

Santa Monica Daily Press

A newspaper with issues

Santa Monica's bay pollution level improving



File photos
Santa Monica Bay is one of the worst polluted beaches along the California coastline, but officials say it's getting better. Waters around the pier (above) and storm drains, (below) are the most heavily polluted.



But water quality is still one of the worst areas in California

BY ANDREW H. FIXMER

Daily Press Staff Writer

Swimming and surfing in Santa Monica Bay is safer than it was a decade ago but it's still one of the worst polluted beaches in the state, officials say.

Compared to other stretches of the state's coastline, Santa Monica Bay is ranked one of the top 10 most polluted beaches in California, according to the Surfrider Foundation.

The Los Angeles Regional Water Quality Board, the local branch of a statewide agency that checks for water pollution, is credited with cracking down on polluters and writing strict rules restricting trash from entering the bay.

While the strict enforcement and increased vigilance has made the waters off Santa Monica cleaner, there is still a ways to go, officials said.

Scientists with Heal the Bay — a Santa Monica-based non-profit that helps to clean the bay — said urban runoff remains the No. 1 source of contamination for coastal ocean waters in Southern California.

When water from rain or lawn sprinklers runs into the street, it picks up fertilizers and pet waste, as well as heavy metals and oil residues from automobiles, as it flows into the region's storm water collection system.

That water is then released, largely untreated, into the Pacific Ocean.

"Run-off contains the bacteria that makes people sick and also all the substances that harm marine life," said Shelly Luce, a staff scientist with Heal the Bay. "It's the absolute worst source of pollution."

"You couldn't pay me to surf at Malibu or Surfrider."

— SHELLY LUCE
Heal the Bay staff scientist

"It's really only after a rainstorm that bacteria levels get high enough to make people sick," she added.

Blame the rain

During the dry summer months officials say more than 90 percent of water samples meet or exceed quality levels for being a safe place to swim and surf, said Los Angeles County Department of Health officials.

"There is no time during the peak swimming season that bacteria exceeds health standards," Luce said.

But even after a light rain, the Los Angeles County

See POLLUTION, page 5

Living wage 'town hall meeting' called 'one-sided' by supporters

BY CAROLYN SACKARIASON

Daily Press Staff Writer

The political bickering has begun between the two sides of the controversial living wage ordinance, which is in front of voters this fall.

Supporters of the living wage, known as Santa Monica's Allied for Responsible Tourism, think a "town hall meeting" scheduled for today at 11:30 a.m. is nothing more than a political forum for the chamber of commerce to present its opposing viewpoints on the issue.

That's because living wage supporters weren't officially invited to debate the matter, which will be voted on Nov. 5.

The two-hour luncheon called a "town hall meeting," which will be attended by about 155 people at \$25 a pop, will be predominately spent listening to two speakers who are critical of the living wage — professor David Nuemark of Michigan State University and professor Richard Sander of the University of California, Los Angeles.

The chamber of commerce has publicly fought against the living wage for two years, arguing it will damage the city's economy.

Vivian Rothstein, director of SMART, said it would have been more beneficial and interesting if there were economists from both sides offering viewpoints, instead

See LUNCHEON, page 6

Santa Monica Police nab man suspected in armed robbery

BY CAROLYN SACKARIASON

Daily Press Staff Writer

Santa Monica Police on Monday nabbed a suspected armed robber within minutes after he allegedly held up the Mobil gas station on Cloverfield Boulevard.

At 1:28 a.m. a police officer on routine patrol noticed "suspicious activity" at the gas station, located at Cloverfield Boulevard and Michigan Avenue, on the

city's eastside. The officer witnessed a man covering his face while getting into his truck, parked in the gas station parking lot, said Santa Monica Police Lt. Frank Fabrega.

The officer followed the truck to the 1800 block of Michigan Avenue where the suspect, identified as Los Angeles resident Yuseff Lateef Graves, 20, was stopped for a traffic violation. Graves pulled over but then quickly accelerated in an attempt to

evade the officer. A chase ensued for about eight blocks before Graves crashed into a parked car on High Place, Fabrega said.

Graves then allegedly fled on foot, but was found hiding in an apartment complex's laundry room. A second suspect who was a passenger in the car was never found, Fabrega said.

A short time later, an employee from the Mobil station reported to police that he had been robbed by two suspects who

drove off in a white truck.

The officer apparently witnessed the men within seconds of them robbing the gas station, Fabrega said.

Graves was arrested for armed robbery and outstanding warrants. He was booked into Santa Monica Jail and his bail was set at \$66,000.

Anyone with additional information should call the SMPD's robbery/homicide unit at (310) 458-8451.

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♈ ARIES (March 21-April 19)

★★★★ Grab hold of the unexpected, and you'll move in a new direction. In a sense, fate directs you. A communication could come off as unusually stiff or uptight. Relax; use your innate creativity and loosen up everyone's mood. Tonight: Treat someone to dinner.

♉ TAURUS (April 20-May 20)

★★★★ Superiors in general make unanticipated demands. You might actually be delighted by the request. Maintain your sense of humor when dealing with a tough decision. Relax and gather information. If possible, leave the office early, even if it means bringing work home. Tonight: Do only what you want to do.

♊ GEMINI (May 21-June 20)

★★★★ You deal well with the unanticipated, incorporating it into your work. Your focus helps you clear your desk. You come off as very serious. If need be, use your unique style of communication to make a point. Tonight: Hop on the Net. Reach out for others.

♋ CANCER (June 21-July 22)

★★★★ Information comes in from an alternative financial source. Carefully consider options that surround a child or loved one. Take the lead at work, and others will quickly respond. Invest your time and assets so that they make a difference. Tonight: Get together with your friends.

♌ LEO (July 23-Aug. 22)

★★★★ Your ability to understand and take an overview helps get the job done. Use your mental acumen to make sure you have exhausted all available resources. A meeting lays important foundations. You get to see who is on your team. Tonight: An appearance.

♍ VIRGO (Aug. 23-Sept. 22)

★★★★ You might not always be sure of yourself with a key associate or partner. Express more of who you are, creatively and emotionally. Work with each individual directly in order to achieve the type of results you want. Make calls to get another's expertise. Tonight: Follow the music.

♏ LIBRA (Sept. 23-Oct. 22)

★★★★ Others run with the ball before you can barely catch up with them. A new person on the scene could evoke unanticipated responses. Go with the flow; attempt to detach. Work as a team. You're all on the same page — really. Tonight: Make time for a special friend.

♐ SCORPIO (Oct. 23-Nov. 21)

★★★★ Dig into work as if there is no tomorrow. You accomplish much more than you anticipated. Screen calls, taking only those you must. An associate might have stern but useful advice; listen. No one will force you to agree. Tonight: Go along with a loved one's requests.

♑ SAGITTARIUS (Nov. 22-Dec. 21)

★★★★ You often say and do the unexpected. Don't be surprised if others feel free to do the same! Understand more of what inspires you. Others might be playful and teasing. Go along with them. Work demands attention later in the day. Tonight: Easy does it.

♒ CAPRICORN (Dec. 22-Jan. 19)

★★★★ See how you can make a difference with those in your immediate circle. You know when to spend and when to restrain. Think in terms of gain through using your talents. Brainstorm with associates about new possibilities. Tonight: Fun and games.

♓ AQUARIUS (Jan. 20-Feb. 18)

★★★★ Return calls. Scan messages. You might gain a different perspective as a result. Review a personal matter more closely. Without realizing it, you could trigger someone into action. Be ready to respond. A discussion takes a very lively tone. Tonight: At home.

♐ PISCES (Feb. 19-March 20)

★★★★ Sit down and approach a money matter logically as opposed to emotionally. You could be surprised at what comes up for you. Later on, schedule a talk with another who understands more than you do about such matters. Feedback is important. Tonight: Continue talks.

QUOTE of the DAY

"A luxury liner is just a bad play surrounded by water."

— Clive James

Santa Monica Daily Press

Published Monday through Saturday
Phone: 310.458.PRESS(7737) • Fax: 310.576.9913
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LOCAL



Carolyn Sackariason/Daily Press

Larry Dietz, an investigator with Los Angeles Coroner's office, and an unidentified co-worker survey the scene where a homeless man known only as "David" was found dead at the beach just south of the Santa Monica Pier Monday morning. Santa Monica Police Officers Derek Morton and Matthew Rice were on scene also investigating the incident. Authorities don't believe foul play was involved.

