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NEWS OF THE WEIRD BY CHUCK SHEPARD

Britain's Church Mission Society, with 200 missionaries around the world, decided recently that a place that needs one the most is the town of Telford, England (population 150,000), where fewer than one in a hundred residents attends an Anglican church. (Said a CMS spokesman, "These days the CMS goes to the hard places and takes on the hard cases.") (The Church of England might have a larger problem, according to a July survey by Bangor University researchers: 3 percent of its clergy doubts the existence of God, which works out to nearly 300 non-believing ministers.)

TODAY IN HISTORY

Today is the 265th day of 2005.
There are 100 days left in the year.
Autumn arrives at 6:23 p.m. EDT.

On Sept. 22, 1776, Nathan Hale was hanged as a spy by the British during the Revolutionary War.

QUOTE OF THE DAY

"One of the great lessons the fall of the leaf teaches, is this: Do your work well and then be ready to depart when God shall call."

TRYON EDWARDS
AMERICAN CLERGYMAN (1809-1894)

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Shelling out for a worthy cause



Fabian Lewkowicz/Daily Press

Second-grader Samantha Santiago raises money for Hurricane Katrina victims in front of her home, the Sea Castle, by selling sand dollars for \$1 each. Santiago's family lived in the Sea Castle when the Northridge Earthquake hit in 1994, forcing them out of the building when it was red-tagged. The family was thankful to receive help from the Red Cross then, and are planning for a payoff.

Scammers' getaway hits the skids

BY CAROLYN SACKARIASON
Daily Press Staff Writer

DOWNTOWN LA — After nearly three years of investigating an alleged consumer fraud scam at Honda of Santa Monica, prosecutors are expected to file charges as early as next week.

Dozens of investigators with the Los Angeles County District Attorney's Consumer Protection Division seized boxes of files at Honda of Santa Monica's finance and sales departments in a surprise raid on Sept. 25, 2002.

Investigators and prosecutors have since been sifting through files, computer records and other evidence to build their case.

"In light of the course we're going, it looks like some significant developments will be happening with this case," said Deputy District Attorney Dana

Aratani. "There is going to be significant developments next week."

Aratani declined to give specifics, but did say charges would most likely be filed against individuals involved in the alleged scam at the Honda of Santa Monica dealership, as well as a similar scam at another dealership in Norwalk.

On the same day of the raid, a class-action lawsuit was filed

against the dealership in downtown Los Angeles Superior Court. The suit alleges several customers were ripped off by the dealership, located at 1720 Santa Monica Blvd. That suit has been put on hold until the criminal investigation is complete, Aratani said.

Since the raid, many of those involved have been fired. The deal-

See **FRAUD**, page 7

LOCAL

City on board with VA homeless shelter

BY RYAN HYATT

Daily Press Staff Writer

BRENTWOOD — Santa Monica city officials on Wednesday officially endorsed a plan to convert

a 387-acre site here into a homeless shelter serving between 300 and 500 down-and-out veterans.

The proposal, initiated by Santa Monica City Councilman Bobby Shriver, calls for re-devel-

oping the Veteran Administration's largely abandoned West Los Angeles campus into a long-term therapeutic supportive housing facility for American service-

See **VA GROUNDS**, page 12

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LOCAL



COMMUNITY BRIEFS

Take in some sun

By Daily Press staff

The National Solar Tour is stopping by Santa Monica on Oct. 1 to teach residents how to trim their energy bills by harnessing the power of the sun.

Solar powered and energy efficient buildings across the United States and in local communities will open their doors for public tours that day.

For more information, call (310) 399-5997, or go to www.ases.org.

Afternoon of jazz to benefit school, hurricane victims

By Daily Press staff

The Westside Waldorf School (WWS) is partnering with the Jazz Bakery and KJAZZ, 88.1FM to present a Sunday afternoon and evening with multi-platinum recording artist, Freddie Ravel and his seven-piece, Latin-Jazz band. The event will be held at the Jazz Bakery, 3233 Helms Ave. in Culver City, Oct. 2.

With the theme "celebrating community and promoting peace," activities will start at 4:30 p.m. with light fare dining, wine, dessert and a silent auction followed by the concert at 6 p.m. Ravel will premiere a song in a new genre called "Flip Hop," a compelling, multi-cultural mix of Latin Jazz, Flamenco and Hip Hop.

