

Santa Monica Daily Press

A newspaper with issues

DAILY LOTTERY

SUPER LOTTO

17 18 28 33 39
Meganumber: 19
Jackpot: 7 Million

FANTASY 5

15 39 21 11 37

DAILY 3

Daytime: 7 2 3
Evening: 9 9 8

DAILY DERBY

1st: 01 Gold Rush
2nd: 07 Eureka
3rd: 04 Big Ben

RACE TIME: 1:44.23

NEWS OF THE WEIRD

BY CHUCK SHEPARD

■ Games Floridians Play: Shannon Kramer, 35, was hospitalized with serious burns after (according to police) trying to toss a lighted firework at his girlfriend from his car during an argument; however, he overestimated the burn time, and it went off in his hands (Jacksonville, Fla., March). And Aravis Walker, 23, was killed when his car exploded during a session in which he would light fireworks and toss them out the window at passersby; one of the fireworks didn't clear the window but ricocheted to the back seat, where it ignited the rest of Walker's fireworks.

■ In July, a transit system police officer in Washington, D.C., arrested, handcuffed and searched Stephanie Willett, 45, an Environmental Protection Agency scientist, detaining her at a police station for about three hours because she was finishing up the chewing of her PayDay candy bar inside a Metrorail station, in violation of the no-eating rule. Transit officials pointed out that Willett had been warned by the officer a minute before not to enter the station while eating the candy bar, but she thought if it was completely in her mouth as she walked in, she was safe..

QUOTE OF THE DAY

"My music is best understood by children and animals."

IGOR STARVINSKY (1882-1971)

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Crill Hansen/Special to the Daily Press

A group of kids play their day away on Wednesday at Clover Park.

Chamber urges to up the ante

By Daily Press staff

SIXTH STREET — The local chamber of commerce has thrown its support behind both a \$135 million bond measure and a tax increase on hotel rooms, both of which will be decided on by voters this November.

The Santa Monica Chamber of

Commerce Board of Directors recently endorsed the multi-million dollar bond introduced by Santa Monica College a few months ago. If approved by 55 percent of city voters, the bond will provide for the construction and upgrades to several buildings at SMC, new open space in Santa

See CHAMBER, page 7

Sax great Clemons to headline Twilight's swan song

By Daily Press staff

Summer is drawing to a close and, tonight, so is the weekly Thursday Twilight Dance Series.

The featured artist is Clarence Clemons, whose career spans three decades. Clemons is widely known for the distinctive saxophone sound that he has con-

tributed to bands such as his own Red Bank Rockers, the Jerry Garcia Band, The Grateful Dead, and Ringo Starr's All Starr Band. However, for the past 20 years he has been most widely revered as a star member of Bruce Springsteen's E Street Band, which some deem the greatest rock 'n' roll band in the world.

Fundraiser guilty of bilking school to turn himself in

BY CAROLYN SACKARIASON

Daily Press Staff Writer

A celebrity fundraiser who bilked a private school in Santa Monica out of more than \$500,000 will turn himself into authorities this month.

Aaron Tonken was sentenced last week to 63 months in prison for his scheme to defraud donors and underwriters in connection with his promotion and production of charitable events. United States District Court Judge Dale S. Fischer ordered Tonken to pay approximately \$3.8 million in restitution to his victims, and placed

him on supervised release for three years. Tonken was ordered to report to United States Marshals, who will designate a correctional institution for him on Sept. 22.

Tonken, who faces separate civil lawsuits with similar charges, pleaded guilty on Dec. 9, 2003, to mail and wire fraud for setting up elaborate charity fundraisers, and then keeping profits for himself. He has since filed for bankruptcy.

Westside Waldorf School on Fourth Street is one of the victims named in a civil suit, which was levied by the State of California Attorney General's Office this

See CHARITY CASE, page 6

Surf and turf: PCH a dangerous divider

BY GENEVA WHITMARSH

Daily Press Staff Writer

PCH — Rich Sproul is a self-described risktaker of a surfer who braves crushing waves on a regular basis. But the one thing that truly frightens him? The dart he must make across the Pacific Coast Highway each time he parks his car and heads for the ocean.

"I've almost been hit at least 20 times by people who are on the white line or a little over it," said Sproul, 45 and a Santa Monica resident. "I'm not scared of much, but that highway does scare me."

Sproul is one of hundreds of pedestrians who routinely park along the highway, then dodge

traffic to get to the beach. It's a risk he says is worth the reward, as the waves along the coastline are widely known for their appeal to surfers.

There haven't been any accidental pedestrian-vehicle collisions this year in the area from Topanga Beach to Mulholland Highway, according to officials at the Los Angeles County Sheriff's Department Lost Hills station. Last year, there were four accidents, with alcohol considered a contributing factor in two of the mishaps.

But earlier this week, Sproul happened upon a vehicle-pedestrian

See ROAD RAGE, page 6



Clarence Clemons

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Eddie Guerboian

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Do something fun, Virgo!

JACQUELINE BIGAR'S STARS The stars show the kind of day you'll have:

*****-Dynamic *****-Positive ***-Average **-So-so *-Difficult



♈ ARIES (March 21-April 19)
 ***** You could feel uptight when dealing with others. Don't. Discussions open up, and your creativity flows even more. Avoid overindulging, which might be your nature right now. Brainstorm and get your life and day moving. Tonight: Your treat.

♉ TAURUS (April 20-May 20)
 *** Finally, you gain some insight into a family member. This person often leads you to fun and celebration. Curb spending if possible. An expenditure might please you and add to the enjoyment of your home. Tonight: Use that animal magnetism.

♊ GEMINI (May 21-June 20)
 ***** Use the morning and your charm to gain more of what you want. You naturally feel better and decide that you can talk and open up. Indulgence occurs because of relief. Leave work as soon as possible, even if you take work home. Tonight: A personal night.

♋ CANCER (June 21-July 22)
 ***** You drive a hard bargain, though with that smile on your face you know what you are doing. Use your midday break to buy some cards for a loved one or friends in general. Let someone know how much you appreciate him or her. Tonight: Celebrate.

♌ LEO (July 23-Aug. 22)
 ***** You might need to clear the air with friends. Also, stabilizing your checkbook helps you gain a better sense of self-control. You might be in the mood to spend money on an image change. Talk about ways of gaining professionally. Tonight: Work late.

♍ VIRGO (Aug. 23-Sept. 22)
 ***** Your ideas might need some backing up. Present your ideas with hard, cold facts. Someone might deny you funds or extra money. Take a stand, but don't assume control. A discussion might be a bit wild, though you understand someone better as a result. Tonight: Choose something different.

♎ LIBRA (Sept. 23-Oct. 22)
 ***** Others seek you out. You sigh with relief as you come to the end of a confusing period. Make calls. Start thinking about a trip, workshop or an experience that will open up your mind. An associate stands by you. Tonight: Discuss possibilities with someone you care about.

♏ SCORPIO (Oct. 23-Nov. 21)
 ***** Finish work. A partner and a request during a meeting help you clear out even faster than you thought. Willingly discuss ideas with a family member who understands you. Return calls later in the day. Tonight: Be among the crowds. Follow another's suggestion.

♐ SAGITTARIUS (Nov. 22-Dec. 21)
 ***** Your imagination helps soothe others' anxieties. You quickly find solutions. Others come forward and become more helpful. Problems surround relationships and those in charge. Take your time clearing the air. Tonight: Do something nurturing for yourself.

♑ CAPRICORN (Dec. 22-Jan. 19)
 ***** Lie low during the day and watch work-related matters unfold. You finally get facts and only facts to deal with. Detach and view a developing situation. Avoid getting involved if possible. Tonight: Start your weekend early.

