big slate money out of city council elections. With smaller, inexpensive district elections, popular neighborhood independent candidates can effectively get their message out with a small budget and neighborhood supporters, thereby defeating candidates loyal to big money Goliath slates — whether the slates are backed by big labor, big business, SMRR or any other big money group seeking to dominate our elections.

Mike Rosenfeld

Pico neighborhood resident

Eurotrash: Everyman's guide to crossing the Pond



TWISTED
By Dan Dunn

Memo: To Editors

Re: FunHog

First off, because the greedy humps over at Warner Bros. have chosen to flex their considerable muscle, this column can no longer be slugged "FunHog." And even though I CREATED FunHog, Bottomfeeder, Tina and all the other characters in the series, the threat of litigation is quite real — so bye, bye FunHog characters. Henceforth, this column shall be called TWISTED. Sound good? Good.

Send money

PART THE FIRST ... BLONDES HAVE MORE FUN

Blond, bloated and broke-down in Piccadilly Circus is a rather inglorious end to what was otherwise a triumphant march across The European Continent. My travels included an unexpected encounter with an American actor in Turin, Italy, a near-fatal near-collision with two monster trucks in Genoa, Italy, a tremendous birthday party for Yours Truly on the French Riviera, my own personal D-Day on Omaha Beach in Normandy, France, and a Joe Strummer sighting in London's Trafalgar Square. You have your vacations. I'll have mine.

T was truly a rollicking ride, this sight-seeing, spirits-swilling sojourn across the Pond. And I did it all as the guest of a series of multi-national, junket-sponsoring corporations who seldom suspected I

was even on vacation. And don't you fret over missing a single moment because, frankly, many of the moments were quite boring. The exciting times, well, I preserved those for you, friends. Roll footage, please...

PICCADILLY CIRCUS, LONDON. 5:14 P.M., FRIDAY, JULY 21: Spent the morning in a small pub on the Strand attempting to corner the market on Guinness. Pissed the hell out of the Limey bartender by continuously asking him if he "spoke American."

Noon found me not far from this renowned district of commerce in a terrible wrestling match with powerful demons spawned from the wretched loins of the Guinness beast. As one might expect, the demons scored a decisive victory. Somewhat impaired and quite possibly in need of immediate medical attention, I instead sought refuge in — of all places — a trendy Soho hair salon, under the supervision of an undernourished gay stylist named Lincoln.

I'd be proud of myself for being an international degenerate except that, as I'm making this diary entry, at yet another pub, I'm seeking important local travel insight by flipping through the pages of "Reach For The Ground." This excellent book chronicles the downhill struggle of a true degenerate, an English legend in fact, the late-great Spectator columnist Jeffery Bernard, who was a patron saint and hero to incorrigible drunks the world over.

Well-deserved regards to my pal Terry Sullivan over at GQ for recommending this fine work...said recommendation coming on the heels of a similar steering towards Donleavy's "The Ginger Man" and a brilliant piece of madness called "Killoyle" penned by a man named Boylan. There's a trend here...

Cheers, Sullivan ole boy...the irrepara-

ble damage to my Rube Goldbergian psyche is now complete. You'll hear from my solicitors. And it should be noted that I also have blond hair. Really, I do. Don't know how I feel about the new look, but Soho seems cool and Lincoln assured me I'm the tits!

TURIN PALACE HOTEL, TURIN, ITALY. LATE AT NIGHT, WEDNESDAY, JULY 5th:

I never had any reason to hate the French until today. I arrived in Milan much earlier after connecting in Paris on Air France (motto: "We love to fly...and our planes smell like armpits!").

My luggage is lost. Because I understand about as much French as your average gang banger from Compton, it is impossible to ascertain whether anyone at the airline has the faintest clue as to where my things might be. An Air France representative offered me a lengthy clarification in her native tongue. Not a single word was recognizable, but fearing the repercussions of being perceived as an ignorant American pig-dog, I cleverly sprinkled the "conversation" with a liberal dose of "oui," which I understand is French for "due to a lack of understanding, I have to pee." My luggage, I think they assured me, will no doubt arrive within the hour.

So here I am, dining naked and alone in my room. Tried to have a meal at the hotel restaurant, but they don't allow sweatpants, and that's all I've got thanks to Air France. The sweatpants, incidentally, are hanging from my hotel window. This in the hopes of airing out the considerable odor — eau du armpit.

While checking in, I bumped into the American actor Giovanni Ribisi, a cat I've met before at press junkets and through mutual friends. Turns out Vanni, as his

inner circle refers to him, was shooting a movie in Turin with Kate Blanchett. He graciously pretended to remember me, so in return I made no reference to his role in the horrendous remake of "The Mod Squad."

Our encounter played out something like this:

INT. ITALIAN HOTEL LOBBY - DAY

DAN, a strikingly good looking travel journalist attired in a pair of stylish, if somewhat gamey, sweatpants, is standing next to the American actor GIOVANNI RIBISI, who starred in "Saving Private Ryan," "The Boiler Room" and "The Mod Squad."

DAN: Hey, Vanni, how's it going?

Giovanni feigns recognition.

GIOVANNI: Hey, um...my friend-a, it's-a going OK-a.

DAN: (Looking more strikingly good looking with each passing moment, wears sweats like few in the business) Great. Great. Funny seeing you here.

GIOVANNI: Yes-a. I'm-a — how you say? — en-joy-ing-a my time-a here in Torino.

DAN: Why are you talking like that, dude?

GIOVANNI: Scusee, but-a have-a been-a studying-a Italiano for several months-a, and I must-a stay-a in character-a.

DAN: Several months. Really?

GIOVANNI: Yes-a.

Dan produces a notepad from his jacket pocket and scribbles something. EXTREME CLOSE-UP of what he's written: "His dialect coach used to work for Air France Communications...I predict another Mod Squad."

Next week: The Twisted European sojourn continues...

(Dan Dunn is a Santa Monica resident and a freelance writer.)

Opinions expressed are those of the writer and do not necessarily reflect those of the Santa Monica Daily Press staff. Guest editorials from residents are encouraged, as are letters to the editor. Letters will be published on a space-available basis. It is our intention to publish all letters we receive, except those that are libelous or are unsigned. Preference will be given to those that are e-mailed to sack@smdp.com. All letters must include the author's name and telephone number for purposes of verification. Letters also may be mailed to our offices located at 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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Attn. Editor: 530 Wilshire Blvd. Suite 200 • Santa Monica • 90401 • sack@smdp.com

LOCAL



SMPD monitoring sex offender population

OFFENDERS, from page 1

Monica, the same information is made available at any Los Angeles County Sheriff's Department. The database is updated quarterly; the most recent list was updated earlier this month.

The state's registry is often legally challenged. The U.S. 9th Circuit Court of Appeals in San Francisco upheld the state's program last week after it was challenged by a man who'd been arrested for possession of marijuana and was then found to be an unregistered sex offender.

Locally, the SMPD remains vigilant in its lookout for sex offenders that have not registered with the city in accordance with the conditions of their parole or prison release.

In the past two weeks, police officers arrested two men who were sex offenders but had not registered in the city.

Even transients in town must register if they fit the bill, police say.

"Understand that sex offenders who spend their time here that do not have an address still have to register with Santa Monica," Guido said. "Any of them in our homeless population have to alert us that they are residing in our city."

Guido urges parents to use national media coverage of recent abductions as a "teaching moment" with their children. He advises that parents talk with children about saying "no" to adults who make them feel uncomfortable.

"Parents should take these unfortunate times and use them as teachable moments to talk to their kids about personal safety," Guido said. "And that it's OK to say 'no' to adults sometimes."

According to the National Center for Missing and Exploited Children, 90 percent of abductions are committed by close relatives or someone with whom the child is familiar.

Guido said a recent SMPD abduction case involved a parent who was not given custody but tried to flee with the child.

"It's something we deal with on more occasions than we do with an abduction

by a stranger," Guido said. "Typically we are contacted on cases of child custody where one parent didn't win custody and they try to take them away."

Parents interested in obtaining more information can contact the National Center for Missing and Exploited Children at www.missingkids.com.

Searching for sex offenders

By Daily Press staff

Under state law, Santa Monica Police are not allowed to distribute information about registered sex offenders living here because the city's population is under 100,000.

However, the same information is made available at numerous Los Angeles County Sheriff departments.

All that is required to search the database is a valid driver's license. However, making copies and printouts is strictly forbidden, though the list can be copied with pen and paper.

The database allows users to search by first names, last names, specific addresses, sex, height, weight, county and zip code. Los Angeles County shows up as a place with some 12,000 sex offenders.

To find an offender in a specific neighborhood requires only the zip code.