Man found dead on beach

BY CAROLYN SACKARIASON

Daily Press Staff Writer

A homeless man only identified as "David" was found dead on the beach Monday morning.

Santa Monica Police responded to a call from the city's beach maintenance crew at 7:37 a.m. who reported a possible dead body was lying near "muscle beach" just south of the pier.

Los Angeles County lifeguard paramedics and SMPD officers arrived on scene, who determined he was dead. The Los Angeles Coroner's Office removed the body and brought it to the morgue. His identity won't be released until his family

is notified.

The man, who was in his 40s, was described as an avid chess player by those who knew him. An anonymous source said "David" had been homeless for quite a while and slept near the chess park. In the past two weeks, "David's" mental state declined because was not taking his medication, the source said.

"He fell off a ledge and he didn't look like he was going to get back on it," he said. "But he was a very strong (chess) player. He could hold his own."

The source also said "David" told him his mother had died when he was young and his father, who lives in Lancaster, disowned him years ago.

Living wage supporters receive \$70K in grants

BY ANDREW H. FIXMER

Daily Press Staff Writer

Two organizations active in passing a ballot initiative that would institute Santa Monica's living wage ordinance received a financial boost last week.

Santa Monica-based Liberty Hill Foundation gave a \$35,000 grant to Santa Monicans Allied for Responsible Tourism, or SMART, and another \$35,000 grant to Clergy and Laity United for Economic Justice, or CLUE.

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

The Liberty Hill Foundation, which is a self-described progressive institution that helps fund grassroots organizations working on problems faced by the county's population of working poor families, doled out more than \$500,000 in grants to groups throughout the county.

"Liberty Hill is the searchlight that seeks out outstanding community groups that do groundbreaking work and enliven democracy at the grassroots (level)," said Torie Osborn, executive director of Liberty

Hill. "America is working out its future in Los Angeles and the work of these community groups insures that Los Angeles has a future as a true city of angels."

"This isn't a grant to CLUE for working the living wage. It's for our work throughout Los Angeles County."

Alexia Salvatierra
— CLUE Executive Director

Both SMART and CLUE have been the beneficiaries of similar grants from the foundation over the past few years, officials said.

"We were delighted to get the grant from Liberty Hill," said Vivian Rothstein, director of SMART, noting a number of other groups supporting economic justice causes were given funding also. "So we are in great company."

Rothstein said her group had applied

See DONATIONS, page 6

The Q-Line

It's election season in Santa Monica and for many that means the games are about to begin. Politics in Santa Monica can be quite a spectator sport, especially for those who are deeply involved in it.

But for the average Joe citizen, politics doesn't mean much. He just wants to make sure his trash is collected and can live in a safe community.

The leading political party, Santa Monicans For Renters Rights, which holds the majority on many city boards, most likely will keep its power.

Its causes are noble and just, but some wonder if basic city issues are lost in bettering society as a whole.

So this week Q-Line wants to know: "What local issues do our elected and appointed officials need to focus on during their campaigns?"

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.

surf report

Information compiled by Jesse Haley

Tropical swell begins to decline while a truer southwest ground swell arrives later today. Remnant activity should keep northern breaks in waist- to chest-high surf most of the day, though sets may prove less consistent than Sunday and Monday. Still, expect plenty of waves.

Wednesday, the new swell should improve slightly, though near shore islands may block a good portion of its energy from reaching LA's breaks. Hurricane Fausto, south swell will be winding down.

Look for good surf at Topanga while the south swell holds. Also County Line should still be booming.

Today's Tides:

Low- 6:22 a.m. 1.25'
High- 12:39 p.m. 4.47'
Low- 6:59 p.m. 1.82'

Location	Tuesday	Wednesday	Water Quality
County Line	3-4'/Fair	2-4'/Fair	A
Zuma	2-4'/Fair	2-4'/Fair	A
Surfrider	1-3'/Fair	1-3'/Fair	A
Topanga	2-3'/Fair	1-3'/Fair	A
Breakwater	3-4'/Fair	2-4'/Fair	B
El Porto	3-4'/Fair	3-4'/Fair	A

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LETTERS

Proposed school tax doesn't add up

Editor:

"Santa Monica Daily Press" readers should not worry about their difficulties in the Santa Monica-Malibu Unified School District budget. I can assure them mine is greater.

In grammar school, in the '50s, I was taught: A rancher sells a truckload of hay for \$100. His cost of production is 4/5 of the price. What is his profit?

In the '60s, I was examined in college: The same rancher sells a truckload of hay for \$100. His cost of production is 4/5 of the price, or \$80. What is his profit?

New Math in the '70s taught my oldest son: A farmer exchanges a set "L" of carrots for a set "M" of money. The cardinality of set "M" is 100. Each element is worth \$1. Make 100 dots representing the elements of the set "M." the set "C," the cost of production contains 20 fewer points than set "M." Represent the set "C" as a subset of set "M" and answer the following question: What is the cardinality of the set "P" of profits?

When my youngest son was educated in the '80s, his Santa Monica High School question read: A logger sells a truckload of lumber for \$100. His cost of production is \$80 and his profit is \$20. Your assignment: Underline the number 20.

In today's math Santa Monica and Malibu property owners are quizzed: If the SMMUSD gets \$62.9 million in revenues or \$153,414 per classroom and spends 125 percent of their yearly budget, of which 86 percent is in administration, how is the school district ever going to operate in the black?

SMMUSD Assistant Superintendent Ken "I'll Show You Accountability" Bailey needs to take mathematics classes at Arthur Andersen and Company. Even Arthur himself would report that the fact that the school budget is a boondoggle, although Anderson accountants may sign off on the budget report. The district doesn't need Measure EE to balance its budget. The SMMUSD needs answerability.

And that is all I have to say.

Tom Fakehany
Santa Monica

Main Street project coverage wasn't complete

Editor:

While I greatly appreciate the long hours your reporter Carolyn Sackariason put in at the Planning Commission meeting last week and the front page coverage of the "Boulangerie" project, I need to correct one item in the story and comment further on another.

I am not the president of the Main Street Merchants. I am the staff. Dave Lackman (Library Alehouse) is the chair; and Leslie Paonessa (World Cafe); Lois Cunningham (Patagonia); Joe Pipersky (Joe's Diner and Holy Guacamole); Matt Schuppel (Shoop's Deli); Frank Strauss (Fedora Primo) and Judy Abdo (neighborhood appointee) serve on the board.

Regarding the point I made to the commission on the diverse architectural styles and colors on Main Street, in response to the Architectural Review Board decision that the project "did not capture the DNA of Main Street" and the Commission's concerns that it did not "reflect the design" of Main Street, you reported accurately that I said the cities many of us love have jumbled styles: New York, Boston..."

Unfortunately, your coverage did not include my mention of Chapel Hill and Santa Barbara. I want to clarify that because I don't want anyone thinking that Main Street merchants want Ocean Park to look like downtown Boston.

But the significant point is this: The notion that the building proposed by Howard Jacobs and designed by Howard Laks after numerous hours of community input over several years has a design or color that does not fit on the same street that includes Schatzi, the Flinkman Building, Ashland & Hill, Lula's, Wildflower Pizza, the New Orleans Building, LaVecchia Cucina right next to the Victorian, the Public Library, the Galleria Di Maio (Merle Norman Building), Edgemar, the two large buildings at the north end of Main, the buildings that house A/X and Patagonia, and all the other buildings on the street is, well, absurd.

Gary Gordon
MSMA staff

Proposition JJ, aka the living wage, will hurt youth

(Editor's note: This is one of a series of weekly columns editorializing on the hotly contested living wage ordinance. The city council passed an ordinance last July requiring coastal businesses that generate more than \$5 million in annual revenue to pay their employees up to \$12.25 an hour. Those businesses and their supporters have asked for the ordinance to be rescinded, which is before voters this November.)

The Daily Press has asked organizers of Santa Monicans Allied for Responsible Tourism, which supports the living wage, to provide a counter-point opinion to balance out the debate. Those organizers said they will provide commentary within the next few weeks. Other supporters of the living wage measure have not come forward to express their opposing viewpoints, which the Daily Press welcomes.)

This week's issue of The Economist contains an interesting article about the rising unemployment rate of American teenagers in both part-time jobs for students and full-time jobs for those not in college.