♒ AQUARIUS (Jan. 20-Feb. 18)
 ***** A difficult partner now opens up. In fact, others in general reveal more of what might be ailing them. Keep conversations going, without making a judgment, for now. What you hear in the next few days makes sense. Tonight: Head on home.

♓ PISCES (Feb. 19-March 20)
 ***** You still might be fidgeting with your finances. Use care when involving others in your personal business. A change involving your home becomes a possibility. You cannot help but relax and ease up. Tonight: At a favorite spot.

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LOCAL



Conventional wisdom: Of whirlwinds, loopholes

BY MARK WRIGHTON

Special to the Daily Press

The 2004 Republican National Convention shifted into high gear on Tuesday as the focus moved from foreign to domestic policy. Another sign of the convention's faster pace was the sharp increase in the number of places I wanted to be at any given time. Of course, by this I mean the number of receptions and parties honoring various party dignitaries.

As a member of the New Hampshire Republican Party (but hiding behind the "undeclared" label available in the Granite State), I have access to the breakfast and social events given for the delegation throughout the week. The state's status as a 2004 presidential battleground and its first-in-the-nation presidential primary encouraged visits to the New Hampshire events from prominent party members — some of whom just might be thinking about a run in 2008. Senate Majority Leader Bill Frist (Tenn.), Sen. Chuck Hagel (Neb.) and New York Gov. George Pataki have spoken to the delegates. Many state delegations will see none of these officials at all this week.

Tuesday afternoon found me facing a choice among three places I wanted to be. I was interested in seeing George H. W. Bush and George P. Bush at a reception put on by the Hispanic Alliance for Progress Institute at the Roosevelt Hotel; the NASCAR reception at Chelsea Piers and the American Association of Political Consultants event at The Loft in Midtown. I opted to see the 41st president of the United States and went to the Roosevelt Hotel.

The reception was in an ornately-decorated and spacious ballroom of the Roosevelt Hotel. Before the former president and his grandson spoke, the emcee exhorted us to thank the corporate sponsors (after all, the watered-down sangria did not just magically appear).

This — and similar episodes at other events this week — prompted me to consider the cost of the convention, the supporting events, and campaigns in general.

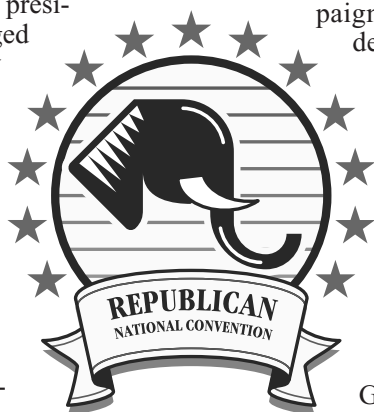
In the political system, there is angst about the cost of elections and the alleged influence of money. Some believe that the Bipartisan Campaign Finance Reform Act of 2002 (BCFRA) actually made great strides in limiting the influence of money in elections. The enormous costs of the convention go a long way toward contradicting that belief, however.

According to the Campaign Finance Institute (www.cfinst.org), the Democratic convention cost \$65 million, and the Grand Old Party here in New York \$110 million. Combined, the parties raised a little more than \$100 million of the cost from private contributors, which is up from about \$9 million in 1992. A ruling by the Federal Election Commission created this "loophole" in campaign finance rules. Thus, despite BCFRA's best efforts to ban "soft money" contributions to the parties, private interests have a means to continue to contribute large sums to the parties' efforts.

But one must also remember the hundreds of parties and receptions being held throughout Gotham this week. Whether someone will think more highly of corporations, or work to provide them with government "goodies" as a result of these parties is a point for debate. Some are concerned with the surface appearance of impropriety while still others worry about the access and influence gained by sponsorship of these events. Others might just scratch their heads and wonder if anyone can actually be bought with a couple of glasses of watered-down sangria.

Despite reformers' best efforts to choke the supply, money always finds a way into the political world. Most times, reform efforts geared toward removing the influence of money in the system actually lead to more of it floating around in unanticipated ways. True reform will come, not by eliminating money from the system, but by sending more men and women of incorruptible integrity to office.

(Mark Wroughton is spending the year in Washington as a congressional fellow. He can be reached at Cajunman@aol.com).



SURF REPORT

Expect 2-3 ft.+, knee- to chest-high sets, occasionally 4 ft. and poor-fair conditions.

The southerly swell mix really backs down by Thursday, although it looks like we will start to see some small increases in local NW windswell through the day. Most spots will hold in the ankle-waist high range while the well-exposed standouts see some bigger sets.

Today the water is:

70°

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HIGH TIDES

	Morning	Height	Evening	Height	Morning	Height	Evening	Height
SATURDAY	- 1:42	1.0	1:42	0.3	7:32	4.5	8:03	5.2
SUNDAY	- 2:21	0.3	2:12	0.4	8:20	4.5	8:28	5.7
MONDAY	- 3:01	-0.4	2:44	0.7	9:09	4.5	8:58	6.1
TUESDAY	- 3:44	-0.1	3:17	1.1	9:59	4.3	9:31	6.4
WEDNESDAY	- 4:30	-1.3	3:51	1.5	10:52	4.1	10:08	6.5
THURSDAY	- 5:20	-1.4	4:29	1.9	11:52	3.7	10:49	6.4
FRIDAY	- 6:16	-1.3	5:12	2.3	1:02	3.5	11:37	6.1

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The Q Line

Some 2,500 delegates descended upon New York City this week for the Republican National Convention.

Pre-convention polls showed the race to be evenly split, as Democratic challenger John Kerry has lost some of the steam garnered in Boston a month ago. Candidates traditionally enjoy a bounce in popularity immediately following conventions. A Time magazine poll suggests that Bush has gained ground on Kerry on the

economy and Iraq.

This week, Q-Line wants to know, "Do the national conventions typically affect the way you vote? Can President Bush's speech sway you one way or another in light of your current leanings?"

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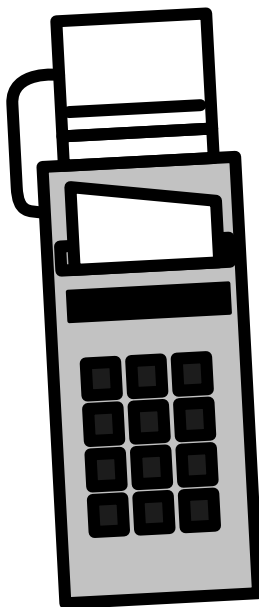
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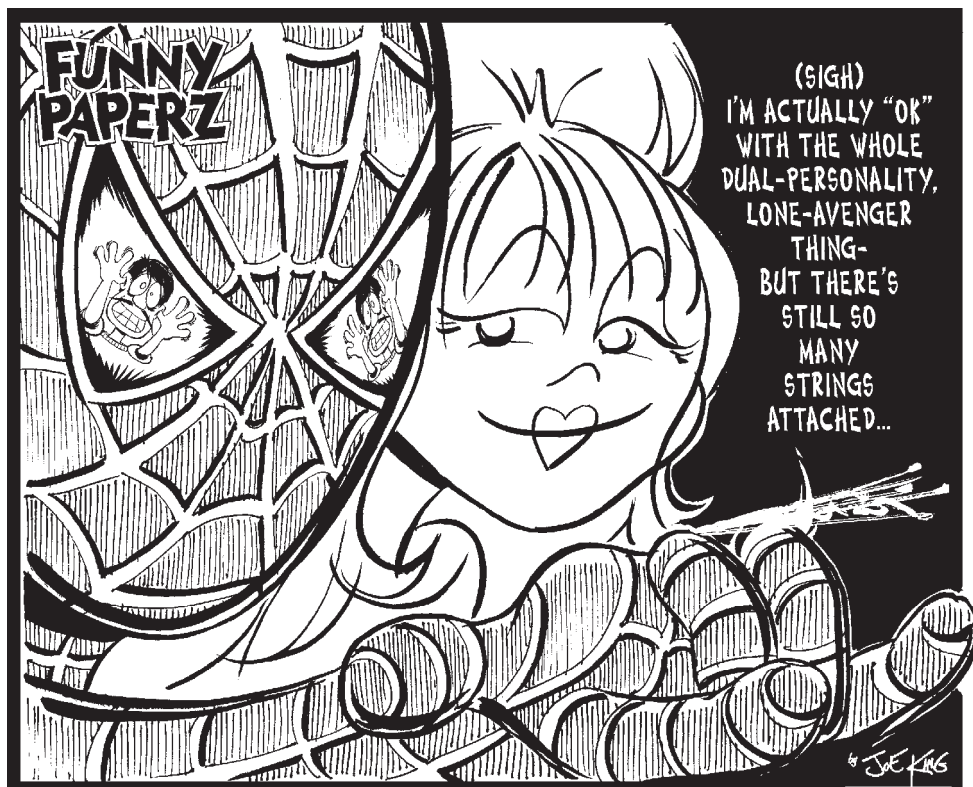
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OPINION