The database gives the specific names of the registered sex offenders in a zip code. Clicking an offender's name will bring up another screen with a description and an occasional photo of the person. Information also is provided about the crimes connected to the offender.

Though specific addresses of the offenders are not listed, local police are permitted to inform residents, schools and childcare facilities of sex offenders with multiple convictions living nearby that are considered a "high risk."

Local filmmaker may appeal

LAWSUIT, from page 1

entire library after it went bankrupt. The lab obtained the aging originals when the production house that Ford used went out of business. The original material had never been copyrighted.

Samaniego admitted, however, that the footage had entered the public domain, meaning it was not copyrighted and did not have an owner.

According to West Los Angeles attorney Michael Klein, that simple fact precludes Samaniego from claiming a copyright.

"It's a meaningless ruling," Klein said. "If this was a public domain piece of work, then no one can come along and claim a copyright."

Samaniego's later contention that the film was never published could complicate the case. If the footage was viewed by only a select group of people, it might put into question whether or not it had actually entered the public domain. In that case, the film could be subject to copyright through subsequent publishing.

But Rose argued the promotional footage

was widely distributed and that Ford had no intention of limiting its viewers.

"It was a promotional video, after all," he said.

Samaniego told the court he is still awaiting official confirmation of his copyright papers, filed five years ago. But Rose's recent Library of Congress search revealed no copyright on the material.

In the meantime, Rose is still deciding whether or not to appeal Judge Goldstein's ruling. He believes that Samaniego's argument is misplaced and flawed, but isn't convinced that another day in court would be worth his time.

Though Samaniego would like to pursue the matter in federal court, he said the amount of possible recovery in the case would make the cost of going to trial not worth it.

But according to industry experts, simple ownership of the master copy does not grant Samaniego a copyright. Documents from the Library of Congress agree.

If ownership did grant copyright, said Donaldson, a plethora of new lawsuits could entangle Hollywood.

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STATE

Veterans, lawmakers fight to restore cemetery under road

By The Associated Press

GUSTINE — Veterans and lawmakers are fighting to restore graves that lie underneath a two-lane Merced County road.

"There's one here and another right over here," said Hamilton Machado, pointing his foot to a spot on the asphalt road. Ten graves lie beneath the road, including that of Manuel Silva, an apparent Union Army veteran of the Civil War.

Machado and others are fighting to restore the Cottonwood Cemetery, which has suffered more than a half century of neglect. Machado said more graves lie in a farmer's field beyond a chain-link fence.

Their fight has drawn attention from the Legislature and state Department of Veterans Affairs, but has moved slowly and stumbled through politics, personal conflicts and indifference.

"I've got a great-uncle over there, 90 feet beyond that fence," Machado told the Contra Costa Times for a story Sunday.

But it's the bodies under the road that bother him the most.

Merced County paved Cottonwood Road in 1953. By then, the cemetery, which opened in 1877, had deteriorated. Burials there stopped in 1920. County officials knew the paving project put the road atop the dead and did it anyway.

"In those days, people were just ignorant," said Machado, 69, a semiretired crop duster and Army veteran. "The question is, Why didn't they just do it right?"

Descendants of those buried there say they will continue to fight until the graves of Silva and at least 10 other veterans become recognized and restored, along with those of 103 other bodies.

They want the road moved and the cemetery's owner, the Hills Ferry Cemetery District in nearby Newman, to fence the entire 2.4-acre site.

"That's all we want, to respect the peo-

ple, to respect the pioneers. Without them we wouldn't be here," said Auburn resident Paulene Van Der Volgen, 78, a retired court clerk. She has six relatives buried there, including her great-grandparents.

The Hill Ferry district bought Cottonwood Cemetery in 1947, according to historical records. Officials intended to remove all the bodies and declare the graveyard officially abandoned. But only about 50 bodies were exhumed.

After a series of meetings during the past two years, the cemetery district removed most of the remaining grave markers and put up the fence, inexplicably leaving graves outside it.

Although Cottonwood is in Merced County, the cemetery district that owns it is in neighboring Stanislaus County, giving that county's Board of Supervisors control. Stanislaus County Supervisor Paul Caruso said the debate over Cottonwood "has gone on and on and on." He wants the federal government to make a final determination about the veterans buried there.

The descendants' fight gained momentum two years ago when Van Der Volgen's brother-in-law, Gus Kanelos of Sacramento, began to research the military history of people buried in Cottonwood. He found records showing some fought in the Civil, Spanish-American and Indian wars.

In May received confirmation he said is key to forcing the cemetery district to undertake a restoration project and the county to move the road.

"It appears there are U.S. military veterans buried in Cottonwood Cemetery," Jerry R. Jones, the Veterans Affairs Department's chief of legislative and public affairs, wrote to Kanelos. But the veterans department has no jurisdiction over Cottonwood, he wrote.

Cities don't trust Legislature

HOUSING, from page 1

Lobbyists and city council members for dozens of cities statewide trooped to the microphone to say no way to SB910 unless it lowered the fines and curbed the state's power. Among them, Lakewood City Councilman Bob Wagner said, "This is not an assault that local government views lightly. It's viewed as a direct attack on local government control."

But the bill's author, Sen. Joe Dunn, D-Santa Ana, refused, saying the state's lack of enforcement power is precisely the problem. Dunn said easier penalties would "neuter" the bill, letting cities easily avoid their share of housing.

The bill died in stalemate, reflecting complexities of making cities do what their residents often don't want to do — make room for poorer residents. Now, the Legislature's inability to reconcile differences leaves intact a status quo that all sides agree contributes to the state's still-rising median housing price of \$319,000, and a 56 percent home ownership rate, one of the nation's lowest.

"The end result," said Mark Stivers, a Dunn aide, "is communities will continue to flout the law and frustrate the development of housing of all types that we desperately need."

State authorities estimate that California falls 70,000 homes behind

demand every year. But even as cities complain that new houses don't pay enough in property taxes to cover their city services, another bill aiming to make cities more house-friendly also died in the crossfire between cities and the state.

Nearly 120 cities opposed AB680, which proposed a tax-sharing experiment in metropolitan Sacramento, aiming to equalize the financial bases of nearly 20 cities in a six-county area. After passing the Assembly this year, it also became the object of countless meetings about how cities grow, build housing and finance their parks and police cruisers. Despite an emerging doctrine of regionalism touted by think tanks and urban theorists, cities statewide lobbied their legislators to squash the idea.

"We understand that cities and local governments are mistrustful of the state," said Andrea Jackson, chief aide to Assemblyman Darrell Steinberg, D-Sacramento, who carried the bill. "From past experience they have some valid reasons." But Jackson maintained that "real leadership" is the only way to get a grip on California's growth, "whether it's the state or somewhere else. It's got to happen."

In the aftermath of both defeats, backers in the Capitol and opponents at City Hall sound like baseball fans. For the ideas behind both bills, they say, there's always next year.

STATE



Award-winning winery also serves as a cult, experts say

BY STEFANIE FRITH
Associated Press Writer

OREGON HOUSE — Tucked away in the Yuba County countryside lies a winery that produces award-winning wines that have been served at a birthday party for Ronald Reagan and at numerous restaurants, such as the Ritz-Carlton in San Francisco.

Admirers of the Renaissance Winery and Vineyards praise its ability to make what one critic called wines that "belong in every cellar" in the sometimes cold, sometimes brutally hot climate of Oregon House, where no other winery operates. But Renaissance, part of a community called the Fellowship of Friends, has problems beyond growing grapes.

Called a cult by ex-members, neighbors and cult experts, the Fellowship has fought with county officials over taxes and been sued by former members. That, wine sellers said, makes it hard for Renaissance to promote its wines, because part of the art of selling wine means playing up a winery's history.

Renaissance's story, however, is "too bizarre," said Wilfred Wong, a San Francisco-based wine buyer. "While their quality is good, there are a lot of other wines out there and I just don't want to work with a winery that has all that excess baggage."

Winery officials, who agreed only to a telephone interview and would not speak about the Fellowship, said they are trying to drop that "baggage" by experimenting with new wines and new labels.

With 365 acres of vines in a 1,300-acre compound called Apollo that covers the rocky hillsides of the Sierra foothills as well as the plateaus below, it has been a challenge learning which grapes grow best in the rugged terrain, said Tim Quartly-Watson, general manager of Renaissance Winery and Vineyards.

"We are still learning and we are going to be learning 100 years from now," said Quartly-Watson, a Fellowship member who moved from England to California six years ago.

Renaissance produces 25,000 cases of wine a year, part of what a winery brochure calls its "art of living ... and labor of love."