Waldorf education is designed to cultivate highly motivated, creative, independent thinkers and is directed at building confidence and social responsibility. The driving force for the artistic collaboration with Ravel is raising funds to support the WWS Tuition Assistance Program, which is based on a commitment to make Waldorf education accessible to all families who value it, regardless of financial circumstances. Ravel mirrors that approach to learning in his music. His work with Waldorf aligns with his mission of "raising human potential through the metaphor of music."

Universal Music Group touts Ravel as "... one of the most outstanding keyboard players, composers and producers ..." having "recorded and performed with Earth Wind & Fire, Phil Collins, Quincy Jones, Madonna, All Jarreau, the Boston Pops and Prince."

The silent auction will feature original Picasso, Dali and Chagall lithographs from the Andrew Weiss Gallery of Beverly Hills and celebrity guests, including film and television star Ed O'Neill, Isaiah Washington, comedian A.J. Jamal and Yolanda King who profiles Ravel in her new book, "Open My Eyes, Open My Soul!" Tickets are \$50 in advance and \$65 at the door. The concert price includes complimentary dinner and the art auction. Part of the proceeds also will benefit the New Orleans Waldorf Relief Fund. Call the Jazz Bakery at (310) 271-9039 for more information.

Pacific Park celebrates end of the year with charity

By Daily Press staff

Employees of Pacific Park on the Santa Monica Pier recently came together to help others at their annual year-end employee celebration and raised \$1,500 from a silent auction to benefit the American Red Cross of Santa Monica Hurricane Katrina relief campaign.

An end-of-summer tradition, more than 250 Pacific Park employees celebrated by donating monies raised through the silent auction while bidding on more than 50 items ranging from digital cameras and cellular phones to local restaurant gift certificates and gift baskets. The employees raised approximately \$750 while Pacific Park staff matched the amount for a total of \$1,500.

"The idea to donate the funds from this year's silent auction to the American Red Cross of Santa Monica was embraced by the team from the moment it was suggested," said Jeff Klocke, director of marketing at Pacific Park. "This was an opportunity for them to make a difference."

Lloyd Morgan, 48, security supervisor at Pacific Park, who was the highest bidder on a Sony Cybershot Digital Camera at \$205 (a \$400 retail value), said: "In the process I was able to help out people affected by the disaster in New Orleans."



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SURF REPORT

On Thursday, around mid-morning, we're expecting our next southern hemi swell to fill in. Calculations point to surf running chest- to shoulder-high at most south- facing breaks, bigger by Friday. Also on Thursday, we are expecting some swell from Hurricane Max, which should produce sets in the chest- to head-high range.

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	LOW TIDES				HIGH TIDES			
	Morning	Height	Evening	Height	Morning	Height	Evening	Height
MONDAY	4:25	0.2	4:56	0.2	10:37	6.1	11:04	5.3
TUESDAY	4:56	0.9	5:46	0.2	11:10	6.2	11:57	4.6
WEDNESDAY	5:26	1.6	6:43	0.4	11:45	6.0	N/A	N/A
THURSDAY	1:01	3.9	12:22	5.7	5:55	3.0	7:51	0.7
FRIDAY	2:39	3.4	1:08	5.3	6:21	2.9	9:20	0.9

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The QLine

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The City Council has approved a new bus-only lane along Lincoln Boulevard that officials say will help ease congestion during peak traffic times of the day. Business owners along Lincoln, however, say the subsequent loss of street parking will hurt their businesses.

So this week, Q-Line wants to know, "Do you support the creation of the new bus lane as an attempt to ease traffic congestion despite the loss of some street parking for local businesses? Why or why not?"

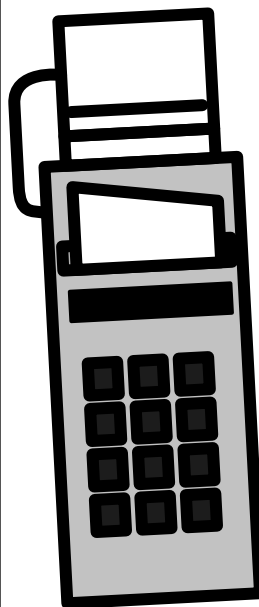
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GUEST COMMENTARY BY ELAN JOURNO

Abetting North Korea's nuclear ambition

The draft agreement to end the nuclear standoff with North Korea is already being celebrated as a triumph for "diplomacy." President Bush has cautiously lauded the new deal as "a step forward in making this world a more secure place." Under the agreement, North Korea will receive economic aid, free electricity, and guarantees against U.S. attack — in return for signing the Nuclear Nonproliferation Treaty and abandoning its suspected nuclear weapons program.