NEIGHBORHOOD WATCHERS: Get in touch with your inner Hero! © 2004 WWW.FUNNYPAPERZ.COM

LETTERS TO THE EDITOR

This bud's for you

Editor:

On behalf of all the staff of Silvercrest, the Salvation Army Senior Residence in Santa Monica, I would like to extend a special thank you to the following people who have so generously donated plants, pots, soil and compost to the refurbishing of our courtyard. It has meant a great deal to me to see my dream of turning this area into a place of peace and beauty actually happening. The flowers that now grace the planters bring smiles to the faces of the residents as they explore the courtyard to see the progress as it takes shape.

Although there is still a lot to do and more generous donations needed to finish the job, I want to acknowledge the people who have been the means for making this project happen, for without them this would not have been possible:

Tom Givvin of the Marina Del Rey Garden Center; Debbie Stone of the Malibu Gardens; Majors Cal and Glenda Prouty, Silvercrest Administrators; and Pirooska Mohos, a Silvercrest resident.

And to all the Silvercrest residents who have dug into their pockets to donate money towards the project. It uplifts my spirit to receive such generosity from the people in our community.

Eunice Scott
Santa Monica

Thank you, Officer Joe

Editor:

Regarding the article "Officer Joe Analco: From the streets to the beat" (SMDP, Aug. 23, page 1), I am writing this editorial in response to the outstanding interview with Officer Joe. Over the many years, the youth of the community heard the ice-breaker of Officer Joe's change of path — Officer Joe stole a vehicle never car-jacked.

Thank you, Officer Joe, for almost two decades of heartwarming real life scenarios to the government students of Olympic High School.

Officer Joe, you still visit my classroom at Olympic High School daily. You ask, "How so?" I will tell you.

Anytime I hear a student using profanity in my classroom, I only have to say, "Excuse me," and they respond, "What code did we violate, Ed. Cd.48900 I?" "Oh, they respond." Thank you, Officer Joe.

When a student shares with me that they think they were treated unfairly, I respond, "Some people are the letter of the law and some are the spirit of the law, just learn to work with the person." Thank you, Officer Joe.

On Sept. 11, you again visit my room when the music of Ray Charles echoes "God Bless America." Thank you, Officer Joe.

Thank you for all the years of enriching my government class. You again visit my room when the students are seated in their seats at the beginning of second period waiting for the start of our successful criminal justice class at Olympic that you were instrumental in creating.

Thank you, Officer Joe, for the wonderful partnership between Olympic and SMPD.

Thank you for telling me I have potential.

But most of all: Thank you for your friendship.

Marcia Gecht
Olympic High School

Republicans stack deck in NY with nines, elevens

NEWS ON THE EDGE

BY RON SCOTT SMITH



I think they heard from us. As old buddy Toby Keith might say, "we put a boot up somebody's ass." Yee haw.

"And they will continue to hear from us," said Rudy Giuliani, bursting with bravado on Monday night, as he revisited the now-famous words shouted through a bullhorn from atop the rubble at Ground Zero in response to the worst attack ever on American soil. A nouveau-American hero of sorts because he happened to be mayor of New York one black September day, Rudy pulled the wild card out of a stacked deck and dealt it all around Madison Square Garden to kick off the Republican National Convention in a city that took the brunt of it on the day that changed everything. He served notice that the high-stakes game for leadership of America will be played with the GOP holding a full house, nines over elevens.

What 9/11 changed, as much as anything, was the political life of one George W. Bush, who takes the podium tonight in an attempt to seal the deal with America for another four years, based on nothing so much as the fact that, similar to Rudy's political fortune, he happened to be President of the United States of America on that fateful day. In an exclusive interview with conservative caricature Rush Limbaugh — someone no leader of any free world should ever associate himself with — Bush admitted earlier this week that "9/11 is the defining moment of my presidency."

He'd do well tonight not to mention how the defining moment of his presidency began — sitting in front of a classroom of elementary schoolchildren, already aware that a jetliner had crashed into one of the World Trade Center towers, the President was reading along with them a story about a goat when Chief of Staff Andrew Card walked over and whispered into his ear that "a second plane hit the other tower. America is under attack, sir."

The Commander-in-Chief took a moment to absorb the news, then another ... and another. He took many more moments to absorb it, in fact. It's hard to say what part of "America is under attack, sir," was so hard to get. Maybe it was the "sir." Whatever, our man in charge sat in that chair and continued to read about that goat for a full seven minutes before springing into action. Like Ari Fleischer, the White House press secretary during the first two Bush years, said at the convention this week, "You never really know about a leader until a crisis hits."

They try to sell the freeze-up as an example of his compassionate leadership

— that he sat like a stone while a third plane was diving into the Pentagon because he didn't want to risk scaring the kids. Do you think something like, "Sorry, kids, the President's got something real important to do," might have worked? The kids would have been all right. The Pentagon, it turns out, wasn't.

Those in Madison Square Garden tonight would tell you Bush made up for the seven-minute brainlock by taking out Afghanistan and Iraq quicker than you could spell them, and by putting the whole rest of the world on a constant danger alert far more severe than our highest red. Throughout the Garden, banners and placards have reassured us that we are "A Nation of Courage," something too easily lost in the realization that we wage one-sided, pre-emptive war against helpless nations because we're afraid they might do something someday that might hurt us.

For a gang that detests Hollywood, the GOP has leaned on it a little this week. They pulled out one of Tinseltown's finest, our own Governorator, to tell us on Tuesday "why-you-are-a-Republican-but-just-don't-know-it-yet." It sounded like he was saying you're Republican if you like war, greed and Hummers, but it may have just been the accent.

And it's been learned from reliable sources that the opening line of the Bush acceptance speech tonight will borrow from a memorable Hollywood acceptance speech of yesteryear. "You like me, you really like me," he will say, perhaps surprised that polls across the nation show him pulling out in front despite a presidency that slowly but surely yields disaster after disaster. His proudest domestic achievement — huge tax cuts for the wealthiest in the midst of a money-burning war of his own making — has led the nation into record debt, while the number of Americans living in poverty has increased during all three years of his leadership.

He will be the first President in 75 years to end his term with less Americans employed than when he began, as the only occupation for jobless millions in this country is the deadly, bottomless occupation they see in Iraq on TV, resulting from a half-baked rationale for rushing to unnecessary war. And Bush himself admitted this week that his signature "war on terror" is not winnable. Not surprisingly, respect, support and good will for the United States around the world continues to ride off into the sunset.

Even the President's father admitted as much in a mid-convention interview. The elder Bush said, "Yes, there is a diminishing regard for America, but that will be redeemed by a change of people."

He didn't say which people.

(Ron Scott Smith can be reached at edgeofthewest@aol.com.)