The article cites both short-term and long-term factors responsible for this national phenomenon. Short-term causes include the difficult economy and the declining stock market, both of which increase adult applications for traditional student jobs. Longer term factors which affect the structural nature of the labor force are increasing immigration and welfare reform, both of which expand the job applicant pool for entry-level jobs, and an increasing number of teenagers due to the baby-boom echo generation.

Presumably, these factors are at work in Santa Monica, as they are elsewhere, adversely affecting teenagers seeking employment.

If the Minimum Wage Ordinance, now identified as Proposition JJ, passes in November, it will create a new obstacle for local teens which should be a serious concern for our community.

Part-time work, whether during the summer or holiday season, is familiar to all of us as a way for students to obtain valuable employment experience and earn spending money while staying away from trouble on the streets. The problem is that many of these jobs are offered by the very employers directly impacted by the ordinance, such as Macy's, Robinsons-May, The Gap, Sears and other large retailers, and the city itself.

Does anyone think these companies will be willing to pay students \$12.25 per hour, rising to at least \$13 next year, as Proposition JJ will require? Of course not. The more likely result will be the elimination of part-time positions for teenagers at these locations and increasing competition for similar jobs offered by non-covered businesses. What social value is accomplished by effectively prohibiting students from obtaining part-time jobs from the very companies who

provide most of the opportunities? Obviously none.

The Economist article points out that this problem is more significant than simply a few teenagers with more vacation time. It cites research conducted by the Employment Policies Institute, a Washington, D.C. based think tank focusing on labor issues, linking unemployment during teenage years to future unemployment and lower lifetime earnings as well as crime and other social problems, particularly among those workers most in need of jobs.

All of us, whether parents or not, desire to promote the welfare of our youth and eliminate gang activity. One way we help achieve these goals is to make sure that there are available part-time job opportunities. Making employment more difficult for Santa Monica's youth was obviously not the intent of Proposition JJ. However, the fact that it will undoubtedly have this result points out yet another serious flaw in this ordinance.

(Tom Larmore is a Santa Monica resident and a property rights attorney.)

Guest Commentary

By Tom Larmore

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

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LOCAL



Officials say keeping ocean clean too costly

POLLUTION, from page 1

Department of Health routinely issues a "rain advisory" to beach-goers letting them know it would be wise to avoid going out in the water for 72 hours.

"Never swim near a discharging storm drain," said Richard Kebabjian, director of Recreational Health with the L.A. County Department of Health. "It only takes a tenth of an inch of rain to start the drains flowing."

Los Angeles was one of the first counties in the state to begin regularly testing the water along its 60 miles of coastline, and the standards it tests water quality by are still some of the strictest in the state, Kebabjian said.

"We get a lot of beach closures and beach warnings," he said. "If you compare us to other parts of the state or parts of northern California it may seem high but that is because we are testing so much."

County water inspectors take daily water samples at more than 30 different locations, many of which are near storm drains, piers, and where rivers and streams flow into the ocean.

After it rains, rivers and streams also carry contaminants into the ocean. In Malibu, faulty septic tanks leak into the Malibu Creek when it rains. Combined with the increased water flow, it washes away a man-made sand berm that is intended to keep the water from flowing directly into the ocean.

And when that happens, officials warn to stay out of the water.

Luce said she regularly surfs at Bay Street but rarely ventures to spots further north — rain or shine.

"You couldn't pay me to surf at Malibu or Surfrider," she said. "Surfrider is the worst, especially when the berm is washed out."

Kebabjian said when he takes his family to the beach, he avoids locations within 100 feet of a pier.

Many times salt water from the ocean will rust away sewer pipes below the boards, allowing the sewage to leak into the ocean. Automobiles parked on the pier also can leak oil and other pollutants into the water below.

"And then there's the birds," he said. "Piers tend to attract birds, which then poop all over the place."

Paving is problematic

Officials say because of the rapid paving of the Los Angeles basin during the past several decades, more run-off is being created than ever before.

"We have really damaged the natural ability of the watershed to clean up the water before it reaches the ocean," said Craig Perkins, director of Santa Monica's Environmental and Public Works Management. "It's a whole lot of people living in the metropolitan area contributing to that."

Santa Monica has built one of the few plants in Southern California that treats run-off along the coast and the Santa Monica Pier before it is discharged back into the ocean.

The plant — which is called the Santa Monica Urban Reclamation Facility, or SMURF — is located just north of the pier and has been operational for more than a year. But even during a slight rain-

fall, the treatment plant is over-run with the excess water, which is then released into the ocean untreated.

"The good news is that we're in better shape than we have been in a long while," Perkins said. "It's cleaner now than it was 10 years ago, but we are no where near ready to declare victory yet."

Victory would mean changing people's behaviors when it comes to how they use chemicals on their lawns, how they dispose of used motor oil or even just remembering to pick up their pet's waste, officials said.

"It's not just the areas by the beach that need to be doing this stuff but it's all the people living way upstream too," Perkins said. "There are so many areas where we have to change people's behaviors, and create an innovative system to catch pollutants before they reach the ocean."

New laws may be solution

The Los Angeles Regional Water Quality Board has been credited for reducing the number of sewage spills and the amount of trash that washes into Santa Monica Bay.

"The regional board is definitely looking closely at pollution sources in the bay," Luce said. "They have been enforcing proper sewage maintenance and sewage remediation, which has drastically reduced the amount of sewage being released into the ocean."

The City of Los Angeles has been fined millions of dollars in the past decade by the regional water quality board and the federal Environmental Protection Agency for releasing sewage when its facilities become over-run.

When sewage is released and beaches are closed, a notice is sent over the news wires and investigators from the regional water quality board are sent to investigate.

The state recently began requiring all counties in the state to take daily ocean water samples to test for bacteria levels. The state legislature also has begun writing rules to help restrict the amount of trash that makes it into the ocean.

Rotting garbage that washes into the ocean is a prime source of harmful bacteria that poses a risk to both swimmers and marine life.

The new laws would require communities throughout the county to put measures in place to prevent garbage from blowing into streams, rivers or directly into the ocean.

And cities would be responsible for sending municipal workers into the riverbeds to pick up trash before it washes any further downstream.

"Unfortunately those are being disputed by the city and county of Los Angeles," Luce said. "They argue the costs are too high to keep trash out of our oceans."

Both Kebabjian and Luce recommend reading the surf report card on either the county or Heal the Bay's web sites before going out. Heal the Bay's report card can be found at www.healthebay.org and the county's can be found at www.lapublichealth.org.

Kebabjian said water samples are taken in ankle deep water, and the water further out can be safer.

"When you go out to chest deep water, counts dramatically drop," he said.

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LOCAL

Man shot at in city's eastside neighborhood

By Daily Press staff

A man escaped injury Saturday night after he was shot at in an eastside neighborhood. At about 11 p.m., Santa Monica Police responded to the 2700 Kansas Avenue where the unidentified victim said while he was driving westbound on Kansas Avenue, he noticed a man driving behind him.

The victim stopped and got out of his car. The gunman also exited his vehicle and fired one shot in the victim's direction before he drove off. Officers assigned to the Pico Neighborhood Task Force, as well as beat officers in the area conducted a search. They were unable to locate any evidence.

The suspect is described as Hispanic, between 20-25 years old, with short black hair, wearing a white short sleeve shirt. A second suspect in the car is described as Hispanic, 20-25 years old, with brown hair. The suspect's vehicle is described as a 1960's Chevrolet, Camaro, dark in color and having front-end damage.

Anyone with information is encouraged to contact the SMPD's robbery/homicide unit at (310) 458-8451 or the Watch Commander's Office at (310) 458-8426.

Opposing view on living wage will attend meeting

LUNCHEON, from page 1

of just one.

"They invited people who agree with their position," she said. "It's more of a political forum."

Kathy Dodson, executive director of the chamber, said the intent was not to exclude anyone from the debate and there will be at least a half hour for questions, answers and debate.

"If there is good community debate, we'll keep the questions and answers going," she said. "We didn't extend any particular invitation to anyone except our members."

Whether or not the luncheon is a true "town hall meeting" in the traditional sense also can be debated. A "town hall meeting" traditionally means debate from both sides with an open forum for questions and answers from the community, much like meetings are conducted in New Hampshire and Vermont. Those states still engage in traditional town hall meetings where the community at large debates an issue openly and then votes on it.