But isn't this exactly what the United States has tried in the past?

In the early 1980s, alarmed at North Korea's construction of a nuclear reactor capable of yielding weapons-grade material, America tried to induce the North to sign the nuclear Non-Proliferation Treaty. By 1985, after much stonewalling, Pyongyang finally agreed to ratify the treaty — but then demanded military concessions in return for promising to forgo nuclear weapons. Rather than dismissing these demands as extortion by a hostile nation, by 1992 the United States had agreed to cancel its military exercises in the area and to withdraw U.S. nuclear weapons stationed in South Korea. The South gave up its nuclear program and also offered a non-aggression pact and economic benefits. During this period, meanwhile, the North, bolstered by guarantees of security and the West's willingness to swallow its lies, completed two reactors capable of yielding weapons-grade fuel.

In 1993, after preventing required inspections of its nuclear facilities, Pyongyang announced its intention to withdraw from the treaty. Our response? More "diplomacy" — in the form of the "Agreed Framework," brokered in 1994. Under this scheme, the North agreed to freeze its plutonium program in exchange for two light-water nuclear reactors (putatively for generating electricity) and, until the reactors were operational, 500,000 metric tons of oil annually (nearly half its annual needs). The United States, along with Japan and South Korea, paid for these lavish gifts. The agreement also provided for the lifting of trade and diplomatic restrictions, previously imposed as penalties for North Korea's aggression against its neighbors.

This shameful deal openly rewarded the North — already closer to acquiring nuclear weapons — for its aggression and lies, and furnished it with the means to become a worse threat. And indeed, by 2003 — when the North actually did withdraw from the treaty — it was clear that Pyongyang had continued secretly to develop weapons-capable nuclear technology.

The pattern is clear: The North threatens us, we respond with negotiations, gifts and concessions, and it reemerges with even greater belligerence.

Without economic aid, technical assistance and protracted negotiations affording it time, it is unlikely that the North — continually on the brink of economic collapse — could have survived, let alone built the fourth-largest army in the world. The North is believed to have sold long-range ballistic missiles to Iran, Yemen, Pakistan and Syria. By some estimates, North Korea already has the material to create eight nuclear bombs. As it doubtless will continue engaging in clandestine nuclear development, the North may soon be wielding — and selling — nuclear weapons.

What made this cycle of appeasement possible — and why do our political and intellectual leaders insist that further "diplomacy" will work? Because they cling to the fiction that North Korea shares the basic goal of prosperity and peace. This fantasy underlies the notion that the right mix of economic aid and military concessions can dissuade North Korea from its nuclear ambition. It evades the fact that the North is a militant dictatorship that acquires and maintains its power by force, looting the wealth of its enslaved citizens and threatening to do the same to its neighbors.

But this abstract fact, the advocates of "diplomacy" believe, is dispensable. If we ignore it, then it ceases to exist. Notice how, in preparing the way for renewed talks, the Bush administration ceased describing North Korea as part of an "axis of evil" — as if this could alter its moral stature.

What the advocates of "diplomacy" believe, in effect, is that pouring gasoline onto an inferno will extinguish the fire — so long as we all agree that it will. Thus: if we agree that North Korea is not a hostile parasite, then it isn't. If we pretend that this dictatorship would rather feed its people than amass weapons, then it would. If we shower it with loot, it will stop threatening us. But the facts of North Korea's character and goals, like all facts, are impervious to anyone's wishful thinking. Years of rewarding a petty dictatorship for its belligerent actions did not disarm it, but helped it become a significant threat to America.

There is only one solution: the United States and its allies must abandon the suicidal policy of appeasement.

(Elan Jurno is a junior fellow at the Ayn Rand Institute in Irvine. The Institute promotes the ideas of Ayn Rand.)

GUEST COMMENTARY BY BENNET G. KELLEY

Wonderland's walls about to give way

Founding Father John Adams once explained that "(f)acts are stubborn things and whatever may be our wishes ... they cannot alter the state of facts and evidence." That was so 18th century, things are different in the Bush era.