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OPINION



Walking tour of LA life provides needed lessons



INSIDE OUT
BY AMY PERRITT

I have now lived in Southern California for just over a year. Santa Monica to be more precise ... and I love it.

The sun comes out almost every day and there are a variety of beaches — all just around the corner. More importantly, from the strangers who nod and say hello during early morning runs to the police officer who issued me a \$142 driving ticket a few months ago — Santa Monicans have been incredibly friendly.

And the night I experienced the Santa Ana winds for the first time, I decided I was home. I was walking along 21st Street and every block or two the air would stir from the familiar cool summer breeze to an engulfing sauna-like warmth. It was truly magical.

But while it didn't take me long to settle in Southern California, there were four important destination secrets I had to learn along the way.

■ Buy a car for each person in the household and don't always rely on cabs.

Friends warned us but we didn't really listen. Even before leaving Canada they said: "It's a driving town." During our farewell party, they said: "Apparently people in California use their car even if they're only going two blocks down the road." My husband and I, who at the time mostly commuted by subway and bus rather than driving our leased car, just laughed.

We arrived in Santa Monica and proudly purchased our first car knowing that there was always the bus. Rumor had it there was also a subway in Los Angeles. (Although still to this day no one we have met seems to know anything about it).

For six months we drove each other to work, coordinated schedules to grocery shop and walked a lot — just as we did in Canada.

But our tightly-scripted routine started to go down hill when colleagues didn't know if they should invite me to join them for after-hours drinks or not because I walked to and from work. And, one morning I waited 20 minutes for a cab that never came, and then walked nearly two miles to a doctor's appointment after realizing too late that there are in fact no taxi cabs to hail on Santa Monica's streets.

I tried a new strategy.

"What's the number for the cab company you use?" I asked a colleague one afternoon when I had a meeting to get to.

"I can't remember off-hand. Who needs one?"

"I do." I looked over at her impatiently. Along with the regular pizza delivery number, I was sure everyone could recite the main cab company digits.

"For what?"

"I need to get to a meeting down on the Promenade and I'm late."

"Hmm... I've only taken

them to the airport. I didn't know people could get cabs around here."

■ Have small bills with you at all times. Valet parking is everywhere.

It took me at least two months of driving around looking for parking spots before I realized valet parking was offered pretty much everywhere you go. But just when I thought I got it, I drove into the parking lot behind Koo Koo Roo.

A valet attendant greeted me at the entrance.

"Hi," I said surprised. "I'm just running in to buy a wrap. I can park my car." I looked around at all of the available parking spots.

"Well, where are you going to park?" "Right there." I pointed to the one just 10 yards away.

"OK," he shrugged. I parked my car and smiled guiltily as I passed him on my way into Koo Koo Roo, wanting to tell him that I came from a place where his services were only offered at hotels.

■ Get your brows waxed and nails done, but remember there's no turning back once you do.

I was self-righteous at first. In fact, I thought it was awfully indulgent of my new friends to have their nails done every week or two. And they always seemed to be going to appointments to get their eyebrows waxed. Had no one ever heard of tweezers? Did Californians not save spa treatments for Valentine's Day gifts? I wondered where I had moved to.

But it didn't take long for me to cave. I told some colleagues about the cosmetician who had said my eyes were too close together. A woman with a cubicle near mine said she knew just the solution and proceeded to e-mail me the name and number of the woman she went to have her eyebrows done.

Today, I'm afraid to use my tweezers, which have started to rust anyway. My cuticles scream in irritation if I skip a manicure and my once strong, weathered feet that could withstand any hot pavement no matter the time of day, now slide around in my flip-flops because they're so soft.

■ Add 30 minutes on to any drive you're taking.

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(Amy Perritt can be reached at aperritt@hotmail.com)

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LOCAL

Fraudulant fundraiser expected to turn 'self in

CHARITY CASE, from page 1

past March. The local, 170-student private school was forced into an economic crisis three years ago after Tonken arranged for a major donation from the Cynthia Gershman Foundation that never fully came through, officials said.

Tonken, who has offices in Beverly Hills, allegedly brought two donors to the school in January of 2001 — Cynthia Gershman, a trustee of the Cynthia Gershman Foundation, who signed a pledge to Waldorf for \$650,000, and Loren Arbus, who agreed to put on four annual fundraisers.

After paying Tonken for arranging the donation and putting forward a good-faith deposit, the school was left hanging. Waldorf ended up having to foot the bill for vendors at one of the fundraisers that was meant to be donated by Arbus, officials said.

And shortly after the first event fell apart, Gershman withdrew her “irrevocable pledge,” which sent the school further into an economic tailspin. Gershman didn’t provide any reason for the change of heart, school officials said.

A civil lawsuit also has been filed against Gershman, with Waldorf as one of the plaintiffs.

Jeffrey Graham, the director of Waldorf, said while the school is still reeling from the financial loss, it is recovering well.

“If we were to get any money back from this lawsuit it would provide us with part of the capital to develop more programs,” he said, adding Waldorf recently opened an early childhood center on 15th Street. “We are not distracted by the case or the promise of moving ahead in building a stronger community school.”

Waldorf School is just one of many organizations and individuals Tonken allegedly defrauded, according to prosecutors. Among them are fundraisers with Diana Ross, Milton Berle and the cast of the television program “Ally McBeal.”

In the state’s civil suit, prosecutors allege Tonken took more than \$1.7 million from Waldorf, charities supported by former President Bill Clinton, comedian Whoopi Goldberg, and actors Michael J. Fox and Michelle Pfeiffer, among others.

The civil lawsuit, which seeks a permanent injunction

barring Tonken and the other defendants from fundraising or disbursing donations, is for \$1.7 million in general damages, civil penalties of at least \$350,000 and unspecified punitive damages. The civil trial against Tonken is scheduled to begin in January.

It’s unknown if the criminal case will be used in the civil court proceedings.

“We were building evidence before the feds got involved,” said Tom Dresslar, spokesman for the Attorney General’s Office. “The judge will make a decision based on the evidence we present.”

The U.S. Attorney’s Office said Tonken used the contributions for his personal benefit, including payment of personal loans and the purchase of luxury items. In a scheme reminiscent of “The Producers,” he routinely promised more than 100 percent of the net proceeds from the events to multiple charities.

Assistant U.S. Attorney Joseph H. Zwicker said the case isn’t over.

“It’s never over,” he said. “We are continuing to investigate other people that helped him.”

LOCAL

Surfers scooting across PCH face a harrowing ordeal

ROAD RAGE, from page 1

an accident about a quarter-mile north of Topanga Canyon. There, he saw a lifeless body lying in the roadway, and hasn’t been able to shake the image.

Police said the accident was a suicide, with the pedestrian jumping in front of cars before being fatally injured. But to Sproul — who didn’t know the nature of the collision at the time — it was a wake-up call.

“It stunned me,” he said. “I started thinking, what can we do? Can we build little walking bridges? It would cost a fortune, but, hey, we pay sales tax.

“Where’s it going?”

The City of Malibu is already taking precautions to

ensure that the pedestrians crossing the highway are safe, said Yugal K. Lall, public works director. Many of the 50,000 drivers who pass through the area each day are tourists who don’t know the area or, in times of a high tide, are staring at the ocean instead of the road.

Lall said CalTrans has recently installed two lighted crosswalks, and the city will soon place six speed advisory warning devices along the highway. The devices inform drivers of the posted speed limit and advises them of their current speed.

There are currently crosswalks at traffic signals, but city officials say there are no plans for additional painted crosswalks along the highway.

“The installation of crosswalks along a major thor-

oughfare is more dangerous than anything you can think of,” said Lall. “People don’t see them. It has to be flashing.”

According to Sgt. Phillips Brooks of the Lost Hills station, most times pedestrians don’t use the crosswalks anyway, opting to park and then walk across the highway, irregardless of the crosswalks.