However, town hall meetings have evolved along with the times, said Lynn Vaverck, a political science professor at UCLA. Now, it's really just a code word, much like "all natural" is used to market foods, she added.

"In an attempt to campaign in this electronic age, it's a way to get your message out," she said, adding the chamber's luncheon is just that. "I don't think it's a huge violation of the spirit of town hall meetings

... You might have to cut them some slack."

But Vaverck did say she finds it odd that if true community debate is what's being sought after, the town hall meeting shouldn't have an admission price.

"If there is good community debate, we'll keep the questions and answers going,"

— KATHY DODSON
Chamber of Commerce executive director

"The words 'town hall meeting' is suggesting that it's an open forum to debate something," she said. "By charging money you are systematically eliminating people from that debate."

Rothstein said she will attend the meeting, as well as other living wage supporters, who argue workers, particularly at local luxury hotels, should be paid a decent wage.

The city council passed an ordinance last July requiring businesses within roughly a half mile of the beach that generate more than \$5 million in annual revenue pay their employees \$10.50 per hour, plus benefits, or \$12.25 an hour without benefits. Those businesses and their supporters have asked for the ordinance to be rescinded, which is before voters this November.

SMART adds to its war chest

DONATIONS, from page 3

for the grant months ago and only heard it had received the donation last Friday.

"It's a very long process," she said. "You apply one month and then you don't hear for several more months."

SMART also has recently received grants from the Catholic Church's Campaign for Human Development for \$10,000 and from Ms Foundation, which used to be part of Ms Magazine, for \$15,000. They also are awaiting word of whether or not they will receive a grant from the Jewish Fund for Justice.

Rothstein said the money will be used to get new members involved in SMART, involve community members in one-on-one meetings with local hotel managers who oppose the proposed wage, help pay for letter writing campaigns along with many other activities designed to help support the living wage ordinance.

CLUE Executive Director Alexia Salvatierra said her organization would use only part of the money campaigning for Santa Monica's living wage ordinance.

"This isn't a grant to CLUE for working the living wage," Salvatierra said. "It's for our work throughout Los Angeles County."

"Which includes our work on the living wage, but that's only part of it," she added.



LOCAL □ STATE



Jurors find no wrong doing by police in Venice arrest

By The Associated Press

LOS ANGELES — Federal jurors on Monday found police did not use excessive force or racially profile a black Virginia judge when officers made an arrest at gunpoint in Venice Beach in 1999.

"We're pleased that a diverse jury confirmed what we thought: that this is not an example of racial profiling or excessive use of force," said Senior Assistant City Attorney Cheryl Mason, chief of the civil liability management branch. "It's certainly unfortunate because the plaintiffs were in fact innocent people having a nice afternoon, but the officers acted appropriately with what information was available to them at the time."

Twelve jurors in U.S. District Judge Christina Snyder's courtroom found that officers acted properly when they ordered three people, including Virginia Judge Alotha C. Willis, out of a car at gunpoint and forced them to lie face-down on a street while handcuffed.

Willis, a former prosecutor who has been on the bench in Portsmouth, Va., since 1995, sought unspecified damages for her treatment during the arrest. A message left for her attorney, Stephen Yagman, was not immediately returned.

Yagman had argued that Willis, her husband Wayne Person, director of naval contracts for the Defense Department and friend Sheryl Crayton, an assistant principal at a Los Angeles-area middle school, were stopped solely because they are black.

He accused LAPD officials of foster-

ing a "xenophobic" and "paramilitary" culture that permits racial profiling of black motorists.

The monthlong trial included testimony from two former police chiefs, including Daryl F. Gates, and members of the civilian Board of Police Commissioners in an attempt to show the department maintained a practice of tolerating racial profiling.

Most said they had no knowledge of any racial profiling incidents, which are banned under department policy.

Willis testified she and her husband were riding in a car driven by Crayton when they were pulled over by police about 2 p.m. on July 3, 1999. Willis said she saw four officers crouched behind their patrol car doors with guns pointed at her.

Officers said they did a "felony stop" after running the car's license plates and discovering they didn't match the Department of Motor Vehicle record for Crayton's 1998 Volvo. As a result, they thought the car might have been stolen.

It was later learned that mismatched license plates were mistakenly mailed to Crayton by the state Department of Motor Vehicles.

"The tactics and procedures for the high risk felony stop were within police policy," said Mason, the assistant city attorney. "There was an unfortunate mistake with the switched license plates, but officers acted appropriately. The jury verdict in this case was consistent with both the facts and the law."

Recording industry reports further decline in CD sales

BY SIMON AVERY
AP Business Writer

LOS ANGELES — Compact disc music sales decreased 7 percent during the first half of the year, a further indication that online music sharing sites are hurting the recording industry, a trade group said Monday.

The new figures, compiled by PricewaterhouseCoopers, follow a 5.3 percent drop in CD shipments last year and 6 percent falloff in 2000, according to the Recording Industry Association of America.

In addition to the sales data, the RIAA released a separate survey of Internet users' music habits, which found that most consumers between the ages of 12 and 54 bought fewer CDs as they downloaded more tracks.

Previous studies independent of the music industry have suggested that access to free music on the Web actually encourages consumers to experiment with new acts and buy more CDs.

"We find a striking connection between people who say they are downloading more and buying less," said Geoff Garin, the pollster for Peter D. Hart Research Associates who conducted the survey of 860 consumers for the RIAA in May.

Forty-one percent of polled consumers whose downloading increased during the last six months reported buying less music, compared with 19 percent who said they were purchasing more, he said.

Among those polled who said they were downloading the same amount as six

months earlier, 25 percent said they purchased less music, compared with 13 percent who bought more, Garin said.

The survey also reported that 35 percent said they go straight to an Internet file sharing site whenever they hear an unfamiliar artist they like. Only 10 percent reported that they immediately buy the artist's album.

The poll did not provide information about consumer attitudes on other factors widely considered to be affecting CD sales, including the quality of new releases and the lack of easy-to-use online services from the major recording labels.

"I very strongly conclude that the ability to get music for free is an important factor and has an adverse effect on music purchasing. I would not argue that it is the one and only factor," Garin said.

Only 20 CD titles sold more than 1 million units in the first half of the year, compared with 37 in the first six months of 2001, the RIAA said.

The overall decline in CDs and other recorded music amounted to about \$400 million in the first six months of the year, the association reported.

In response, the recording industry has stepped up its anti-piracy fight, securing nearly twice as many search warrants executed in the first half of 2002 from a year earlier. Arrests and indictments increased 84 percent, the RIAA said.

"We are continuing to look at new and innovative ways to combat piracy and nothing is off the table at this point," said Amy Weiss, an RIAA spokeswoman.

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STATE



Julie Jacobson/Associated Press

Before entering the courthouse on Monday in San Jose, Calif., Carole Carrington, right, and her husband Francis Carrington answer questions about the jury deliberation in the trial of Cary Stayner. Stayner was convicted of murder in the killings of the Carringtons' daughter, Carole Sund, and granddaughter, Juli Sund, along with their friend Silvina Pelosso near Yosemite National Park, in February of 1999.

Yosemite killer convicted

BRIAN MELLEY
Associated Press Writer

SAN JOSE — Yosemite killer Cary Stayner was convicted Monday of murdering three park tourists in a crime that spread fear through Central California and shattered the serene image of one of America's most treasured places.

The 41-year-old former motel handyman faces the death penalty after being convicted of three counts of first-degree murder and additional felonies in the killings of a Eureka mother, her daughter and a teenage friend from Argentina in February 1999.

Defense lawyers conceded that Stayner killed Carole Sund, 42, her daughter, Juli, 15, and Silvina Pelosso, 16, but they said he was crazy and asked jurors to convict him of second-degree murder, a verdict that would have spared him the death penalty.

Stayner, 41, confessed to killing the trio who were staying at the rustic motel where he worked as a handyman outside Yosemite National Park. The disappearance of the three gained worldwide attention and spread fear through Central California as the culprit remained at large.

The crime was unsolved for nearly six months until Stayner struck again, snatching Yosemite nature guide Joie Armstrong and beheading her near her cabin in the park in July 1999. He's serving life in prison without chance of parole after pleading guilty in federal court to first-degree murder in Armstrong's death.

The sightseer case is being held in state court because the Sunds and Pelosso were slain outside the park.