This was in full display these past weeks as the administration sought to shirk responsibility for its lack of preparedness and feeble response to Hurricane Katrina. Despite the fact that (1) FEMA listed a hurricane strike in New Orleans as one of the nation's three most likely catastrophic disasters; (2) New Orleans' levees were not built to withstand anything above a category three hurricane and there were numerous studies demonstrating that a major hurricane strike would result in massive flooding and a "staggering" death toll; (3) on Aug. 28, the administration received a briefing from the National Hurricane Center warning that the levees might fail; and (4) on Aug. 31 the New Orleans Times-Picayune declared that "(n)o one can say they didn't see it coming." On Sept. 1, President Bush claimed to be surprised by the extent of the flooding since nobody "anticipated the breach of the levees."

This was eerily familiar to his post 9/11 claim that "there was nobody in our government ... that could envision flying airplanes into buildings," when there were numerous intelligence reports on this topic, including the president's Aug. 6 briefing paper which explained that Al Qaeda was planning to strike possibly using hijacked airplanes.

In the Bush world there are no unpleasant facts. It is not a question of rose-colored glasses viewing the glass as half full, since in this Wonderland either the glass is full or there simply is no glass at all. President Bush may talk about an "Ownership Society," but his administration relentlessly promotes a "Wonderland Society" in order to avoid ownership of a president's most important possession — responsibility.

The Bush administration has been able to confine debate to its self-created Wonderland, where you can have tax cuts and maintain a surplus; where our invading troops are greeted with open

arms and wars are self-funded by the occupied country's resources; and where dangers can be ignored and declared unexpected when they happen. For the Bush administration, Wonderland is a safe place since by disputing inconvenient facts it is able to shift the debate away from the consequences of its policies. Ironically, this is especially true in the area where certainty is the greatest — science. So despite overwhelming scientific evidence on evolution or global warming, President Bush claims the jury is still out on such matters. It is no wonder that more than 4,000 scientists, including 48 Nobel Prize winners and 127 members of the National Academy of Sciences, accuse the Bush administration of distorting and suppressing science to suit its political goals.

Unfortunately, we cannot live in Wonderland but rather must inhabit the real world. In the real world, massive tax cuts lead to deficits and reduced services; thousands are killed or maimed in a desert quagmire; global warming is happening; gas prices reach record levels; Social Security is solvent but Medicare is not; the minimum wage is stagnant while the poverty rate increases every year; nearly one in six Americans lack health insurance and 18,000 die prematurely as a result; and a great American city is crippled and thousands killed by a foreseeable disaster.

As the flooding subsides in New Orleans, there is another storm brewing that the Bush administration fears more than any hurricane or tsunami. The mid-term election could force the administration to face an angry electorate demanding accountability. With the Katrina backlash, growing opposition to the Iraq War and declining poll numbers, the walls protecting Wonderland are beginning to appear as vulnerable as New Orleans' levees; and, unlike New Orleans, Wonderland cannot be rebuilt.

(Bennet Kelley was co-founder and national co-chair of the Democratic National Committee's saxophone club and contributor to Big Bush Lies (RiverWood Books).)

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STATE



More juniors willing to see if on right track

By The Associated Press

LONG BEACH — More high school juniors are choosing to take tests to determine if they're on track for college, and that's a promising sign, according to California State University administrators.

This spring, nearly 186,000 students volunteered to take CSU's Early Assessment Program English test, a 21 percent increase over last year, according to a report presented to Cal State trustees as they met in Long Beach on Tuesday. Nearly 120,000 took the math test, which was a 3 percent increase from spring 2004.

The tests, first administered in 2004, are part of a long-term effort by CSU, the nation's largest four-year system, to get students ready for college.

"The best thing about these results is the substantial increase in the number of students who took the test and by taking the test received a clear signal about their college readiness," said Keith Boyum, associate vice chancellor, academic affairs.

Overall, nearly half of all juniors who are taking college prep English took the early assessment test in English skills this spring and nearly 70 percent of those taking college prep math — a smaller group — took the test for math proficiency.

Of those, about two-thirds needed to improve their English skills before tackling college-level work and 44 percent needed better math skills.

That was a modest increase from last year — 2 percent better in English and 1 percent better in math.

Students who show they need help are encouraged to take additional classes their senior year.