At Malibu’s Surf Rider Beach, for example, there isn’t a traffic signal, and the crosswalk is a bit east of the beach. Most pedestrians would rather dodge across traffic than walk to the crosswalk, Brooks said.

Brooks agrees that painted crosswalks could be more hindrance than help, as they could lead to rear-end accidents.

“The PCH has an extremely high accident rate, but most of those are rear-end accidents,” he said. “In fact, it’s so congested that it makes enforcement almost impossible. The road hinders us from doing our job.”

Officials say speeding is more prevalent on the east end of Malibu, where it’s the least populated. On the west end — near the city’s Civic Center — vehicle congestion typically slows traffic.

Brooks said the overflow from the PCH causes traffic to creep along, often at roughly 15 mph. The posted speed limit through most of the area ranges between 40 and 55 mph.

As it is, Sproul and his fellow surfers find themselves mere feet from vehicles racing by at top speeds.

“Most people tend to care about the people who might be crossing,” he said. “But I just saw someone the other day who was driving 75 mph. They almost hit me, and I was like, ‘Wow, that was close.’”

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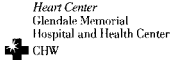
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LOCAL



Chamber will make endorsements in two weeks

CHAMBER, from page 1

Monica and Malibu, and the development of other properties owned by the city.

The bond, which originally asked for \$175 million, would be the second SMC measure approved in 2 1/2 years. The college is currently collecting money from Measure U, which will generate \$160 million in funding for facilities.

The current bond proposal would cost the average Santa Monica homeowner \$77 in the first year. The average renter would take a \$13 hit the first year.

“This bond measure will provide much needed infrastructure for Santa Monica College,” said Chamber board chairman Nat Trives. “The college is an important resource for Santa Monica, and improving facilities such as Madison campus and the playing fields improves the quality of life for residents and students.”

The chamber also voted to support the proposed 2 percent tax hike on the city’s transient occupancy tax, also known as the “bed tax.”

At 12 percent, Santa Monica’s hotel bed tax — the tax assessed to hotel visitors on a nightly basis — is expected to generate \$18.5 million for City Hall this year. The measure, which was unanimously placed on the ballot earlier this month by the City Council, would increase the tax rate to 14 percent, and increase nightly rates at local hotels by an average of about \$4. It’s expected to raise as much as \$3.5 million annually for the city.

With the new dollars, City Hall would be able to more easily balance the budget for the current year, as well as 2005-06. It also would help fund the city’s public schools. With an additional \$3.5 million, City Hall could more readily cover its stated ambition of giving an additional \$6 million to the schools each year for the next five years.

“We think this revenue increase will benefit all of

Santa Monica and we are hopeful that the council will use these funds to meet its obligations to educational programs with the school district,” said Kathy Dodson, the chamber’s president and CEO, “and continue to fund the Convention and Visitors Bureau, an organization that is critical to the continued growth of our community.”

The chamber plans to announce their endorsements for the City Council, school board and SMC board the week of Sept. 13. Chamber officials will meet with the candidate next week for interviews.

“We are looking forward to talking to all candidates across the political spectrum, and once we endorse them we are going to encourage our membership to work hard to see that they are elected,” Trives said.

Sun sets on Twilight Dance Series

JOY OF SAX, from page 1

violin over a trinity of blues, jazz and classical influences. Once you experience the energy of Clarence Clemons Temple of Soul, it will revitalize your soul and bring you to the altar of belief in the power of rock and roll.”

The pop/R&B band Gravity will open the show. Gravity is a trio of vocals and keyboards; vocals and guitar and percussion.

The concert begins at 7:30 p.m.

The Twilight Dance Series lineup is concluded by KCRW’s Next Up! on Saturday, Sept. 18 at 4 p.m., which is a showcase of independent local artists, performers include Quincy, AM, Jesca Hoop and Blue-eyed Son. Admission is free.

Pier officials strongly recommend walking, biking or riding the Big Blue Bus to the concerts, as parking on is limited. A free shuttle is available from the 2030 Barnard Way lot south of the pier starting at 6 p.m. each Thursday.

Schools improve on federal goals

BY JENNIFER COLEMAN
Associated Press Writer

SACRAMENTO — About one-third of California schools fell short of federal goals that aim to have all students be proficient in math and English by 2014, but that’s an improvement over last year, when about half the schools didn’t reach that goal, state education officials said Tuesday.

State Superintendent of Public Instruction Jack O’Connell attributed the improvement to more students taking the California High School Exit Exam, one of the standardized tests used in calculating academic progress.

Last year, 54 percent of California schools failed to make “adequate yearly progress” toward the federal No Child Left Behind act’s goal of having 100 percent of children be proficient in math and English.

Though all schools are held to the federal goals, failing to meet the benchmark only affects Title I schools, which receive extra money because they serve high percentages of low-income students. If those schools fail to make adequate progress two years in a row, they must allow students to transfer to other schools that are making progress.

This year, 40 percent of Title I schools — or about 2,181 — didn’t make the federal benchmark. The state will have updated figures in October to show how many schools failed to meet the federal goals two or more years in a row.

States are required to report their progress toward that goal each year by measuring if enough students scored as proficient on standardized tests, and by measuring how many students were tested.

In addition to the federal AYP, which measures all schools against the same benchmark, California also scores schools by their improvement over last year’s standardized test scores.

Performance Index, the state’s measurement, also released Tuesday, showed that 60 percent of schools improved over the last year.

That is a drop from last year, O’Connell said, when 90 percent of schools showed improvement.

These results mean the state has to work harder to promote the reforms “that have been so successful at so many of our schools,” O’Connell said.

The API scores gives schools a score between 200 and 1,000 — depending on what the school’s previous scores and how much they increased over the previous year. The statewide target for all schools is 800.

Both the federal and state accountability systems use results the California Standards Test, which tests curriculum unique to California classrooms, and the California Achievement Test, or CAT-6, which allows educators to see how California students compare to children around the nation. High schools are also judged by graduation rates and scores on the California High School Exit Exam.

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Business

How to make gifting away your assets work for you



IT'S YOUR BUSINESS

BY JOHN KIM

If you want to engage in lifetime gifting you should be aware of certain rules. The annual gift tax exclusion amount is \$11,000 per year per person in 2004 and the lifetime gift tax exclusion amount is \$1 million through 2009.

The top gift rate will be incrementally reduced from 48 percent in 2004 to 45 percent by 2007. In 2010, the top gift tax rate will equal the top individual income tax rate (estimated to be 35 percent). Any portion of the lifetime gift tax exclusion used will reduce your estate tax exclusion by that amount. You should consider some creative options that may allow you to increase the size of your gifts while minimizing any gift tax. Here are a few strategies to leverage lifetime gifts:

THE GRANTOR RETAINED ANNUITY TRUST (GRAT)

A GRAT allows you to pass along assets you believe will appreciate in value to family members at discounted levels. You contribute assets to the trust and

receive a fixed annuity payment stream for a specified period of years. At the end of the trust term, the remaining assets and their appreciation are distributed to your beneficiaries. Since the initial value of the gift is reduced by the present value of the annuity payments, you could structure a payment schedule and amount that could result in a minimal gift tax value. However, if you die before the end of the specified term, the trust property would be included in your estate and subject to estate taxes.

LIFE INSURANCE

You could use life insurance to help reduce your estate and gift tax liabilities. Life insurance often provides a substantial benefit for relatively small premium dollars. It may be used by itself to increase the size of your estate, creating an "instant" estate. Or, it may be used for liquidity and paying estate taxes cost-effectively. And, the proceeds of life insurance are typically income tax-free to the beneficiary. With careful planning, the proceeds also may be received tax-free.