Stayner's lawyers plan to present an insanity defense to try to spare his life. Jurors have already heard extensive testimony from experts that Stayner was impaired by a medley of mental illness symptoms and a deformed brain. At this stage in the trial that evidence was used by the defense to show he didn't kill intentionally.

In the sanity phase, the defense will build on that foundation to try and prove that Stayner didn't know that he was killing or didn't know it was wrong. If that strategy fails, a third phase of the trial will be held to determine if he is sent to death row.

Prosecutors used Stayner's own words — corroborated with evidence he led investigators to — as the centerpiece of their case. Prosecutor George Williamson said the mental illness defense was an attempt to "blow smoke" and distract jurors from overwhelming evidence.

Stayner told FBI interrogators that he had fantasized for months about sexually assaulting young girls and then killing them. On the night of Feb. 15, 1999, he said he saw "easy prey" through the open blinds of Room 509 at Cedar Lodge.

He went to the room where he lived at the lodge and grabbed his killing "kit" that included duct tape, rope, a knife and a gun. He used a ruse to get in the room, pretending to check for a leak, and then pulled his gun, telling the three he was desperate and needed their car.

Stayner strangled Carole Sund while the girls were bound and gagged in the bathroom. He dumped her body in their rental car trunk.

He attempted to sexually assault both girls and have them perform sex on each other, but became frustrated when Pelosso wouldn't comply.

He strangled her and put her in the car trunk and then repeatedly tried to rape Juli.

Early the next morning, Stayner drove Juli to Lake Don Pedro, a reservoir in the Sierra foothills, sexually assaulted her again, said he loved her and then slashed her throat. He covered her naked body with brush on a hillside and left.

Stayner ditched the rental car off a rural highway and took a \$125 cab ride back to Yosemite. He told investigators that he wasn't upset about what he had done, he was only concerned about getting to work in time.

He later returned to the car and torched it. Scores of law enforcement officers unsuccessfully scoured the region looking for clues to where they vanished, but there was barely a sign of the three for more than a month until the scorched car was found by a hunter who had pulled off a rural highway to relieve himself.

The two bodies, burned beyond recognition, were found in the trunk. A week later, investigators found the decomposing body of Juli.

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STATE



Pressure on to pass budget as end of session nears

BY ALEXA H. BLUTH
Associated Press Writer

SACRAMENTO — The California Assembly is poised to vote Tuesday on a new budget plan that Democrats call a compromise and Republicans say fails to satisfy their demands.

The vote will come with five days left in the legislative session and intensifying pressure to approve a \$99.1 billion spending plan that already is two months late. The state Capitol hummed Monday with dueling press briefings, speculation whether a budget will be passed before midnight Saturday, and private exchanges of blame for the 57-day-old budget impasse.

But above the din, lawmakers appeared Monday to be exactly where they were on June 29 when state senators quickly and surgically passed a budget and lobbied it to their counterparts in the state Assembly.

Nowhere.

"We want a resolution of this budget as much, if not more than, the Democrats do but we don't see it as happening real soon," said Republican Assemblyman John Campbell, R-Irvine. "The long and short is that we are a long ways apart."

The sticking point seems simple.

Republicans say they disagree with \$3.7 billion in tax increases included in the plan originally sculpted by Gov. Gray Davis, who is faced with a \$23.6 billion budget deficit in the same year he is seeking re-election against Republican Bill Simon.

GOP members say they would prefer the Democrats cut from what they call bloated government programs.

But that is where the simplicity ends. Democrats say their GOP colleagues have not spelled out what they would cut and insist that abandoning tax increases would mean carving dramatically into programs for the poor, elderly and children.

They hold up 20 other states — each of which raised cigarette taxes to patch budget holes and 13 of which have Republican governors — as examples. And they point to California in the early 1990s, when then Republican Gov. Pete Wilson employed tax hikes, cuts and spending shifts to tackle a \$14 billion budget shortfall.

They also accuse GOP lawmakers of intentionally holding up the budget to tarnish Davis' image and help Simon.

"On Saturday, we gave the Republicans the third proposal and we still haven't received anything from them whatsoever. Nothing," said Assembly Speaker Herb

Wesson, who summoned reporters to his office Monday, "to truly explain the Democratic story."

Republicans, meanwhile, said Democrats have been unwilling to make more cuts as they attempted to pick off four GOP votes with promises of individual favors. Democrats need four Republicans to crossover and vote for the budget to approve it by the required two-thirds majority.

Campbell said Republicans would give Democrats a proposal by Tuesday but it wouldn't include specific cuts.

Over the weekend, Republicans and Democrats traded proposals to approve a temporary infusion of cash to pay some programs that have gone two months without payments. That gave the impression of some movement.

But the proposal returned to a committee Monday, and Wesson said it wouldn't return.

Also Saturday, Wesson introduced a new plan to cut 1,000 state jobs and \$200 million in cuts above the \$7 billion already in the budget plan. Wesson also proposed capping spending in the fiscal year — although he didn't specify what the cap would be — and forming a commission to examine the state's spending and revenue structure.

Wesson said the new plan should satisfy Republicans, but Campbell said it fails to address their key beef: It raises taxes by \$3.7 billion.

Davis administration drops bill to guide state's growth

BY JIM WASSERMAN
Associated Press Writer

SACRAMENTO — Gov. Gray Davis' administration has shelved legislation designed to shape California's future growth though financial rewards to cities that followed its vision.

California growth analysts called it the first statewide growth management bill engineered by the Governor's Office of Planning and Research in nearly two decades.

But local governments disliked bending to state planning visions to get grants and characterized the bill as state meddling.

OPR Director Tal Finney said the legislation might have stirred more lawsuits than planning.

The bill, SB1521, proposed that OPR write model "planning practices" to promote more infill development, transit, walkable neighborhoods and a mix of housing options, including more Californians living above stores.

Cities that adopted the ideas would have received preference for state grants for projects such as libraries, highways and sewer and water treatment plants.

"You can't force model planning on

local governments or the (building) industry," Finney said. "You can try to regulate it, but you could be in court."

The bill originally proposed specific model zoning ordinances to promote more growth in existing cities and less on vacant farmland. But pressure from opponents changed it to less demanding "model planning practices."

Since its introduction in February, the bill attracted opposition from business groups associated with the state's development, including home builders, commercial developers, engineers, land surveyors and

real estate agents.

Eileen Reynolds, lobbyist for the California Association of Realtors, said her industry opposed tying competitive state grants to planning ideas that aren't written yet.

"It was a lot of unknowns for ... state planning priorities, in effect, being forced on local governments," she said.

The bill passed the Senate by only two votes in May.

Administration officials say ideas in the bill may resurface next year in a long-range planning document.

Bill passed giving victims' rights to assailant's earnings

By The Associated Press

SACRAMENTO — The State Assembly passed a bill Monday giving crime victims the rights to money their assailants earn from selling the story of their crime.

The bill gives victims up to 10 years after their assailant is paroled to sue them for financial damages, including earnings from telling their story in books, films and other publications.

The bill passed the Assembly 59-0, three months after passing the state Senate 35-0.

The legislation, carried by Sen. Bruce McPherson, R-Santa Cruz, is a response to a California Supreme Court ruling in February that felons have constitutional rights to tell their story for money. The court ruled that an 1983 law banning the practice violated felons' First Amendment rights. That law discouraged felons from

profiting from their criminal actions with books or movies by steering their profits to the victims instead.

The new bill, which goes to the Senate for final passage, extends a victim's right to sue to accomplish the same result.

"I think it's an intelligent way around the constitutional problem with the original law," said Assemblyman Darrell Steinberg, D-Sacramento.

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NATIONAL

Americans' short memories keep country vulnerable

BY CHRISTOPHER NEWTON
Associated Press Writer

WASHINGTON — Americans may be growing complacent about the threat of domestic terrorism and must be reminded they are the first line of defense, the FBI's counterterrorism chief said Monday.

Dale Watson, an assistant director at the FBI, said the situation makes America more vulnerable to terrorism.

"Americans have a short memory. We don't keep things very long up on the front burner," Watson told a conference on homeland security. "We want to get back to business as usual. That's one of the definite vulnerabilities we have. We have to remember that we're at war and that this is not a war that's going away this week or next week."

As Sept. 11 approaches — a date that law enforcement agents privately worry could be targeted for another attack — government officials have struggled with how best to keep Americans alert without causing needless worry.