With about 2,000 members, one third of which live in or near Apollo, the Fellowship follows the Fourth Way tradition of spiritual development that was developed by turn-of-the-century Russian philosophers George Gurdjieff and P.D. Ouspensky, said Steven Hassan, a Boston-based cult expert who has counseled former members of the Fellowship. The Fourth Way teaches that humans are asleep and can only wake up through a series of extreme exercises and observations that break down the old personality and develop a higher consciousness.

Apollo was designed to aid this process. It was started in 1974 by former Bay Area elementary school teacher Robert Burton, a follower of Gurdjieff and Ouspensky. They have their own school, restaurant, cemetery and museum, insulating them from the rest of Yuba County, a mostly rural area about 90 minutes north of Sacramento.

They are virtually unknown to their neighbors in Oregon House, a community of about 2,000 people hidden among thick trees and narrow roads. The winery sticks out in this area of mobile homes, deserted shacks and old pickup trucks, its entrance

protected by a guard and lined with potted palm trees.

"They are unlike you and me," said Sandy Gaggero, a retiree who lives near the winery, one of the few neighbors who were willing to speak about the Fellowship. "They are low key and are almost brain-dead. They are really on another level. It's a cult. They don't make decisions for themselves."

Yuba County officials have had disputes with the Fellowship, said county tax assessor David Brown. The group once sued the county unsuccessfully to get a tax exemption for its museum. They have also claimed they were a nonprofit organization, but the county proved them wrong and denied that request as well, Brown said.

Until recently, the Fellowship also owed the county about \$2 million in taxes, but they are currently on a payment plan to pay it back, said county supervisor Hal Stocker.

Former members have sued Burton, claiming brainwashing and even sexual abuse, according to court records. In 1996, a former member sued for \$5 million, claiming Burton had sexually exploited him at age 17. That suit was settled months later.

"It's a cult. They don't make decisions for themselves."

— SANDY GAGGERO
Winery neighbor

The suit claimed the Fellowship was being used to further Burton's "voracious appetite for perverted sexual pleasure and elegant lifestyle." Burton is portrayed as a leader who considers himself "an angel in a man's body" who communicates with up to 44 angels, including Benjamin Franklin and is second in spiritual power only to Jesus Christ, said former members and experts.

Part of the Fellowship's appeal, Hassan said, is that it presents an illusion of intellectuality to those who believe that Gurdjieff was an enlightened being.

"Many people who he entranced thought he was incredible and magnetic and started their own groups, like Burton," said Hassan. "And I have yet to find (a group) that is healthy."

Renaissance officials dispute the characterization of their community as a cult. "We are a cultivated winery, Quartly-Watson said.

Matt Kramer, a columnist for Wine Spectator magazine and author of "Making Sense of California Wine," said he admires the winery's courage in taking on the difficult microclimate. He called the Cabernet Sauvignon and Riesling "very promising" and great deals for the price.

"They are still feeling out what grows best in that microclimate," said Kramer. "How long it will take them to become fully revealed is unknown."

At San Francisco's Ritz-Carlton, wine director Stephane Lacroix has been serving Renaissance's Cabernet 1996 at \$10 a glass for three years. He said it has good balance and a fresh finish.

"There is value and quality and I never took into consideration anything else about them," Lacroix said. "They are quite professional people who are serious about making quality wine."

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STATE

NASA still searching for comet-chasing spacecraft

By The Associated Press

LOS ANGELES — NASA has not given up the hunt for a missing \$159 million spacecraft and will continue listening for the comet-chasing probe on Monday, mission officials said.

The Contour spacecraft was programmed to fire its solid-propellant rocket motor early Thursday to leave Earth's orbit on a multi-year mission to visit at least two comets. It was supposed to signal operators at Johns Hopkins University's Applied Physics Laboratory about 45 minutes later to confirm the burn, but there was no sign of it.

If no commands are received by the spacecraft for 96 hours, it is programmed to cycle through each of its four on-board antennas and contact Earth.

That process lasts more than 24 hours and could begin anytime between 1:09 a.m. PDT and 10:09 p.m. PDT Monday.

If team members still have not heard from the spacecraft Tuesday they will decide on a next step, officials said Sunday.

"No one has said, 'OK, it's over,'" said Michael Buckley, a spokesman for Johns Hopkins, which built and manages the spacecraft for the National Aeronautics and Space Administration.

A picture taken Friday by an Arizona telescope showed two objects moving in tandem near the predicted position for the spacecraft, suggesting it may have broken in two. Despite the image, mission members have not declared the mission a failure.

"They are not giving up by any means. They got the picture, they saw it, but they're still working," Buckley said.

The mission plan called for Contour to meet up with comet Encke in 2003, Schwassman-Wachmann 3 in 2006 and perhaps comet d'Arrest in 2008.

If the spacecraft is lost, it would be the first failure of a NASA planetary spacecraft since the Mars Polar Lander crashed into the Red Planet in 1999, said NASA spokesman Don Savage.

"The failures hurt but they do happen," Savage said.

San Francisco cafe serves 'curing' peanut milk

By The Associated Press

SAN FRANCISCO — When chronic gum disease prevented Jack Chang from eating the peanuts he's always loved, he decided to boil them down with some rice and sugar. Now, he says the resulting concoction healed his gums, and it seems to be helping others, too.

Chang and his wife, Margaret, own KK Cafe in San Francisco's Haight-Ashbury neighborhood, where their strange brew gets more attention than the espresso or burgers.

Customers say the rice and peanut milk, called "Signs and Wonders," has helped them with everything from hot flashes to the side effects of chemotherapy.

Tatum Blass, who suffers from diabetes and kidney disease, said painful skin lesions vanished after she began drinking the peanut milk.

"Nothing else worked," said Blass, a 27-year-old medical student. "I'm not cured, but at least I have my skin back."

The drink has never been approved by the Food and Drug Administration or clinically

tested for benefits, but testimonials on the cafe's walls proclaim the milk a medical marvel.

A father said the drink enabled his 9-year-old son to stop taking strong anti-inflammatory steroids for swelling from kidney disease. Another man said the drink helped him withstand chemotherapy and anti-AIDS drugs.

But Dr. Rajiv Bhatia of the San Francisco Health Department said although peanuts and rice are healthy foods he doesn't see any reason why the drink would have any benefits beyond nutrition and it's possibly just easier for sick people to digest than solid foods.

Bhatia said he's concerned because the ingredients are not listed on the bottle and the bottling process is not inspected.

Jack Chang said he makes no precise medical claims about the drink and his customers know what's in it.

"I don't know why it works and I am not a doctor or a scientist," he said. "I'm just a cook. But I see my customers coming in everyday healthier."

Famous Ferrari fetches \$5.9M at Monterey auction

By The Associated Press

MONTEREY — The Ferrari race car that won at Le Mans in 1962 fetched \$5.9 million at auction, officials said Sunday.

Racer Phil Hill's Ferrari Testa Rossa 330 TRI/LM was sold late Saturday to an undisclosed bidder during the Monterey Sports Car Auction. The seller was also undisclosed. A 10 percent buyer's premium pushed the final price of the car to \$6.5 million.

"The price was extremely high," said Soon Nguyen, a spokeswoman for RM Auctions. The amount was "pretty amazing for a car, especially in this economy," she added.

The auction at the Doubletree Hotel in Monterey was held in tandem with the annual Pebble Beach Concours d'Elegance auto show.

The bidding started at \$2 million and rose in \$50,000 increments as the audience cheered and applauded each new bid, often chanting the names of the bidders, Nguyen said.

The Fantuzzi-bodied racer is the last front-engine car to win the famed 24 hours of Le Mans, and is the only remaining 4.0-liter version of the classic series. The car was last sold 25 years ago.

NATIONAL

Blacks rally in nation's capital for slavery reparations

BY JANELLE CARTER
Associated Press Writer

WASHINGTON — Hundreds of blacks rallied in front of the Capitol on Saturday to demand slavery reparations, saying that compensation is long overdue for the ills of that institution.

"It seems that America owes black people a lot for what we have endured," Nation of Islam leader Louis Farrakhan told the crowd. "We cannot settle for some little jive token. We need millions of acres of land that black people can build."

"We're not begging white people," said Farrakhan, one of several speakers at a rally organizers billed as "Millions for Reparations." "We are just demanding what is justly ours."

While Farrakhan and Rep. John Conyers, D-Mich., did attend, many major names in the black civil rights movement were absent, including the Rev. Jesse Jackson and the Rev. Al Sharpton.

"The people on the ground are the ones we want to give exposure to," said one speaker, Hannibal Afrik, 68, of Port Gibson, Miss. "If it's grounded in the people, it will be victorious."

Conyers, who has proposed a commission to study the institution of slavery for

the past 13 years, urged the crowd to pressure Congress.