THE LIMITED LIABILITY COMPANY (LLC) OR FAMILY LIMITED PARTNERSHIP (FLP)

An LLC or FLP might be a useful leveraging technique. An LLC or FLP

may provide a tool for reducing the size of your estate for transfer-tax purposes and let you retain control and management of your assets. The LLC or FLP is made up of managing or voting interests and non-voting interests. You could retain the voting and managing interests (thereby keeping control and management of the assets) and gift the non-voting interests to your children and grandchildren. Since gifts to your children and grandchildren lack voting rights and are not readily marketable, they might be discounted for gift tax valuation purposes.

THE DYNASTY TRUST

The Dynasty Trust could allow you to maximize the use of your lifetime gift tax exclusion. Here's how it works: Generally, you would fund the trust with an amount up to yours and your spouse's lifetime gift tax exclusion. The trust assets, including any growth, will remain free from federal transfer taxes (i.e., estate, gift and generation skipping transfer taxes) for as long as they remain in the trust. In certain states, such as South Dakota, the trust may theoretically last forever.

Income or principal from the trust may be distributed to your children, grandchildren and great grandchildren as specified in the trust document. The provisions

could tie those distributions to incentives, such as maintaining gainful employment, and permit distributions for funding businesses or purchasing homes for the use of beneficiaries or other activities. There also may be provisions in the trust document to gift a percentage of the assets directly to a charity or family foundation. Assets remaining in the trust are protected from creditors and divorce judgments.

CREATE YOUR ESTATE PLAN

Discuss your estate planning objectives and concerns with your financial consultant and your tax and legal advisors. Together you can develop an estate plan that addresses your unique financial and family situations so that you can effectively transfer wealth to your beneficiaries.

(John S. Kim is a financial consultant with Smith Barney in Beverly Hills. Call (310) 205-4939 or visit www.fc.smithbarney.com/jkim. Smith Barney does not provide tax or legal advice. Consult your own personal advisors for such information. This article is based, in whole or in part, on information provided by the planning services department of Smith Barney. Smith Barney is a division and service mark of Citigroup Global Markets Inc. Member SIPC).

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NATIONAL



Alleged Smart kidnapper formally indicted by jury

BY TRAVIS REED
Associated Press Writer

SALT LAKE CITY — A grand jury indictment against Elizabeth Smart kidnapping suspect Brian David Mitchell was unsealed Wednesday, a day after the self-proclaimed prophet was ruled competent to stand trial.

Unsealing the indictment against Mitchell moves the case toward a trial without a preliminary hearing, which could have included sensitive testimony from Elizabeth. Mitchell was expected to be arraigned Thursday, when a trial date could be set.

Wednesday's move revealed that prosecutors had managed to convene a grand jury in the case and keep those proceedings — held about a year ago — under wraps.

Grand jury proceedings are routinely secret, and are conducted only upon the request of the district attorney. Salt Lake County District Attorney David Yocom wouldn't say why he had originally sought a grand jury indictment, and wouldn't comment on whether Elizabeth testified for the 15-member citizen panel.

The indictment was returned last Sept. 4, but wasn't unsealed until Wednesday.

An indictment from the grand jury carries the same weight as a decision by a judge to indict a suspect and move the case to a criminal trial. The only difference is that hearings and testimony presented to the grand jury are secret.

The indictment removes the need for a preliminary hearing, meaning Elizabeth — now a high school junior — can put off publicly testifying about the nine months

she was allegedly held against her will by Mitchell, a 50-year-old homeless street preacher, and his wife Wanda Barzee, 58.

Mitchell and Barzee are both charged with kidnapping the then-14-year-old from her bedroom at knifepoint in 2002. The girl was allegedly taken into the foothills near the home, sexually assaulted and kept as Mitchell's second wife.

The two face kidnapping charges, two counts of aggravated sexual assault, two counts of aggravated burglary and conspiracy to commit aggravated kidnapping. The couple has been in custody since Elizabeth was found with them along a suburban street in March 2003.

On Tuesday, a judge found Mitchell competent to stand trial, bringing an early end to what had been expected to be a three-day hearing to gauge his mental state.

Mitchell was motivated by a "revelation from God" to take Elizabeth, according to court documents.

Barzee has been twice deemed incompetent to stand trial, and is undergoing treatment at a state mental hospital. She is scheduled to be re-evaluated in August 2005.

The two court-appointed experts who had evaluated Mitchell couldn't agree on his competency, concurring only that Mitchell has a narcissistic delusion.

But on Tuesday, Yocom said he and Mitchell's lead defense attorney, Kim Clark, had negotiated over waiving the competency hearing. Prosecutors said Mitchell's lawyers had developed evidence of his competency over the past few months.

Fish, Wildlife looking out for spotted owls, that's who

By The Associated Press

ALBUQUERQUE, N.M. — The U.S. Fish and Wildlife Service has designated 8.6 million acres of federal land in four Western states as critical habitat for the Mexican spotted owl.

The designation, published Tuesday in the Federal Register, includes 4 million acres in Arizona, 2.2 million acres in Utah, 2.1 million acres in New Mexico and more than 322,000 acres in Colorado.

"Since the Mexican spotted owl was listed (as threatened) in 1993, the U.S. Fish and Wildlife Service and its partners in other federal agencies have been working to safeguard the species," said Dale Hall, director of the agency's southwest region.

The agency designated critical habitat for the owl in 1995 and 2001, but a lawsuit by environmentalists landed the agency in federal court. The court called the agency's plan "nonsensical" and ordered the agency to redo the designation in 2003.

The agency proposed a 13.5 million-acre designation in November but later trimmed about 4 million acres, in part by removing tribal and military land as well as wildland-urban interface where thinning projects are planned to reduce the threat of wildfire.

Most of the change came about because the Fish and Wildlife Service was better able to define areas needed to pro-

tect the owl.

"When you're doing critical habitat for the third time, you get better at it," said Elizabeth Slown, an agency spokeswoman in Albuquerque.

But environmentalists are angry about the reduction in acres from the agency's proposal last fall.

Kieran Suckling, executive director of the Center for Biological Diversity in Tucson, cited the removal of forest areas because of planned thinning projects.

"They've gone out of their way to just hand the forest over to the timber industry. They are excluding millions of acres of mature and old growth forest and leaving it open to logging," he said.

Howard Hutchinson, executive director of the Glenwood-based Coalition of Arizona-New Mexico Counties, said it makes sense to remove the areas where thinning is planned because it's good for people and will help protect the owl habitat from fire.

Hutchinson said the agency didn't have enough time for an adequate analysis.

"This is such a comedy of errors," he said. "It really would be humorous if the owls weren't suffering and people weren't suffering at the same time."

Protection for the owl has long been a contentious issue among environmentalists, federal officials and private developers.

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NATIONAL

U.S. noncommittal as Panama frees Cuban exiles

BY GEORGE GEDDA

Associated Press Writer

WASHINGTON — Police say the four Cuban exiles had lethal intent when they were arrested, allegedly with explosives in their possession. They were suspected of plotting to assassinate a head of state, Fidel Castro, but convicted only of a lesser charge of endangering public safety.

To some, it looked like a clear case of international terrorism. To others, the four were freedom fighters trying to liberate their homeland.

They were arrested in Panama during an Ibero-American summit in 2000 after Castro claimed he was being targeted for assassination.

However, Panamanian courts ruled there was not enough evidence to accuse the men of attempted murder. They were exonerated of the most serious charge facing them, possession of explosives, and convicted of the lesser charge of endangering public safety. All received prison sentences.

Debate over the case has resurfaced with the decision of Panamanian President Mireya Moscoso last week to pardon the four.

Among some Cuban-Americans in Miami there was jubilation. The Cuban government was furious. The State Department declined to criticize Moscoso's action.