CSU officials hope the program eventually will reduce the number of freshmen who enter the 23-campus system needing remedial classes. In 2004, more than a third needed those classes in math and just under half needed better English skills.

Some trustees said Tuesday they're concerned whether the message to take the college prep tests is reaching students in lower-performing schools who may need it most.

Boyum said more numbers will be presented to trustees at their November meeting to show participation in the program.

He noted that CSU draws its students from the top one-third of California high school seniors, but said it's important all students graduate proficient in English and math.

"We want to give a clear signal," he said. "Take it seriously, work hard and bring those skills up."

More state schools are failing to make grade, face sanctions

BY JULIET WILLIAMS

Associated Press Writer

SACRAMENTO — More California schools are getting failing grades and facing federal sanctions, according to the California Department of Education.

The department reported Tuesday that 1,772 schools statewide failed to make the annual yearly progress they should under the federal No Child Left Behind Act. That's about 30 percent of the nearly 6,000 schools that receive federal poverty funding, up slightly from the 28 percent classified as failing in 2004.

Schools that receive federal poverty funding and don't meet the education standards two years in a row must offer students transfers and face escalating sanctions ranging from private tutoring for students to replacing administrators.

In California, 320 schools joined the list of failing schools this year, while 121 schools moved off the list, state Superintendent of Public Instruction Jack O'Connell said.

He said many schools are making progress in raising student achievement scores. Two times as many schools got off the list this year

than last year, O'Connell said.

Nationwide, one in 20 public schools have had to offer transfers since Congress passed the education overhaul in 2002.

Elizabeth Cutler, education and policy analyst at Education Trust-West, an Oakland-based policy and research organization, said the results are a good measure of how schools are performing and what improvements need to be made.

"All students in all subgroups and all areas need to be achieving on the same level. It's important to shine a light on those schools that aren't able to do that," Cutler said.

But others say standardized tests aren't an effective way to measure schools' success.

A study released by the Great Lakes Center for Education Research and Practice on Tuesday found no consistent link between greater pressure to perform well on tests and higher student performance. Instead, more pressure was linked to higher dropout and retention rates, the group said.

The center said schools with the highest proportion of minority students had the most stringent performance standards. It studied testing reports from 25 states from 1990 to 2003.

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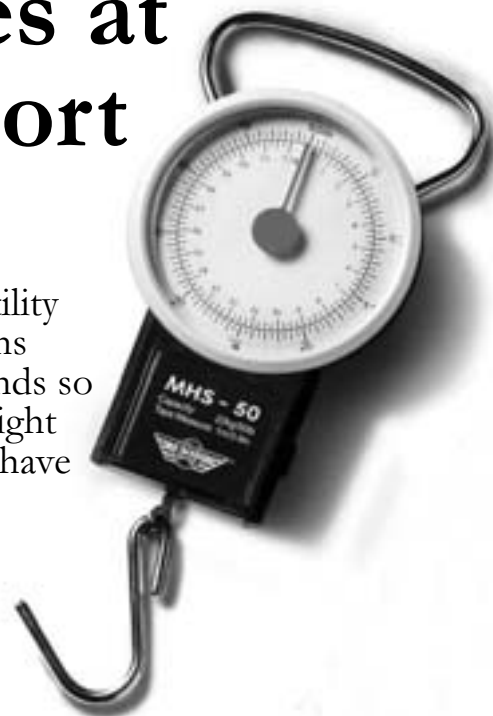
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Accused teen faces life behind bars

MURDER TRIAL, from page 1

attempted to question him, according to the DA's complaint.

Vargas, who has pleaded not guilty to all of the charges, faces life in prison plus 43 years if found guilty, according to prosecutors.

Belinda Ramos, Vargas' mother, insists her son isn't responsible for the crimes with which he's been accused.

Vargas was being detained at a juvenile detention facility in Sylmar on April 7, where he was awaiting trial for the rape charges, when Santa Monica police detectives arrested him for Carter's murder.

Shortly after the fatal shooting, police arrested a neighbor in connection with the murder, but the DA's office dropped the charges due to a lack of evidence.

Carter is described by family and friends as a hard-working young man who was studying for a career in computers while working two jobs.

Carter's father, Larry Joseph, who attended Wednesday's proceedings, said he hopes justice is served in the trial.

According to the DA's office, Vargas is being tried as an adult on both the rape and murder charges. That he will likely be tried for both crimes at the same time is coincidence, prosecutors said, since the rape case was postponed by Vargas' defense attorney.