"Only the Congress can do what we want done," Conyers said. Lawmakers are now on their summer break until September.

The reparations movement has gained momentum in the past year.

Earlier this year, a group of slave descendants sued three companies, claiming the companies — or their corporate predecessors — unjustly profited from slavery.

The Reparations Coordinating Committee, which includes many prominent attorneys and scholars, is working on a separate lawsuit against the federal government.

Those at the rally said it was time for action.

"They owe us. I want justice," said Antoinette Harrell-Miller, who drove 19 hours from New Orleans with her husband Dennis to attend. "They built this country off the free labor of our ancestors."

Jaki Mungai of Philadelphia called the rally "a dream that's starting to come true."

"Every other group has been compensated for the wrongs done against them. Africans in America — we are the only ones who haven't," said Mungai, who heard about the rally on the radio and decided to join in.

Ken McDouall of Durham, N.C., one



Pablo Martinez Monsivais/Associated Press

Cardrian Massey, left, and Kate Chandler hold hands in a circle with others from Atlanta, Ga., before joining demonstrators for reparations for slavery on the National Mall in Washington Saturday. Hundreds of blacks rallied Saturday, saying it is long past time to compensate blacks for the ills of slavery.

of a handful of whites at the rally, said the reparations issue "cuts to the core of the history of injustice of America."

"America likes to pretend there are equal rights for everyone but look at the history of black people," McDouall said.

White House sleepovers include GOP supporters, entertainers

BY SHARON THEIMER
Associated Press Writer

WASHINGTON — President Bush and first lady Laura Bush have invited dozens of friends and relatives to sleep over at the White House, from Republican fund-raisers to Texas pals such as pro golfer Ben Crenshaw and country singer Larry Gatlin.

The issue of White House sleepovers arose during the Clinton administration when it was learned that the Democratic Party was rewarding big donors with overnight stays in the Lincoln Bedroom.

The Bushes' roughly 160 guests include at least six of the president's biggest fund-raisers and their families. White House spokeswoman Anne Womack said she didn't know whether donors, or any other Bush guests, have slept in the Lincoln Bedroom.

"They sleep in a variety of guest rooms in the White House," Womack said. "The president and Mrs. Bush enjoy spending time with their friends and family and have invited friends and family to stay as guests in the White House."

A half-dozen Bush donors and fund-raisers known as "pioneers" are among the guests on a list released late Friday by the White House. Each raised at least \$100,000 for Bush's 2000 campaign, helping him take in a record \$100 million for the Republican primaries.

They include Roland Betts, a Yale classmate of Bush's and a former partner of his in the Texas Rangers baseball team; venture capitalist and Republican National Committee fund-raiser Brad Freeman; Texas rancher and state Sen. Teel Bivins; Boston businessman Joe O'Donnell; and Joe O'Neill of Midland, Texas, an oilman and childhood friend of Bush credited with introducing him to Laura Bush.

Womack said the fund-raisers are also longtime friends of the Bushes.

Larry Noble, executive director of the Center for Responsive Politics, a campaign finance watchdog group, said that whether the Bushes are letting contributors stay in the Lincoln Bedroom "matters symbolically," regardless of whether the donors are also family friends.

"The Republicans made a very big deal about it during the Clinton administration," Noble said. "In this whole business, the whole issue is perception."

The halting of White House tours for the general public since the Sept. 11 attacks may present a new issue for the Bushes, he said. Only children's groups, veterans and guests of members of Congress are currently allowed on tours.

"The American public's access to the White House has been severely restricted," Noble said. "So you may have an increased perception problem if, in fact, large contributors are getting access to the White House."

"The Republicans made a very big deal about it during the Clinton administration. In this whole business, the whole issue is perception."

— LARRY NOBLE

Center for Responsive Politics, director

Bush has said he wouldn't use overnight invitations to the White House in any quid pro quo with donors.

"There's something sacred about the Lincoln Bedroom," he told The Associated Press in an interview last year.

In contrast to the star-studded guest list Bill and Hillary Rodham Clinton compiled — from Barbra Streisand to director Steven Spielberg and actors Jane Fonda and Tom Hanks — no members of the Hollywood elite have stayed overnight in the Bush White House.

But there are some famous names in the crowd, including Crenshaw, a Bush family friend and campaign donor from Austin, Texas; country music performer Gatlin; and Texas musician and author Kinky Friedman.

Interior designer Ken Blasingame, who has decorated the Bushes' private quarters in the Texas governor's mansion and the White House and their ranch in Crawford, Texas, has also been a guest.

Several Bush relatives have also stayed over, including the president's parents, former President Bush and Barbara Bush; presidential siblings Jeb, Neil and Marvin Bush and Doro Koch; and Laura Bush's mother, Jenna Welch.

Republican governors, including Pennsylvania's Tom Ridge, now Bush's chief adviser on domestic security; Jane Hull of Arizona, George Pataki of New York, John Rowland of Connecticut, Bob Taft of Ohio and John Engler of Michigan also are among the guests.

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NATIONAL

Ex-judge eyes return after charged with corruption

By The Associated Press

LAS VEGAS — A former Las Vegas judge who faced 13 federal corruption charges is now eyeing a return to the bench.

Gerard Bongiovanni is running against four other attorneys for the new Clark County District Court Department 21 judgeship.

Bongiovanni had served one term as a district judge when he was voted out of office in 1996 amid allegations he took bribes in exchange for favorable rulings.

That same year his best friend agreed to testify against him, and his wife died of a terminal illness, leaving him to raise their two teenage children alone.

"It was a nightmare," said Bongiovanni, who eventually was acquitted of all charges. "But I don't dwell on it. I've actually managed to forget a lot of it. There comes a time when you have to move on and concentrate on the future."

Bongiovanni, 56, is vying against Chief Deputy District Attorney Valerie Adair and civil attorneys Eva Guo, Ronald Israel and Leonard Root in next month's primary election. Only the top two vote-getters advance to the Nov. 5 general election.

"I was acquitted, but that's not enough," Bongiovanni said. "I don't feel like my name was vindicated. I felt this was the only way I could get my reputation back."

Adair and Israel, considered front-runners in the race, say they believe the former judge has two possible advantages in the nonpartisan contest, but not because of any political or judicial issues.

They say many voters will confuse Bongiovanni with District Judge Joseph Bonaventure, a popular jurist who has handled several high-profile murder trials.

Voters also might recognize his name from media coverage during the federal trial, they add.

"But they won't remember why they know his name, just that they know it, and that could lead to votes," Israel said.

In April 1996, Bongiovanni and his best friend, Paul Dottore, were charged with racketeering and wire fraud.

Dottore subsequently struck a deal with the government. As part of the plea bargain, he admitted he solicited bribes for Bongiovanni beginning as early as 1991, the first year of his judgeship.

Just months after his indictment, Bongiovanni lost a 1996 re-election bid.

He spent more than a year preparing for his trial and was acquitted of all 13 charges in 1998.

"It was overwhelming," he said. "I couldn't believe the hell I went through, and then it was suddenly all over."

Bongiovanni, who resumed a private law practice after the trial, said his case was a learning experience that will make him a better jurist.

He said the judges he served beside have never shunned him, despite the allegations against him.

"It's quite the opposite," Bongiovanni said. "I think they're all happy it was me instead of them. Everybody was doing the same thing."

He declined to elaborate on the statement.

Still, his opponents in the race say he will have trouble garnering respect from lawyers if he wins the November general election.

"I can tell you I don't think he's getting support from attorneys," Israel said. "He was not convicted but that doesn't mean he's OK in everybody's book."

AMA urges college review to end 'Party Schools' rankings

BY ANDREW BUCHANAN

Associated Press Writer

CHICAGO — The Princeton Review should stop publishing an annual ranking of top "party schools" because it ignores the risks of heavy drinking and offers a skewed view of college life, the American Medical Association says.

The college admissions and test-preparation company "should be ashamed to publish something for students and parents that fuels the false notion that alcohol is central to the college experience," said Richard Yoast, director of the AMA's Office of Alcohol and Other Drug Abuse.

The Review puts out its "Best Colleges" guide every August based on a survey given randomly to tens of thousands of students. Students rate their own schools in 63 categories, with the "party" designation based on consumption of alcohol and marijuana and other criteria. The result includes rankings in categories such as "Lots of Beer" and "Hard Liquor."

Yoast said it amounts to a careless exercise that legitimizes student drinking.

"Students who are looking for little more than a good time may be influenced by this ranking, and the 'party school' designation becomes a self-fulfilling

prophecy," Yoast said.

Princeton Review, which is not affiliated with Princeton University, disputed the criticism and said the rankings would continue. This year's edition is due out Tuesday.