"This was a decision made by the government of Panama," State Department deputy spokesman Adam Ereli said. "We never lobbied the Panamanian government to pardon anyone involved in this case, and I'd

leave it to the government of Panama to discuss the action."

Rep. William Delahunt, D-Mass., said he was stunned to learn of the pardon, adding that the State Department loses credibility in refusing to voice outrage over the release of people he says are "assassins, ... terrorists."

Moscoso announced the pardon six days before the end of her term as president. President-elect Martin Torrijos was taking the oath of office Wednesday in the presence of Secretary of State Colin Powell and other foreign dignitaries.

The State Department response may have been influenced by election-year politics, particularly the administration's interest in keeping the Cuban-American vote in President Bush's column this November, much as it was in 2000.

Cuba has long complained about what it sees as a U.S. double standard on terrorism. It insists the United States harbors countless criminals from the pre-Castro military regime. It also alleges the United States has done nothing to stop Florida-based anti-Castro groups from launching armed attacks on the island.

In response, the United States maintains that Cuba supports groups on the U.S. list of foreign terrorist organizations and provides a haven for numerous fugitives from U.S. justice. Cuba is one of seven countries on the U.S. list of state sponsors of terrorism.

Moscoso said she decided on the pardon for humanitarian reasons, claiming she was fearful her successor would extradite the men to Cuba, where they would await a firing squad.

The circumstances of the pardon suggest close cooperation between the Panamanian government and wealthy Cuban-Americans in South Florida, one of whom chartered two small planes that picked up three of the exiles shortly after their release.

The fourth was Luis Posada Cariles, whom Castro has described as "the worst terrorist in the hemisphere." He is believed to be in Honduras.

Posada left Cuba after the 1959 revolution and has spent much of his life seeking Castro's ouster. He trained for the CIA-organized Bay of Pigs invasion in 1961, though his group did not reach shore.

He is wanted by Venezuelan authorities for the 1976 bombing of a Cuban civilian jetliner that had taken off from Caracas. All 73 aboard were killed.

Posada and his colleagues say they were in Panama to help a Cuban official defect. They say they were framed by Cuban agents.

Many in South Florida see the four as heroes. Shortly after the convictions last April, more than 400 people turned up at a \$100-a-plate fund-raiser in Miami to help cover the costs of an appeal. Their sentences ranged from seven to eight years.

With the pardon, no appeal was needed, and there were hugs and handshakes last Thursday as a welcoming crowd greeted the three exiles at Opa-locka Airport in Miami.

One, Guillermo Novo, was quoted by the Miami Herald as saying: "I dreamt of this day, but I did not have the confidence that it would come. This is a triumph. ... It was the Cuban exile community that did this."

Broadway Bush is a hit in New York — for one week only

BY WALTER R. MEARS

AP Special Correspondent

NEW YORK — There is no "Fiddler on the Roof" at the Republicans' Madison Square Garden convention. Those are security guys with submachine guns.

And while New York may be a "Wonderful Town" for President Bush & Co. this convention week, it will be anything but on Nov. 2.

The GOP convention, like the Democrats' before it, has a lot in common with those Broadway revivals — old shows, new audiences. An easy walk up Broadway, just past "42nd Street," which is playing there, too.

That's show business, and so are today's national political conventions. When the shouting stops, Democrats dominate the vote here. So New Yorkers won't be seeing much — if anything — of President

Bush and Vice President Dick Cheney after the gavel falls and the balloons drop at the Garden on Thursday night. Unless they're here to tap the city's big money donors at fund-raising affairs.

The public opinion polls show Democrat John Kerry leading Bush by a landslide in New York. Gov. George Pataki put the best spin he could on it Sunday. "Obviously, New York is one of the most difficult races — states — for the president to carry," Pataki said on ABC. "But we're going to make the case. We're going to make the Democrats fight here."

Maybe. But Pataki also had to concede that the Bush campaign is not going to be spending any money on New York. No point wasting campaign time or cash in a state Kerry is virtually certain to carry anyhow.

That's why the Republicans have not held a convention here before, while the Democrats have nominated

their candidates in New York five times since 1868.

Conventions are essentially reruns, played out as though there was business to be done, when in fact, all the decisions are set and all but impervious to challenge.

For the Republicans there could have been some haggling — perhaps even a bit of quasi-debate — about high-test platform issues like abortion, gay rights, budget deficits. But the management saw to it that all that was settled firmly and quietly before most of the delegates got to town.

So when the curtain goes up at 10 a.m. on Monday to take care of perfunctory odds and ends of routine business, it will be as familiar as the old songs they're playing on Broadway. What suspense there is at the Garden isn't about politics, it is about the security threats that have made some delegates edgy, even with a cordon of 22,000 security people deployed.

Politicians inside the security barriers, marchers and demonstrators outside, police and federal security people trying to make sure it stays that way. Police estimated that more than 100,000 demonstrators waving placards and chanting slogans against Bush and the war in Iraq marched down Seventh Avenue, past the Garden, on a hot, sunny, Sunday afternoon.

This is a city wearing the scars of 9/11, a convention just four miles from Ground Zero.

The war on terror is one of Bush's chief, chosen issues. "We've been attacked, we know there are those who want to do it again," Pataki said. "And this president is providing tremendous leadership."

Without waiting for the opening curtain, the political drama critics already were producing their reviews of the Republican script. Sen. Hillary Rodham Clinton, D-N.Y., called it a bait and switch performance because of all the prime TV time performers who differ with Bush and the party platform on topics including abortion rights and other social issues.

Among the big name convention performers are former New York Mayor Rudy Giuliani, Arizona Sen. John McCain, California Gov. Arnold Schwarzenegger, Pataki and Mayor Michael Bloomberg. It's a moderate procession to the microphones of a conservative convention.

"They're going to talk about things that they are not really committed to ... leaders who don't have any influence in Washington," Clinton said.

Giuliani had a predictably different explanation. "We do want to demonstrate that we're a party of broad opinion," he said, "that we have accomplished what Ronald Reagan wanted us to do ... getting the votes of independents and lots of Democrats."

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INTERNATIONAL



Billions of tax dollars from undocumented workers up for grabs

BY MARK STEVENSON
Associated Press Writer

MEXICO CITY — For the 14 years he worked as an undocumented migrant in the United States, Carmelo Rivera saw up to \$30 deducted each week from the \$300 to \$500 he earned as a vineyard worker. The deductions were supposed to pay for his retirement.

But like millions of other Mexicans who worked under false Social Security numbers, he's unlikely ever to see a penny of it.

In fact, if a group of U.S. Congressmen has their way, undocumented migrants would be permanently barred from ever seeking to reclaim tens of billions they paid into Social Security. Instead, the money will go to fund American citizens' retirement.

Neither migrants nor their government appear to be fighting the issue, despite what's at stake: a little-known Social Security account called the "earnings suspense file," which grows at a rate of about \$6 billion a year and now stands at about \$376 billion.

The account is sort of catchall for mismatched names and numbers, but is funded mostly by undocumented migrants, many of whom don't know the money exists.

Some see it as the price of working in America.

"People work under made-up (Social Security) numbers because they don't have any choice," said Rivera, 34, of southern Oaxaca state. As for the lost funds — the only retirement savings for him and his wife — "that's just something you take in stride. It's part of the cost of the rules they have."

Many migrants are unaware they can get credit for past contributions, even if made under false numbers, if they later get legal residency and present receipts or pay stubs.

"It's not very common, and it is not necessarily very easy," said Mark Hinkle, a spokesman for the Social Security Administration in Washington. Juan Jose Nino Tejedor, who heads the migrant affairs office for the Mexican state of Veracruz, says he doesn't know of a single case.

Some migrants like Rivera are afraid of being punished if they admit they worked illegally. "We try to have as little contact with the authorities in the United States as possible," he said.

Hinkle says privacy rules bar his agency from reporting past visa violations to police. But some workers are using both false names and numbers, making it virtually impossible to ever prove a claim.