The result, some critics say, has been mixed signals.

President Bush has continually implored Americans to return to their routine, while asking them to stay alert.

Attorney General John Ashcroft and Defense Secretary Donald H. Rumsfeld have said repeatedly that another attack on the United States is likely, and a flurry of FBI terror alerts became public in May and June.

They warned that an unspecified attack in an unspecified place was possible between certain dates.

Critics said the vagueness made the alerts worthless.

Watson said the debate over the best way to keep Americans vigilant arises each time the FBI receives new intelligence indicating a possible threat.

"Where it gets kind of dicey is if it's nonspecific information," Watson said. "The question is: What do you put out and what do you tell? And if you tell all the way down to the regular citizen, so to speak — maybe my mother down in central Florida — what do you expect them to do?"

Watson, who is retiring next month, said vigilance by average Americans is important because the main terror threat comes from "loners" — people recruited by terrorist organizations to carry out attacks on their own. These operatives may have avoided past law enforcement attention and might slip between the cracks, leaving the government more dependent on average people to report suspicious activity.

As an example, Watson cited the arrest of Richard Reid, whose alleged attempt to blow up an airliner over the Atlantic Ocean was thwarted by fellow passengers.

Leonard Steinhorn, an expert on pop culture and professor at American University, said while most Americans have put Sept. 11 behind them, they haven't forgotten its lessons.

"It's human to try to move on," Steinhorn said. "You see people in Israel and Palestinian areas trying to live their lives in light of the ongoing violence. But just look at how Americans keep an eye out at the airport. To the extent that people can affect things, I believe they are vigilant."

Steinhorn also said not too much should be read into criticism of government efforts to find terrorists, such as Operation TIPS, which had planned to enlist letter carriers and utility workers to report suspicious activity. An avalanche of criticism from Congress and civil liberties group led the Justice Department to scale

back the program, which has yet to start.

Such concerns mean only that they disagree with the government's tactics, he said.

"It's not that people don't remember Sept. 11. It's that they do remember the Constitution," said Francis Neil, a University of Colorado civil liberties researcher.

Gruesome scene becomes memorial site



Greg Wahl-Stephens/Associated Press

Amber Young of Molalla, Ore., adds her message to the hundreds covering the fence around the property of Ward Weaver in Oregon City, Ore., on Monday. The property, on which two sets of human remains were discovered Saturday and Sunday, has become a memorial for two Oregon City girls, Ashley Pond and Miranda Gaddis, who disappeared last winter.

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INTERNATIONAL



Cheney warns of consequences if Saddam is not removed

BY KEN GUGGENHEIM
Associated Press Writer

WASHINGTON — Vice President Dick Cheney warned Monday that the United States could face devastating consequences from any delay in acting to remove Saddam Hussein as president of Iraq.

Lawmakers urged President Bush to get their support before any invasion, even though White House advisers say congressional assent is not legally required.

Cheney's remarks were among the strongest by a high administration official about the urgency of ousting Saddam, spoken even as the White House contends no decision has been made to invade Iraq.

Speaking at a Veterans of Foreign Wars convention in Nashville, Tenn., Cheney dismissed what he called "deeply flawed" logic of people who argue against a pre-emptive strike to stop Saddam from developing chemical, biological or nuclear weapons.

"What we must not do in the face of a mortal threat is to give in to wishful thinking or willful blindness," he said. "We will not simply look away, hope for the best and leave the matter for some future administration to resolve."

Cheney pressed the administration's case for invading Iraq in face of growing misgivings about the potential loss of lives; the cost to U.S. taxpayers; the effects on other countries, friend and foe; and uncertainty about who would replace Saddam and how long the

U.S. commitment would last. Many of the admonitions for caution have come from Republican lawmakers and officials of former GOP administrations.

"If this is a noble cause, and it's in the interest of our country, then the president needs to make the case," said Sen. Chuck Hagel, R-Neb., a member on the Senate Foreign Relations Committee.

He said Bush should seek Congress' backing before ordering an invasion of Iraq, regardless of whether it's required. "If the president is going to commit this nation to war," Hagel said, "he'd better have the support of the Congress and the American people with him."

"The president has to get congressional approval," said House Democratic leader Dick Gephardt of Missouri. "He must have a debate on this issue and a vote in the Congress."

Gephardt spoke during a campaign appearance in Waterbury, Conn., on behalf of U.S. Rep. Jim Maloney, D-Conn.

Sen. Patrick Leahy, D-Vt., said the decision of going to war "should not be treated like a technicality."

"For the good of the country and for the long-term success of whatever approach we take, President Bush should follow his father's lead and support a vigorous and constructive debate on Iraq," he said through a spokesman. Bush's father sought and received congressional backing before the 1991 Persian Gulf War.

The Republican chairman of the House International Relations Committee, Henry Hyde of Illinois, said he agreed with Gonzales, "but I also believe that any policy undertaken by the president without a popular mandate from Congress risks its long-term success," he said in a statement.

"Congress ultimately controls the government's budget, and the president should seek the active involvement of Congress in developing his policy."

In Crawford, Texas, where Bush is vacationing, White House spokesman Ari Fleischer said White House counsel Al Gonzales advised Bush he does not need congressional authority to go to war with Iraq. Nevertheless, Fleischer said: "The president will consult with the Congress, because Congress has an important role to play."

In his Tennessee speech, Cheney delivered perhaps the administration's most comprehensive argument to date for ousting Saddam, although Bush and his advisers already had made most of the points he offered.

Failing to attack now will only allow Iraq to grow stronger, Cheney said. Forcing Saddam from power would bring freedom to Iraq, peace to the region, boost Arab moderates, cause extremists to rethink violence and help the Israeli-Palestinian peace process, he averred.

Those who say Iraq should be attacked only if Saddam develops a nuclear weapon later would argue, "We cannot because he has

Wading through disaster



Greg Baker/Associated Press

A man guides a raft through flood waters in a street near the Dongting Lake waterfront at Yueyang, in China's central Hunan province on Monday. Water levels have begun to drop on the lake, taking some of the pressure off dikes which protect six cities and dozens of villages in surrounding areas.

a nuclear weapon," Cheney said. That would lead to "a course of inaction that itself could have devastating consequences for many countries, including our own," he said.

The comments reflect growing unease within the White House: Aides acknowledge that Bush's critics are getting the upper hand because he can't make his case for ousting Saddam until he decides when and how to do it.

Congress has just begun exploring whether the United States should attack Iraq. The Senate Foreign Relations Committee held two days of hearings before the August break, and more hearings are expected in the fall in both the House and Senate.

Lawmakers have circulated letters and offered resolutions calling on Bush to seek congressional authorization before attacking Iraq.

Summit opens with demands for serious action on poverty

BY JOSEPH B. VERRENGIA
AP Science Writer

JOHANNESBURG, South Africa

— A glitzy Johannesburg neighborhood was transformed Monday into a massive global development forum, with thousands of delegates opening a U.N. conference on how to protect nature while boosting living standards for billions of the world's poorest inhabitants.

In the opening speech of the conference — which is expected to be the largest in U.N. history — South African President Thabo Mbeki told delegates the world has an urgent obligation to end the apartheid that divides the rich and the poor.

"For the first time in human history, human society possesses the capacity, the knowledge and the resources to eradicate poverty and underdevelopment," he said.

There were a wide range of issues on the agenda — and as many arguments.

Officials from the United States and the European Union were at odds over the usefulness of targets and timetables for issues like sanitation. The EU considers setting specific goals central to the summit's agenda, while U.S. officials say launching projects is more important than documents.

The atmosphere continues to be choked by pollution, a victim of rampant consumerism and the churn of industry as well as desperately poor people draining

their lands of water, topsoil and wildlife just to stay alive.

"A global human society based on poverty for many and prosperity for a few, characterized by islands of wealth, surrounded by a sea of poverty, is unsustainable," Mbeki told delegates at the opening session of the World Summit on Sustainable Development.

Some 12,600 delegates — including government officials, journalists and members of non-governmental organizations — had already showed up by Monday; some 50,000 people were expected to participate by the time the conference ends.

About 20 miles away, a more colorful, but less organized, gathering of activists called the Global Peoples' Forum struggled to gain momentum.

Delegates there sang and danced, waved placards and meditated, while campaigning for everything from better access to clean water to world peace. One sculptor fashioned penguins from ice with a chain saw, leaving them to melt in the sun to represent global warming.