Last year, the University of Tennessee topped last year's list of party schools, followed by Louisiana State University, the University of California-Santa Cruz, Florida State University and the University of Colorado.

"We are simply reporting on the conditions that exist on these campuses," said Robert Franek, the company's editorial director. He said the Review ranks schools on academics and a wide array of other subjects, and would be negligent not to report on campus social life.

He noted that the guide also ranks the top-20 "Stone-Cold Sober Schools," where students say there is little drinking. Franek also said some schools have instituted changes to stem binge drinking after appearing on the list of top party schools.

Binge drinking is often described as four drinks within an hour for a female or five drinks in an hour for a male. A recent study estimated 44 percent of college students admit to binge drinking, and nearly one-fourth of those binge frequently.

INTERNATIONAL



New allegations of slain reporter could complicate case

BY AFZAL NADEEM
Associated Press Writer

KARACHI, Pakistan — Three Pakistani militants who led police to the body of Daniel Pearl claim the Wall Street Journal correspondent was murdered by an Arab two days after he tried to escape from kidnappers, investigators said Sunday.

The alleged new details of Pearl's kidnapping-slaying do not exonerate British-born militant Ahmed Omar Saeed Sheikh, who was convicted with three others July 15. Saeed was sentenced to death by hanging and the others received life sentences.

However, their claims, which have been rumored for weeks in Pakistan, could influence the appeal filed by Saeed and the others with the High Court here in Sindh province. Some of the new purported details conflict with evidence presented at the first trial.

Pearl, 38, was kidnapped Jan. 23 in Karachi while researching links between Pakistani Islamic extremists and Richard C. Reid, who was arrested in December on a flight from Paris to Miami with explosives in his shoe.

Two police investigators, who spoke on condition of anonymity, said three militants — Naeem Bukhari, Fazal Karim and Zubair Chishty — have admitted a role in Pearl's kidnapping. However, they have not been charged, and Pakistani authorities have not even acknowledged officially that they are being held.

According to the two police officers, the militants said Saeed telephoned them on the evening of Jan. 23 and told them Pearl was en route to the Village Restaurant, where he expected to meet an Islamic activist who was supposedly trying to arrange an interview with a prominent cleric.

Pearl was put in one car, which was followed by another vehicle containing

three other kidnappers. The two vehicles followed Bukhari, who led the convoy on a motorcycle to the shack where Pearl was to be held.

According to the two investigators, Pearl tried to escape as he was being led to the toilet during his sixth day in captivity. However, he was tackled by Karim and Chishty, who beat him and shot him in the leg.

The struggle made so much noise that students at a nearby Islamic school ran out onto the roof to see what was happening, police said.

A day after the escape attempt, police said, Bukhari told his fellow kidnappers that they must kill Pearl, although the officers said it was unclear who gave the order for his murder.

The kidnappers waited a day while they deliberated issuing a ransom demand, the officers said. On the ninth day of the kidnapping, three Arabs, whom

the suspects believed to have been Yemenis, were brought to the hide-out, the police said. The two officers said the militants told them the Arabs were associates of Ramzi Yousef — the imprisoned mastermind of the 1993 World Trade Center bombing.

Police said the kidnappers began asking Pearl a series of questions about his religion and his background as one of the Arabs filmed it with a video camera.

Suddenly, Karim seized Pearl's hands and one of the Arabs slit his throat, the officers said. The actual murder was supposed to have been recorded but "the cameraman lost his nerve," one of the policemen said. The videotape was later sent to the U.S. Consulate in Karachi, confirming Pearl was dead.

The effect of the new allegations on the case against Saeed and the three others is unclear. All four were arrested in February before the videotape appeared.

Leaders seek funds for rebuilding as flooding continues

BY STEPHEN GRAHAM
Associated Press Writer

BERLIN — As Germans fought to keep rivers of putrid water out of their homes and the Hungarian capital of Budapest braced for flooding, European leaders on Sunday promised a common effort to fund rebuilding and cleanup expected to take years and cost about \$20 billion.

The violent storms that swept across the continent two weeks ago have passed, but the ensuing floods continue to claim lives. German police confirmed another death Sunday, bringing the Europe-wide toll to at least 106.

Meeting in Berlin, European Commission President Romano Prodi and the leaders of Germany, Austria, Czech Republic and Slovakia agreed a plan to free "substantial sums" from European Union development funds and cheap loans.

While they gave few specific figures, the leaders also proposed the creation of a European disaster relief fund that could start by helping flood areas.

"What moved us all was the damage and the suffering of the people in the stricken countries, whether they are EU members or will only become members," Chancellor Gerhard Schröder told a news conference.

Estimates from authorities and insurers suggest the total cost may exceed \$20 billion. More than half of that falls on Germany, which faces its biggest relief effort since World War II. There is some concern it will break EU limits on government borrowing that protect the value of the euro currency.

The waters have receded in Austria, but authorities say that it will be weeks before the full extent of the damage is known. However, the government has already delayed a package of tax cuts and scaled back a purchase of Eurofighter jets to save money.



Christof Stache/Associated Press

A man walks through water in the flooded city of Meissen, near Dresden, eastern Germany, on Saturday.

Austria Chancellor Wolfgang Schuessel said his government would make \$970 million immediately available to help flood victims. "We are going through the worst natural disaster of our generation," he said.

In the Czech capital Prague, city leaders sealed off parts of the historic capital after an apartment building collapsed early Sunday in the low-lying Karlín district — the third building to collapse in four days.

It was unclear how many more buildings' foundations had been softened, but Czech authorities say the overall damage in the country will likely exceed the \$2 billion caused by milder floods five years ago.

With the Danube River hitting its all-time high around Budapest, authorities evacuated about 2,000 people in the area on Sunday. But the city was not expected to see the

devastation that befell other countries.

The Danube reached a height of 28.2 feet in Budapest Sunday, just over the previous record set in 1965, and was expected to crest at 28.5 feet, at dawn Monday. The 33-foot-high walls running along the river banks throughout much of the city were expected to contain it.

The government raised its flood defense kitty to \$13 million and postponed a fireworks ceremony scheduled for Aug. 20, or St. Stephen's Day, which commemorates the king who founded Hungary 1,000 years ago.

In eastern Germany, more than 100,000 emergency workers, soldiers and volunteers piled tons of sandbags onto sodden dikes along the Elbe and Mulde Rivers to protect several towns as well as the region's largest chemical complex.

Workers had to retreat late Sunday after the Elbe broke its banks in seven places near Wittenberg, once the home of religious reformer Martin Luther. Rescuers used boats and ropes to bring several people trapped in their homes to safety, and were scouring nearby villages in the darkness to ensure everyone had been evacuated.

High water was also threatening the city of Dessau, best-known for its Bauhaus architecture school. Helicopters dumped sand on the dikes to strengthen them.

More than 80,000 people have been evacuated across the region.

"We're between the Elbe and Mulde. When the Elbe reaches full flood the Mulde can't empty into it any more," said city councilor Juergen von der Heydt. He said there was a risk the water could reach the Renaissance-era town center.

In the eastern German town of Bitterfeld, workers shored up dikes about a mile from an industrial park that houses 350 chemical companies.

Anti-nuke film battles film board for domestic distribution

BY BETH DUFF-BROWN
Associated Press Writer

BOMBAY, India — An anti-war film that depicts the euphoria after India's first successful nuclear tests and the horror of Sept. 11 has been deemed too provocative for Indian eyes.

Just weeks after nuclear-armed India and Pakistan pulled back from the threat of war, the film censor board has demanded that veteran documentary filmmaker Anand Patwardhan make 21 cuts to "War and Peace" because of scenes that "may have the effect of desensitizing or dehumanizing people."

Critics charge that the board's decision is part of an effort to muzzle Indian media that challenge the ruling coalition led by Hindu nationalists. Patwardhan says the

cuts would ruin the three-hour film, which ends with silent scenes of the Sept. 11 terrorist attacks.

In an interview at his Bombay apartment Saturday, Patwardhan said he will appeal the cuts to the Appellate Tribunal in New Delhi on Monday. He expects to win, as he has each time the board has challenged his other social and political documentaries.

"The cuts that they asked for are so ridiculous that they won't hold up in court," Patwardhan said. "But if these cuts do make it, it will be the end of freedom of expression in the Indian media."

"War and Peace" is about India's celebrations after successful nuclear tests in May 1998. There are chest-thumping scenes of Hindus praising Prime Minister Atal Bihari Vajpayee for the secret tests

near the western desert town of Pokhran, with fireworks, rallies and cheers of "Atom Bomb Vajpayee," and "Pokhran has ignited every atom of manhood."