As difficult as the process already is, some lawmakers want to make sure no illegal migrants ever receive any Social Security. A bill submitted to the House last year by Rep. Dana Rohrabacher, a California Republican, would "forbid any Social Security credits for illegal aliens or

work (done) in violation of the terms of a visa."

The wages of undocumented workers are "illegitimate earnings, and whether some of that money is going into the suspense file is basically irrelevant," said Jack Martin of the Federation for American Immigration Reform, FAIR.

Dan Griswold of the Cato Institute in Washington, a nonprofit public policy research foundation that has worked to promote Social Security privatization, notes that "these people pay into the system, and few ultimately collect anything. These are some of the lowest-paid workers. They deserve to receive some kind of benefit from their contributions."

Griswold notes the migrants' payments are "gravy for Social Security" because the money from the suspense file is eventually rolled into the agency's general fund — where it helps finance pensions for American citizens.

Some funds wind up in the suspense file due to the misspelling of U.S. citizens' names, or other administrative errors.

But migrants appear to be the largest contributors by far. Some of the last estimates on the amount paid into Social Security by undocumented workers were produced in 1994 by the Washington-based Urban Institute, an economic and social policy research organization.

At the time, the amount was estimated at about \$2.7 billion a year when there were about 5 million undocumented migrants. But researcher Jeffrey Passel estimates the migrant number has doubled.

Assuming, as Passel's studies did, that about half of them work on the books, even at minimum wage their contributions would now total at least \$3.35 billion annually. That would be a little more than one-half of 1 percent of the \$533.5 billion collected in Social Security tax payments in 2003.

Supporters of the ban say that when undocumented workers claim lost years of payments, they also build up more qualifying time for a pension, something that could add millions of low-paid workers to Social Security and add to projected Social Security shortfalls because low-paid workers cost the system more.

A U.S.-Mexico accord signed in June allows legal workers to qualify for some retirement benefits based on time worked in the United States. But it doesn't address the larger problem of undocumented migrants.

Rohrabacher's aide, Aaron Lewis, acknowledges the bill is currently languishing in a House committee, but notes that "the profile of the issue has certainly been raised" in the wake of the U.S.-Mexico accord.

Indeed, earlier this year an advocacy group for the elderly delivered about 125,000 signatures to congressmen urging them to "stop payment of our Social Security benefits to illegal aliens."



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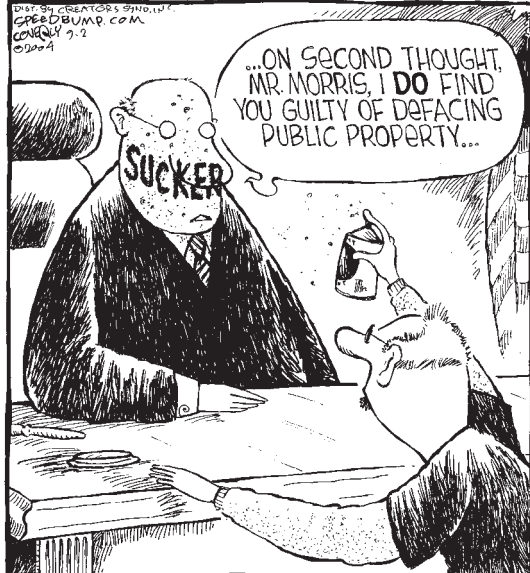


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NEW YORK — Paris Hilton, the hotel heiress famous for being famous, has created a jewelry line of pink sparkles, stars and hearts.

The Paris Hilton collection, which ranges in price from \$15 to \$95, is available exclusively at Amazon.com. It includes necklaces, earrings, a charm bracelet, a belly chain and a belly bar, all in sterling silver and pink crystal.

"I just looked into my style and looked through my jewelry and things I liked and used that when I was designing and sketching," Hilton told The Associated Press Wednesday.

Hilton, 23, worked with a designer and modeled the jewelry shown on the Web site.

"I thought my fans would want to have part of me, something I designed," she told the AP. "A young girl is able to afford it; it looks expensive but it's not."

Eager fans can also buy a copy of her memoir, "Confessions of an Heiress: A Tongue-in-Chic Peek Behind the Pose," to be published Tuesday by Fireside, and the DVD of the first season of her reality TV show, "The Simple Life," with her friend Nicole Richie.

Hilton bristled at the suggestion that she's able to design jewelry and record an upcoming CD because of her socialite fame.

"I have a great line of jewelry and I have a great voice," she said. "The product is there, so people can't say anything."

ATLANTA — Singer Ray Charles and music publisher-entrepreneur Bill Lowery will be honored Sept. 18 during a ceremony when the Georgia Music Hall of Fame inducts four new members.

The hall of fame honors musicians and music industry professionals who are Georgia natives or live in the state. Both Charles and Lowery were among the first group to be inducted into the hall of fame in 1979.

"Georgia has a rich music heritage and an event like this brings that history and our great talent into the spotlight," Greg Torre, director of the Georgia Department of Economic Development's office of film, video and music, said recently.

A group that includes radio pioneer Hugh Jarrett, keyboardist Chuck Leavell, composer Mary Lou Williams and opera singer Mattiwillda Dobbs will receive the GEORGY Award this year for their contributions to the state's music heritage.

BERLIN — Germany has accepted a European court decision that Monaco's Princess Caroline can stop the publication of photos of her and her family, despite complaints by news organizations.

The European Court of Human Rights in Strasbourg, France, ruled in June that three German magazines — Bunte, Freizeit Revue and Neue Post — violated Caroline's privacy rights by publishing photos of her and her children in their private lives.

It rejected a 1999 ruling from Germany's supreme court that allowed the photos on the grounds that Caroline, who is married to Prince Ernst August of Hanover, was a public figure.

German Justice Minister Brigitte Zypries said Wednesday the Cabinet decided against an appeal after concluding that the European ruling, which is not binding for national courts, does not explicitly curtail the media's right to report on politicians.

Yet the Association of German Newspaper Publishers urged the government to change its mind, decrying the decision as an "excuse for censorship."

In its ruling on the eldest daughter of Prince Rainier of Monaco, the European court said German courts "had not struck a fair balance" between the press' right to cover the princess and the right to privacy of a person who attends many public events.

It said that while the press had a right to take pictures

of Caroline, many of the pictures published were of her private life.

The court has no power to overturn the ruling, however, but failure to comply with its decision could have meant fines for Germany from the Council of Europe.

Instead, Zypries said "the Cabinet has decided that we will not appeal," adding that the German high court agreed with the decision.

SARAJEVO, Bosnia-Herzegovina — In Bosnia, where one man's hero is often another man's villain, some citizens have decided to honor a man that Serbs, Croats and Muslims can all look up to — kung fu great Bruce Lee.

Lee is best remembered for taking on dozens of bad guys in a series of kung fu films, including 1973's "Enter the Dragon."

The statue of the Chinese action hero in the ethnically divided city of Mostar is intended to remind people of Lee's lesser known values — "loyalty, friendship, skill and justice," said Veselin Gatalo, a writer who helped come up with the idea.

Gatalo and a friend, Nino Raspudic, grew up on Bruce Lee movies. They persuaded Boris Jovanovic, a sculptor from Mostar, to create the statue of Lee "as if he was alive and kicking."

They hope to install the statue by November. The site is symbolic — the Spanish Square, in the center of the city, some 45 miles south of the capital Sarajevo.

Mostar was both physically and psychologically scarred in Bosnia's 1992-95 war, which killed hundreds of thousands of Serbs, Croats and Muslims and left the country divided into a Serb republic and a Muslim-Croat federation.

Even now, Roman Catholic Croats and Muslims still live apart, sending their children to different schools, watching their own TV stations and cheering for rival soccer teams.

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