However, the announced keynote speaker, former South African President Nelson Mandela, did not show up. His office said the organizers never invited him.

The government summit is being held in Sandton, Africa's swankiest commer-

cial district of palatial marble-and-glass towers looming over the squalid township of Alexandra, where many people live in the very hopeless conditions the summit seeks to erase.

The summit, being held in a convention center attached to a shopping mall and business complex, was sealed off by concrete barriers and metal fences. An 8,000-person security force is deployed to help prevent the kind of violence seen in past years' international meetings in Seattle and Genoa, Italy.

In the event's first protests, Zimbabwean and Ethiopian opposition activists peacefully demonstrated Monday against their governments.

Organizers expect the biggest protest to take place Saturday, when about 400 groups plan to march from Alexandra to the conference center.

More than 100 heads of state arrive for the summit next week. Many environmental activists have criticized President Bush for not attending. The official list of participating world leaders was not complete, but among top leaders expected were Britain's Tony Blair and Germany's Gerhard Schroeder. Like Bush, Russia's Vladimir Putin is not attending.

By the time the leaders arrive, negotiators hope to have hammered out detailed timetables for tackling problems of ener-

gy, biodiversity, food security, clean water and health care.

Unlike the 1992 Earth Summit in Rio de Janeiro, which opened with two minutes of silence for a "dying" planet, delegates here immediately delved into pragmatic assessments of the world's most pressing needs.

"We must have this sense of urgency that we have no time to lose," summit Secretary-General Nitin Desai said.

Developing nations are trying to extract more aid and greater access to Western markets and technology from the summit. The United States is resisting any new aid targets or timetables, while demanding that aid recipients reduce corruption.

The EU is at odds with the United States, agreeable to binding targets in some areas such as sanitation. According to the United Nations, 2.2 million people in the developing world die each year from diseases associated with lack of safe water and inadequate sanitation.

"Targets with timetables are at the core of our agenda," said EU official Christine Day. "They alone will make the international community accountable for delivering on its promises."

The U.S. delegation has played down the importance of the summit's final documents, saying they were secondary to the potential to launch "results-oriented" projects.



SPORTS

Davenport returns to Grand Slam action, looking good

BY HOWARD FENDRICH

AP Tennis Writer

NEW YORK — Comfortably ahead in her first Grand Slam match of 2002, Lindsay Davenport made a backhand error and responded by kicking the bouncing ball into the photographers' court-side pit.

Her right leg's soccer-style swing indicated two things: Davenport's surgically repaired knee is in working order, and she won't tolerate mistakes on her climb back.

The player many consider the most capable of challenging the Williams sisters' dominance wasn't given much of a test in the first round of the U.S. Open on Monday, eliminating Eva Dyrberg of Denmark 6-2, 6-1.

"I'm just ready to go. I've been waiting to play a Grand Slam all year long. It was a long wait," said Davenport, who finished 2001 ranked No. 1 but was sidelined from November until last month. "I just was so excited to get it going today."

Among those joining the 1998 Open champion in the second round with victories Monday were fifth-seeded Jelena Dokic, No. 8 Justine Henin, and 2000 semifinalist Elena Dementieva. Men's winners included two-time major champion Yevgeny Kafelnikov, French Open winner Albert Costa, No. 13 Roger Federer, No. 25 James Blake, and Michael Chang.

But 25th-seeded Arantxa Sanchez Vicario, who counts the 1994 Open among her four Grand Slam titles, was knocked out by Marion Bartoli 6-3, 6-1.

And Anna Kournikova was booed by fans hoping for autographs when she quickly left the court after committing a whopping 40 unforced errors — nearly one per minute — in a 6-3, 6-0 loss to Angelique Widjaja of Indonesia. Widjaja won without the benefit of a single forehand or backhand winner.

Monday night's schedule featured top-seeded Serena Williams vs. Corina Morariu, and No. 6 Andre Agassi vs. Robby Ginepri.

Players have approached Davenport to say they expect her to step forward to interrupt the Williams sisters' supremacy.

"I just say back to them, 'Well, you could have done it when I was gone,'" Davenport said. "I don't look at it like I'm the one that's supposed to do it. There are 126 other players in this draw. The responsibility is shared equally."

She spent nine weeks on crutches after her operation in January, then endured months of rehabilitation that included eight hours a day using a machine that repeated-

ly bent and straightened her right knee.

Davenport also changed her diet and appeared fit against Dyrberg, who's ranked 82nd and is 0-4 in Grand Slam matches. The fourth-seeded Davenport trailed 2-1, then reeled off nine straight games. She dropped just three points — two on double faults — on her serve in the first set of the 43-minute victory.

The American showcased bits of brilliance: serves topping 100 mph, a nifty backhand lob, a few successful trips to the net, strong service returns off both wings.

And she delivered groundstrokes with the oomph of old. It seemed as if someone were pushing Dyrberg backward, the way she flopped around behind the baseline, unable to handle Davenport's power.

"I'm just ready to go. I've been waiting to play a Grand Slam all year long. It was a long wait. I just was so excited to get it going today."

— LINDSAY DAVENPORT
Pro tennis player

The first real challenge for Davenport might not come until the quarterfinals, where she's slated to meet Dokic. Serena Williams could await the winner.

The 26-year-old Davenport has lost to a Williams at each of the past three Opens: Serena in the 2001 quarterfinals and the 1999 semifinals, and Venus in the 2000 final. Davenport, though, beat Venus in the 1998 semifinals en route to the title.

While Davenport and another former No. 1 player recovering from surgery, Martina Hingis, were sidelined, Serena and Venus Williams met in the last two Grand Slam finals and climbed to 1-2 in the rankings.

The sisters' games are built on power and speedy court coverage. The 6-foot-2, 174-pound Davenport can match the former, if not the latter.

Still, U.S. Fed Cup captain Billie Jean King says, "She's one of the only ones who can really compete with the Williamses." The Open is Davenport's fifth tournament of her comeback. She reached the semi-



Kathy Willens/Associated Press

Above: Lindsay Davenport of the United States reaches out to make a return against Eva Dyrberg of Denmark in their first round match at the U.S. Open tennis tournament in New York on Monday.

Below: James Blake reaches out to return the ball against Brian Vahaly during the first round of the U.S. Open tennis tournament on Monday in New York.

nals in the first two, and the finals in the last two. Two losses came against Venus Williams, including in the title match at New Haven, Conn., on Saturday.

Asked what it will take to get her game and confidence back to the level that

brought her three major titles, including Wimbledon in 1999, Davenport said: "I don't know if it will take beating a Williams or a very top player to get me going, or if it takes winning some more tournaments. But I'm not there."

Major League Baseball owners await players' moves

BY RONALD BLUM

AP Sports Writer

NEW YORK — Just four days before baseball players were scheduled to strike, the sides weighed their next moves Monday in the drawn-out negotiations for a new labor contract.

Owners made small steps to the union in their latest offer Sunday, and it appeared the next move was up to the players' association, which didn't immediately respond to the new proposal.

The sides met once Monday afternoon, and it was possible they would meet again at night, spokesmen for players and owners said. With the sides bickering over how to divide billions of dollars in the next four seasons, baseball remained faced with its ninth work stoppage since 1972.

"My sentiment hasn't changed — I'm an optimist by nature," New York Yankees player representative Mike

Stanton said. "There are proposals from both sides and concessions from both sides. Albeit small, a concession is a concession."

Negotiators for players and owners were not available for comment after the day's first session.

Owners want vastly increased revenue sharing and a luxury tax to slow the spending of high-payroll teams. Players have agreed to revenue sharing increases, but proposed a lower level than management and asked to phase in the changes, which management opposes.

On the luxury tax, owners want higher tax rates and lower thresholds than players. Owners regard the union's proposal as ineffective and players think management's plan would act like a salary cap.

Owners increased the tax threshold Sunday from \$102 million to \$107 million in the first three years of the new contract and to \$111 million in 2006. The portions of payrolls above that figure would be taxed, using the average annual value of 40-man rosters plus about

\$7.7 million per team in benefits.

Players have proposed thresholds of \$125 million next year, \$135 million in 2004, \$145 million in 2005 and no tax in the final season of the deal — another big point of contention.

Owners gave proposed tax rates of 35-50 percent, depending on the number of times a team exceed the threshold, while players have proposed rates of 15-40 percent.