The film is also about the consequences of nuclear bombs and the power of the Hindu fundamentalist forces steering Vajpayee's Bharatiya Janata Party. The BJP-led coalition won re-election in 1999, aided by the national jubilation over joining the club of nuclear nations.

The Central Board of Film Certification demanded the cuts, even after "War and Peace" won top honors at the state-run Bombay International Film Festival in February.

Among the ordered cuts are: Footage of independence leader Mohandas K. Gandhi minutes before he was gunned down by Hindu-nationalist Nathuram

Godse in 1948; visuals of Hindus cutting their hands with razors to sign their names in blood on messages of congratulations for the nuclear tests; all scenes with Vajpayee and other political leaders; and a sequence that has leaders of Hinduism's lower Dalit caste, known as "untouchables," lamenting that the nuclear tests were conducted on Buddha's birthday. Many Dalits have converted to Buddhism as a means to escape Hinduism's caste discrimination.

Censor board chairman Arvind Trivedi, an actor and former Hindu-nationalist member of Parliament, did not return calls for comment. Trivedi recently told other journalists that he has not seen the film and denies the board's decision was based on politics or pressure.



SPORTS

Tiger makes his charge, but runs out of holes

BY TIM DAHLBERG

AP Sports Writer

CHASKA, Minn. — By the time Tiger Woods finally started acting like himself Sunday, it was too late.

A dramatic fist-pumping birdiefest on the final holes of the PGA Championship whipped the crowd into a frenzy and added to the lore of the game's greatest player.

About the only thing it didn't do was give Woods his third major title of the year. Rich Beem made sure of that with a Tiger-like eagle of his own that made Woods a major championship runner-up for the first time in his career.

"I sucked it up and made it happen," Woods said. "That's something I'm proud of. I could have easily bagged it and made pars coming in. That's not the way I play."

Woods' frantic charge of four birdies on the last four holes came up short only because he uncharacteristically faltered with a three-putt bogey on the 13th hole and followed it with another bogey on the 14th to put him five shots behind.

Television commentators suggested Woods flinched and three-putted from 12 feet because he saw the scoreboard in front of him showing Beem had just made eagle on the 11th hole.

Woods suggested otherwise.

"Sometimes they have no idea what they're talking about," Woods said.

Woods said he thought the first putt was slower and hit it too hard, then hit a bad putt coming back. A bad 4-iron off the 14th tee then set up a second bogey.

After pulling his tee shot left on the 15th hole, though, the Tiger Woods golf fans know and love suddenly returned.

"I told (caddie) Stevie (Williams) walking down the fairway that if we can birdie in we'll win the tournament," Woods said. "Let's just suck it up and get it done."

Woods was still five back, but now the game was on.

From the trees off the 15th fairway he slashed a 2-iron to 55 yards and punched a wedge to about 8 feet for birdie. On the treacherous 16th hole he hit a 3-iron off the tee and an 8-iron to about 10 feet and

made that, too.

Woods pumped his fist and strode with a steely look in his eyes to the par-3 17th, where he hit a 7-iron about 10 feet and made his third straight birdie.

It was more of the same on the 18th when Woods hit a 7-iron to about 6 feet and a fourth straight birdie that had the crowd roaring.

"I didn't miss a shot coming in," he said.

Woods was out of holes, though, and out of luck.

Beem had made a long birdie putt on the 16th hole and parred 17. By the time he hit it on the 18th green, Woods was signing his scorecard with the knowledge that the game was over.

"Once he dumped the ball on the green I figured he could shake it in three from there," Woods said. "I mean, you can three-putt from there with no problem."

Woods started the day five shots off the lead held by Justin Leonard and hoping to get hot early and put some pressure on. He thought if he got within two or three shots of the lead at the turn he'd have a chance to win.

When he finished the front nine only a shot behind the new leader, Beem, he had his third major of the year straight in his sights.

"To be only one back was an added bonus," Woods said.

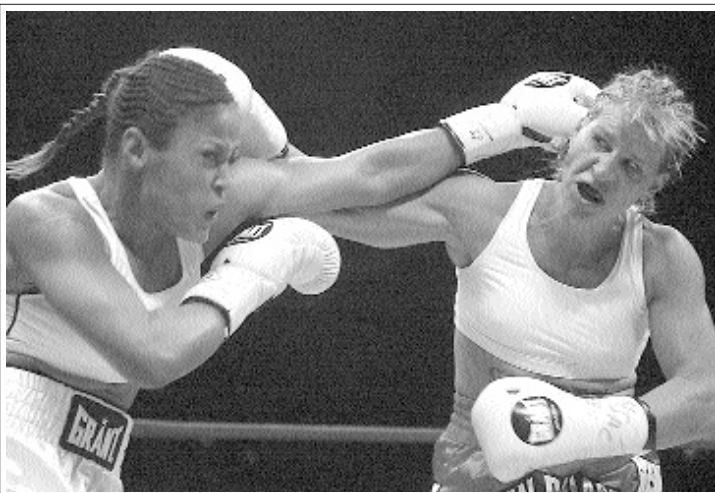
Woods was still a shot back on the 13th hole when he heard the unmistakable roar from the crowd behind him. Beem had taken a page out of Woods' book and hit a 5-wood 263 yards to 6 feet on the par-5 11th and made the putt for eagle.

"We assumed it was an eagle," Woods said. "Walking up to the green, that was just confirmed by when we looked on the board."

Woods had about a 12-footer for birdie but misjudged it, running it 3 feet by. He blocked that putt and was suddenly four behind.

"I just didn't trust my original read and my original instincts on the putt, which cost me," Woods said. "Second putt was just blocked. It was a bad putt."

After a bogey on the next hole and a badly pulled tee shot on the 15th, it



Joe Cavaretta/Associated Press

Laila Ali, left, trades blows with Suzy Taylor during the first round Saturday at the Aladdin Hotel in Las Vegas.

Ali wins first world title with knockout in second round

By The Associated Press

LAS VEGAS — With her famous father in attendance, Laila Ali won her first world title with a second round knockout of Suzy Taylor Saturday night at the Aladdin hotel-casino.

Ali, the daughter of boxing legend Muhammad Ali, stopped the fight at 1:11 of the second round to win the IBA super middleweight championship.

"I wanted to come out and hit her with some body shots," said Ali, who improves to 12-0 with nine knockouts. "But once I saw how slow she was and couldn't do anything, I knew I had to go for it."

After Ali backed Taylor into the corner with lefts and rights to the head, Taylor grabbed and clinched. Referee Kenny Bayless separated the fighters, and Taylor (10-7-1) slumped in the corner, prompting Bayless to stop the fight.

"I'm just going to keep fighting, pick it up and go after the girls that have belts," Ali said after the fight.

Muhammad Ali received a standing ovation when he entered the arena during the fifth round of the co-main event between William Abelyan and Orlando Soto.

Abelyan of Yerevan, Armenia, knocked out Soto of Colon, Panama, in 1:57 of the 10th round to win the NABO featherweight championship. Abelyan raised his record to 20-4-1 with the win.

seemed Woods was done. What no one knew among the 45,000 or so watching was that he was just beginning.

For awhile, it looked like it might be enough for Woods to win another thrilling duel in the PGA Championship the way he

did when he shot 31 on the back nine two years ago to tie and eventually beat Bob May.

Beem wouldn't allow that, though, and Woods was left with his first second-place finish in a major championship and mixed emotions about how it all ended.

Meg Mallon wins LPGA Canadian Open in comeback

BY JOHN KEKIS

AP Sports Writer

VAUDREUIL-DORION, Quebec — Meg Mallon, taking advantage of a triple bogey on the back nine by Catriona Matthew, shot a 1-over-par 73 on Sunday to win the windswept Canadian Women's Open.

It marked the 10th time Mallon has come from behind in the final round to win and was her 14th career victory. She finished at 4-under 284 and earned \$180,000.

Matthew, who began the day with a one-shot lead over Mallon, was unable to recover from a disastrous 12th hole, even though Mallon gave her the opportunity with three bogeys on her final six holes. Matthew, from Scotland, finished with a 79 for a 1 under total, tying Michelle Ellis of Australia and Michele Redman for second.

Se Ri Pak of South Korea was alone at even-par 288. Charlotta Sorenstam of Sweden and Gloria Park of South Korea finished another stroke back.

It only briefly sprinkled on Sunday, but as predicted the nasty wind returned with a vengeance, gusting over 30 mph all day and playing havoc with every shot at Summerlea Golf and Country Club. The top 10 players combined for 33 bogeys, four double bogeys and one triple bogey, and only Canadian Lorie Kane broke par (71).

The wind made every hole seem like Summerlea's

signature hole. That distinction, however, belongs to the 344-yard, par-4 No. 12, with its hard-sloping green and narrow fairway, and it was Matthew's undoing. After going 1 under at 12 through the first three rounds, she drove into the teeth of the wind, and it swept the ball out of sight into the left trees.

Forced to take a drop, which cost her a penalty stroke, Matthew managed to chip onto the fairway and put her fourth shot on the fringe. She chipped to 7 feet but needed two putts to get down and dropped to 4 under.

Mallon, who had birdied 11 to move into a tie for the lead, had her problems on the hole, too, when her putt for birdie rolled well past the hole and the wind kept pushing it farther away. When she went to mark it, it rolled some more, nearly costing her a penalty, and she ended up with bogey.

Mallon bogeyed 13, too, but Matthew's tricky 5-foot putt for par on the hole rimmed the cup and stayed out as she squatted and turned her head in frustration. Matthew never recovered, carding bogey at Nos. 15 and 18.

Matthew, who ended the third round with two straight birdies, made it three in a row at No. 1 to open a two-shot lead over Mallon, whose first drive of the day landed in a fairway bunker.

Matthew, used to playing in the wind in her native Scotland, continued her steady play with 10 straight pars. Mallon managed par at No. 1 and moved within one shot

of the lead with a birdie at the sixth hole.

Pak, who began the day three shots behind, took herself out of contention early with a disastrous double bogey at the par-5 third hole.

Pak's second shot landed in the right rough some 50 yards in front of the elevated green. Her third shot landed about two-thirds of the way up the hill in front of the green, then rolled slowly back down as she bit her lower lip in dismay.

The agony wasn't over. She also pulled her next shot and it didn't make the green, either. She barely made it on the green with her next shot, then two-putted to drop to 1 under. A bogey at No. 4 put her at even par and her day was done.

Park, who almost dropped out of the tournament on Thursday because of a cold and sinus troubles, also bogeyed the fourth hole to drop to 2 under. But she birdied No. 7 and holed a chip for eagle at the par-5 ninth hole to move to 5 under and within two shots of the lead.

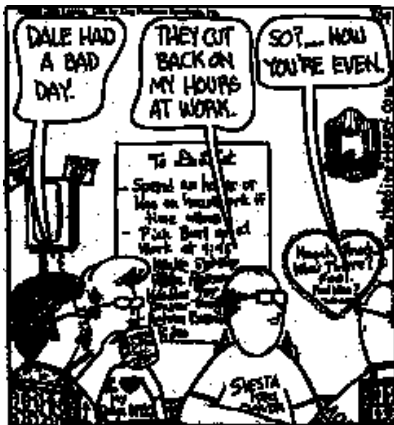
The rally was short-lived. She bogeyed 10 and 12 and had double bogey at 13 to end her chances.

Karrie Webb, who was four shots behind at the start of play, bogeyed twice in the first four holes to fall back to even par. She rallied back to 2 under with consecutive birdies on Nos. 7 and 8, but a double bogey at 10 spoiled any chance at the title. She finished at 292 after a closing 78.

COMICS



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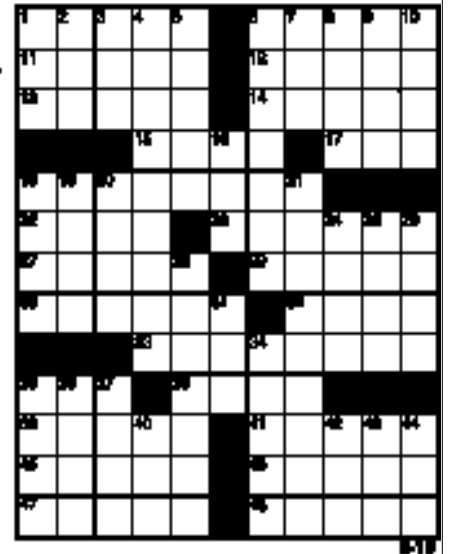
CROSSWORD By THOMAS JOSEPH

- | | |
|-------------------------|------------------------|
| ACROSS | DOWN |
| 1 Album tracks | 1 Used a chair |
| 6 Ways to go | 2 "Son — gun" |
| 11 Underway | 3 Japanese drama form |
| 12 German sub | 4 Well-behaved person |
| 13 Western resort lake | 5 T-bone, for one |
| 14 Start a tennis match | 6 Gym exercises |
| 16 Morse symbol | 7 President's nickname |
| 17 Fresh | 8 Tattered |
| 18 Old computer game | 9 Own |
| 22 Spelling problem | 10 Slimmer slowly |
| 23 Borne silverware | 11 Distress letters |
| 27 Make suitable | 12 Spill the beans |
| 28 Binge | |
| 30 Bord of film and TV | |
| 32 Uncovered | |
| 33 Green stones | |
| 35 Highway stop | |
| 36 purchases | |
| 38 Hymn finish | |
| 39 Push out | |
| 41 Flange | |
| 45 Dress shape | |
| 46 Licorice-like herb | |
| 47 Tinkers | |
| 48 Paint type | |

PERIL	DAVID
ALICE	AMINO
LATEX	MAHO
LITTLE	TAR
ENG	UNCOILS
DER	TELLME
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BODEREK	TIA
END	SKATES
TASTY	ELATE
ATONE	NEWEL
SANTA	TEARS

Saturday's answer

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|-------------------|--------------------|
| 19 Take the bus | 34 FI |
| 20 Jacob's twin | for a kid |
| 21 Kingpin | 35 Equipment |
| 24 Violins type | 36 Wheel connector |
| 25 Bookish sort | 37 Revolve |
| 26 Sports | 40 Finish |
| 28 Mexican snacks | 41 Cambridge sch. |
| 31 Sid edge | 43 Avel |
| | 44 Singer |
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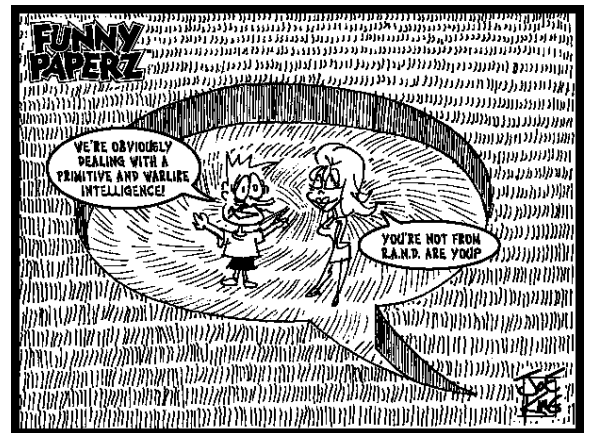
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NEWS OF THE WEIRD by Chuck Shepard

Cruise line denies family over bees

The Afkhami family of Gaithersburg, Md., filed a civil-rights lawsuit in July against Carnival Cruise lines, which the plaintiffs said unlawfully denied their right to travel from a Miami port with 160 live bees, in bottles, because two of their adult children on the cruise were practicing alternative medicine involving the bees. The Afkhamis said the rights were denied because of the family's Iranian nationality.





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Houses For Rent

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PRO SE of Neighborhood Project needs volunteers for events that honor our heroes. (310) 899-3888 pro.se@adelphia.net.

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Conditions :DOLLAR-A-DAY NON COMMERCIAL: Ad must run a minimum of 12 consecutive days. Ads over 15 words add 20¢ per word per day. **REGULAR RATE:** \$2.50 a day. Ads over 15 words add 20¢ per word per day. Ad must run a minimum of twelve consecutive days. **PREMIUMS:** First two words caps no charge. Bold words, italics, centered lines, etc. cost extra. Please call for rates. **TYPES:** Check your ad the first day of publication. Sorry, we do not issue credit after an ad has run more than once. **DEADLINES:** 4:00 p.m. prior the day of publication except for Monday's paper when the deadline is Friday at 4:00 p.m. **PAYMENT:** All private party ads must be prepaid. We accept checks, credit cards, and of course cash. **CORRESPONDENCE:** To place your ad call our offices 9 a.m. to 5 p.m., Monday through Friday, (310)458-7737; send a check or money order with ad copy to The Santa Monica Daily Press, P.O. Box 1380, Santa Monica, CA 90406 or stop in at our office located at 530 Wilshire Blvd., Ste. 200. **OTHER RATES:** For information about the professional services directory or classified display ads, please call our office at (310)458-7737.

Can't find the Daily Press in your neighborhood?
Call us. We'll take your suggestions.
(310) 458-PRESS (7737)

Calendar

Monday, August 19, 2002

movies

Loews Broadway Cinema
1441 Third St. at Broadway
Full Frontal (R) 11:00, 1:40, 4:20, 7:00, 9:40. Blue Crush (PG-13) 11:40, 1:00, 2:20, 3:40, 5:00, 6:20, 7:40, 9:00, 10:20, 11:40. Blood Work (R) 11:20, 2:00, 4:40, 7:20, 10:00.