As for revenue sharing, owners proposed that teams share 36 percent of their locally generated revenue, up from 20 percent this year. The teams' previous plan was 37 percent, and the union moved up to 33.3 percent in its Saturday proposal.

The owners' plan would transfer \$263 million annually from baseball's richest teams to its poorest, using 2001 revenue figures for analysis. Because the union's proposal phases in changes, the players' proposal would transfer \$172.3 million in 2003, \$195.6 million in 2004, \$219 million in 2005 and \$242.3 million in 2006.



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Classified Advertising 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. **TYPOS**: 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 pre-paid. 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 1427 Third Street Promenade, Ste. 202. **OTHER RATES**: For information about the professional services directory or classified display ads, please call our office at (310)458-7737.

Calendar

Tuesday, August 27, 2002

Loews Broadway Cinema

1441 Third St. at Broadway
Blue Crush (PG-13) 11:15, 1:00, 2:20, 3:45, 4:45, 6:30, 7:30, 9:15, 10:15, *Blood Work* (R) 11:00, 1:45, 4:30, 7:15, 10:00, *Simone* (PG-13) 10:45, 1:30, 4:15, 7:00, 9:45.

Mann Criterion

1313 Third St.
The Adventures of Pluto Nash (PG-13) 8:15, 10:30, *Minority Report* (PG-13) 11:50, 3:15, 7:10, 10:20, *Austin Powers in International Man of Mystery* (PG-13) 11:30, 2:00, 4:40, 7:15, 9:45, *My Big Fat Greek Wedding* (PG-13) 11:40, 2:10, 4:50, 7:20, 9:50, *XXX* (PG-13) 12:00, 12:30, 3:30, 4:00, 7:00, 7:30, 10:00, 10:35, *Little Secrets* (PG) 12:15, 3:00, 6:00.

AMC Theatre SM 7

1310 3rd Street
The Bourne Identity (PG-13) 4:55, 9:35, *Signs* (PG-13) 1:30, 3:15, 4:15, 5:45, 7:05, 8:15, 9:40, *The Master of Disguise* (PG) 2:00, 7:30, *Road to Perdition* (R) 1:20, 4:25, 7:10, 9:55, *K-11: The Widowmaker* (PG-13) 7:00, 10:00, *Spy Kids 2: The Island of Lost Dreams* (PG) 1:55, 4:35, 7:00, 9:25, *Serving Sara* (PG-13) 1:45, 4:45, 7:20, 9:50, *Stuart Little 2* (PG) 1:00, *Undisputed* (R) 1:05, 3:20, 5:30, 7:45, 10:00.

Landmark Nu-Wilshire

1314 Wilshire Blvd.
The Kid Stays in the Picture (R) 12:15, 2:30, 4:45, 7:15, 9:30, *Mostly Martha* (PG) 11:00, 1:30, 4:15, 7:00, 9:45.

Laemmle Monica

1332 2nd St.
Tadpole (PG-13) 1:45, 3:45, 5:45, 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.
Lovely and Amazing (R) 5:30, 7:30, 9:30.

Today

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.

Music / Entertainment

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.

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.

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.

The Joint, 8771 W. Pico Blvd., W. LA. One of the most exotic rooms in the local rock-facility pan-

theon. Pizza. Cover \$10 - \$5. Full bar. Over 21. (310)275-2619.

Wednesday

Community

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

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Cara Rosellini hosts The Gaslit's Comic Review, followed by open-mic comedy karaoke, at The Gaslit, 2030 Wilshire Blvd. 7:30 p.m. FREE! (310)829-2382.
Poetry N Go Club, 8 pm. UnUrban Coffeehouse. 3301 Pico Blvd., Santa Monica, (310)315-0056.

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

Insurance policies offered to cover expenses of ID theft

BY CARRIE SPENCER

Associated Press Writer

COLUMBUS, Ohio — The thieves who stole Amy Jo Sutterluty's identity spent \$70,000 in her name. They also took her time: a month to close 15 fraudulent accounts.

Insurance policies to cover her out-of-pocket expenses for phone calls and legal battles didn't exist back in 1998 — when she was victimized — though she wish they had.

"Having been through it, I would say it's well worth the \$25 rider," said Sutterluty, an associate professor at Baldwin-Wallace College.

Still, experts have mixed feelings about the growing number of companies that offer such coverage.

Travelers Insurance of Hartford, Conn., first offered an identity theft policy in 1999. Cincinnati Insurance Cos. and Columbus-based Grange Insurance are among those that since have added the coverage, usually as a rider to a homeowner's policy.

The product has been slow to take off, being added to 1 percent or less of policies, and few if any claims have been filed, representatives of the companies said.

The insurance covers expenses to restore credit — copies, mail, calls, time lost from work, even attorney fees. Premiums range from \$10 to \$40 for up to \$25,000 in cov-

erage; most policies have a \$100 or more deductible.

"It's not one phone call to these companies, it's a dozen phone calls, it's a dozen letters," said Linda Foley, a victim and director of the San Diego-based Identity Theft Resource Center.

The Department of Justice estimates there are 500,000 to 700,000 identity theft victims a year. The Federal Trade Commission told Congress this year that the frequency and cost of the crime is growing.

"Given the occurrence and risk of identity theft, and given the real inexpensive nature of this coverage, consumers would be well served to carefully consider getting this kind of coverage," said Todd Boyer, spokesman for the Ohio Department of Insurance.

Victims have testified before Congress that they must cancel a fraudulent account several times because collection agencies keep reopening the cases. Some have lost jobs because of criminal charges filed against the person using their identity, the FTC reported.

Foley said insurers might go after banks that issue instant credit without checking the birth date or address associated with a Social Security number, or collection agencies that reopen cleared cases.

"They're going to force these corporations to adopt these better business practices," she said.

Sutterluty, 37, said she spent about 200 hours calling creditors, police and other agencies. Expenses were about \$800, she said, but that could have swelled to \$7,500 if an attorney friend hadn't provided free help.

"I am certain that if I did not have the summer off, I would have had to take at least 10 days vacation," Sutterluty said.

Insurers and advocates often quote a May 2000 study saying victims spend an average 175 hours and \$808 on legal problems. The study was based on 66 victims who called the California Public Interest Research Group.

About 94,100 victims called the FTC's identity theft hotline from November 1999 through September 2001. More than 80 percent gave no financial information. About a thousand, or 1 percent, reported spending \$1,000 or more trying to restore their credit.

Because of such uncertainty, not everyone is a fan of the insurance.

"You should save your insurance dollars for things that are catastrophic in nature and not just pesky," said Bob Hunter, insurance director for the Consumer Federation of America.

Insurance may cover the costs but doesn't end the "nightmare" of restoring credit, said Mari Frank, a California attorney and victim advocate.

Three deaths reported after routine plastic surgery in Florida

By The Associated Press

MIAMI — Three patients have died since 1997 following routine cosmetic surgeries at a south Florida clinic, the latest one this month, records show.

Olga Myers, 42, of Hollywood, Fla., died Aug. 7 when taken off life support. She had been in a coma for a week after undergoing a face lift and eye job from Dr. Alton E. Ingram Jr. at the Cosmetic Surgery Center in Hollywood.

Ingram has since left the clinic and has declined to comment on the case, citing doctor-patient confidentiality.

The clinic's director, Dr. Richard Edison, was out of the office Monday, but an employee at the center said he has no comment.

Different doctors performed the two other procedures at the clinic that involved patients who later died.

Ronald Jones went to the clinic for an eyelid job in 1997 so his glasses would fit

better, but stopped breathing while under heavy sedation during the procedure.

Jones' family sued Edison and the clinic in 2000. Court records include an affidavit from an expert witness that Jones was not being monitored by an anesthesiologist or a certified registered nurse anesthetist during the surgery.

Jeanette Mordica went into cardiac arrest in a recovery room after a 1997 tummy tuck. She died of a blood clot in her lungs. A civil jury later cleared Edison

in her death, her husband said.

In Myers' case, a three-page report filed with the state by Ingram shows that two registered nurses assisted the surgery, but neither were anesthesiologists.

The president of the American Society of Plastic Surgeons said three deaths at one clinic over five years is unusual. The industry's fatality rate is about one in 50,000, said Dr. Ed Luce, chief of plastic surgery at University Hospital of Cleveland.

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