Mann Criterion
1313 Third St.
The Adventures of Pluto Nash (PG-13) 11:15, 1:45, 4:30, 7:30, 10:10, 12:20. Minority Report (PG-13) 11:40, 3:15, 7:10, 10:30. Austin Powers in Goldmember (PG-13) 11:00, 1:30, 4:15, 7:15, 9:45, 12:10. My Big Fat Greek Wedding (PG-13) 11:10, 2:10, 4:50, 7:20, 9:50. XXX (PG-13) 12:00, 12:30, 3:30, 4:00, 7:00, 7:40, 10:15, 10:45, 12:15.

AMC Theatre SM 7
1310 3rd Street
The Bourne Identity (PG-13) 11:35, 2:20, 7:25. Signs (PG-13) 11:45, 1:00, 2:15, 4:15, 5:10, 7:00, 8:00, 9:45, 10:30. The Master of Disguise (PG) 11:50, 2:00, 4:00, 7:25, 9:50. Reign of Fire (PG-13) 11:30, 2:15, 5:00, 7:45, 10:30. K-11: The Widowmaker (PG-13) 7:15, 10:15. Sky Kids 2: The Island of Lost Dreams (PG) 11:30, 2:00, 4:30, 7:15, 9:55.

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.
Tadpole (PG-13) 1:30, 3:35, 5:40, 7:45, 9:55. The Good Girl (R) 12:30, 2:50, 5:10, 7:30, 9:55. Possession (PG-13) 12:00, 2:30, 5:00, 7:45, 10:15. 24 Hour Party People (R) 1:30, 4:15, 7:10, 10:05.

Aero Theatre
1328 Montana Ave.
Read My Lips (NR) 5:00, 7:30, 10:00.

Today

Community

Toddler Time, 10 a.m. Barnes & Noble at the Promenade and Wilshire. (310)260-9110.

Santa Monica Arts Commission Meeting at 6:30 p.m. Ken Edwards Center, 1527 Fourth Street, Santa Monica.

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.

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.

Music / Entertainment

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.

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.

Rusty's Surf Ranch, 256 Santa Monica Pier. Walls and ceilings are lined with one of the area's largest collections of pre-1970's surfboards. Cover varies. Full bar. All ages. (310)393-7386.

Anastasia's Asylum, 1028 Wilshire Blvd., Santa Monica. Board games, cushiony sofas, a full veggie menu, juices, teas, and coffee that grows hair on your chest. No cover. (310)394-7113.

LUSH 2020 Wilshire Blvd., Santa Monica. Three bars, plenty of booths, sofas, leopard-print carpet and a sunken dance floor. Mexican grill serves dinner after 5 p.m. Full bar. Over 21. Cover \$5 - Free. (310)829-1933.

Open Discussion/ Political Debate. UnUrban Coffeehouse. 3301 Pico Blvd., Santa Monica, (310)315-0056.

Patrick Ney makes with the ha-has, at

Flint's. 3321 Pico Blvd., Santa Monica. FREE! 9 p.m. (310)453-1331.

Tuesday

Community

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.

BEREAVEMENT SUPPORT GROUPS AT SMC'S EMERITUS COLLEGE. Santa Monica College offers free bereavement support groups in the summer session through it's Emeritus College, a widely praised program designed for older adults. Two support groups will meet Tuesdays on an ongoing basis. One group will meet from noon to 1:50 p.m. and the other from 7 p.m. to 8:50 p.m. For information and registration, call Emeritus College at (310) 434-4306.

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.

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Calendar items are printed free of charge as a service to our readers. Please submit your items to todaypaper@smdp.com for consideration. Calendar events are limited by space, and will be run at the discretion of the Calendar Editor. The Daily Press cannot be held responsible for errors.

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

Legendary Idaho cave hermit slowing down at age 86

BY TIM WOODWARD

The Idaho Statesman

ELK BEND, Idaho — The stream of songs and poems penned in a cave above the Salmon River has slowed to a trickle. The guitar is silent, the picks and shovels idle.

Time is catching up with Dugout Dick. The "Salmon River Caveman" is 86 and, in his words, "too laid up to do much."

For most of his many years, Richard Zimmerman lived life alone and on his own terms. He rode freight trains with railroad tramps, herded sheep, dug for precious metals.

He was digging on a mountainside near Elk Bend, south of Salmon, when he had the idea of digging a home.

A cave was perfect for him, providing shelter and the independence he craved. One cave led to another, and the legend of Dugout Dick the Salmon River Caveman was born.

For 54 years, he's lived in his cave, tended his goats and his garden and delighted followers of the state's mountain solitaires.

Once part of the fabric of life in Idaho, the hermits who lent their unique character to its river canyons and ridgetops are fading into history. Buckskin Bill, Free Press Frances and the others are gone. Dugout Dick may be the last, and even legends get old.

"I broke my hip two years ago and spent 17 days in a hospital in Idaho Falls," he said. "It's the longest I've ever been away from the river."

"I walk with a cane now, and my fingers are too stiff to play the guitar. I

haven't been able to make any caves for a long time."

Then he brightens, says he "can still make music" and pulls a harmonica from a weathered box. His feet tap the floor of the cave; the rock walls ring with the strains of "Wabash Cannonball."

He plays and sings three lively verses, then stops abruptly.

"I better quit now," he says. "I'm getting my breakfast in my harp."

Even at 86, there's no one quite like Dugout Dick.

He came to the canyon to leave the world of people. An unhappy home life in Indiana left a lasting mark.

He's turned down offers to appear as a guest on "The Tonight Show." He's been featured in National Geographic magazine and on "Good Morning, America." His summer visitors this year have included television crews from as far away as Germany.

"I ain't no hermit now," he said.

He feels obligated to stick around for the visitors who rent his caves — he has 14 — for \$5 a night or \$25 a month. Others pay him gratuities for cave tours, photos, sketches and autographs.

"I'm in the tourist business," he said. "I made \$40 the other day. And the Army's started sending me money every month. I'm livin' high on the hog now."

His hip injury and World War II service made him eligible for a veterans disability pension. He's using the money to pay his hospital bills.

And after decades of living alone, his solitary status is in danger. The caveman has a bank account in Salmon.

The Disabled American Veterans recently made him a lifetime member, the Bureau of Land Management brings him firewood, and his neighbors across the river take e-mail messages for him and invite him over on Sundays.

"This Christmas, I looked out and saw him over there and wondered what in the world he was doing for Christmas," neighbor Connie Fitté said. "All his cave renters had left."

"I went to town and bought him a shirt and helped him start a fire. I could see he wasn't well. That night, my husband went over and invited him to our house for the following Sunday. He had a bath, and I cut his hair. He's been our Sunday visitor ever since. He's like my adopted grandfather now."

For his part, the "adopted grandfather" enjoys the visits. A delicate stomach keeps him from the dinner table, but he appreciates the company and the hot baths — a pleasant change from his usual practice of bathing in a washtub or the river.

When he isn't visiting, he's likely to be doing most of the things he's always done. He just does them slower now.

He rises with the sun and spends most days close to home, puttering in his caves, visiting with renters and tourists and reading magazines and his Bible. When the spirit moves him, he writes religious poems. Every other week, he writes a letter to his sister in Indiana.

His goats are gone. They had the disturbing habit of eating his books and newspaper clippings. But he still harvests fruits and vegetables from his one-acre orchard and garden.

The garden is watered by a windmill he designed to draw water from the river. Unable to eat meat, wheat or sugar, he lives mainly on fresh and fermented vegetables, rye-flour mush, pork and beans, yogurt and dried fruit.

He still sings the old railroad songs, still makes his stinging-nettle yogurt, still wears his ever-present hardhat.

"You bump your head a lot when you live in a cave," he explained.

His caves are equipped with doors and windows — mostly old windshields and meager furnishings.

The one where he lives has carpet and linoleum, a woodstove, tables and chairs, a tube that brings fresh water from a spring, and a solar collector to run his radio and a light in his bedroom.

He dug the caves alone, using a pick, shovel, prybar and nothing else. He hauled the supporting timbers in by horseback. He helped build the access road, which was named after an aviation pioneer.

Now there are days when it's all he can do to climb the hillside with his cane. On winter days, he's been known to climb into his 1994 Chevy pickup and just drive. It's his arthritis remedy.

"The heat and the vibration of the gearshift against my knee," he explained.

He half jokingly says he'll live a thousand years, then admits to worrying about what will happen to his caves after he's gone.

The BLM owns the land, and some of the locals have complained that a hillside honeycombed with caves and strewn with junk is an eyesore in need of bulldozing.

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