Wednesday's proceedings were a continuation from Monday, when the court heard from five witnesses who testified in the case.

Detective John Henry with the Santa Monica police was cross-examined by Sheldon L. Levitin, Vargas' attorney. Afterward, attorneys argued their cases as to why they felt Vargas should or shouldn't be tried for murder.

Vargas appeared in court with a shaved head. He wore a blue L.A. County Jail jumpsuit. During the proceedings, he sat next to his attorney, occasionally clicking a pen and glancing back at his mother and a dozen family and friends who had come to support him.

WITNESSES WEIGH IN

One of the witnesses, a 19-year old woman, testified on Monday that she was driving Vargas and his girlfriend on the day of the murder along 20th Street at approximately 3 p.m.

She claimed Vargas may have shouted "junk" to someone outside the window, or might have made another sound she couldn't distinguish. "Junk" or "junkyards," she explained, was a derogatory reference to the Graveyard Crips, a street gang supposedly at odds with Santa Monica's 17th Street gang, to which police believed Vargas was a member.

Vargas requested the witness stop her vehicle. She did, Vargas departed, and he called for a ride 15 minutes later, she testified.

The witness said she and Vargas' girlfriend returned 15 minutes later to the location where they had dropped off Vargas. They picked him up at 3:15 p.m. near the same location — close to the

On Monday, another witness, a pregnant woman, refused to testify against Vargas.

murder scene.

Once inside the car, Vargas handed his girlfriend an item covered in a bandana. The following day, the girlfriend showed the witness a handgun tucked inside the bandana.

Larry Droege, deputy district attorney prosecuting the case, argued that the handgun was a .22 caliber Ruger — the same weapon that had been used in Carter's murder.

Levitin noted in his cross-examination that the timing in which Vargas was dropped off and picked up — during which he allegedly committed the murder — was two hours and 45 minutes earlier than when police say the shooting occurred.

The gun Vargas' girlfriend allegedly kept for him was soon sold to another witness, a drug dealer, who told the court on Monday he needed it for protection. However, having learned the gun was "hot" from Vargas' girlfriend, the dealer sold it to another friend, who put it in the trunk of his car, near the spare tire, he testified. That car was subsequently impounded for unrelated matters, then sold twice.

Santa Monica detectives found the gun in the car earlier this year.

Prosecutors said an expert analyzed the shells found at Carter's murder scene and determined the gun was the same as the one used in the shooting.

On Monday, another witness, a pregnant woman, refused to testify against Vargas. She was believed to be a family friend who allegedly overheard Vargas admitting to Carter's murder in June or July of 2004.

During her testimony, the woman claimed she didn't know Vargas and didn't know anything about Carter's murder. However, she called Vargas and Ramos by name in court.

Prosecutors submitted a videotape as evidence, which was reviewed on Wednesday. The tape is an alleged interview which took place in January of 2005, during which the woman described how she overheard Vargas tell her step-daughter and step-son that he killed Carter because of his involvement with a rival gang.

According to Detective Henry, the witness wasn't aware she was being taped at the time. She supposedly relayed the story to the Santa Monica police in an interrogation room six months after she had heard of Vargas' confession.

During Wednesday's proceedings, it was revealed the witness' common-law-husband was facing deportation at the time she was interviewed by police. Henry said, to the best of his knowledge, that process would continue after the witness gave her testimony.

See MURDER TRIAL, page 7

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Defense: Case against Vargas is 'hocus pocus'

MURDER TRIAL, from page 6

Also, an award for \$25,000 has been authorized by the city of Santa Monica for the successful prosecution of Carter's murder. Henry told the court the award was never discussed between the witness and Santa Monica police prior to her interview.

ATTORNEYS MAKE CLOSING ARGUMENTS

Levitin argued on Wednesday that Vargas' murder case should be thrown out of court on the basis the prosecutor's evidence wasn't worth a trial.

Levitin said Vargas couldn't have committed the murder, because the time he was at the murder scene was hours earlier than when the shooting took place, based on witness testimony.

"The evidence the prosecution presented was the perfect alibi, because it shows that Vargas wasn't near the location when the murder occurred," Levitin said. "He was with his friends."

Levitin also said that witness testimony failed to show the item Vargas handed to his girlfriend was the gun used in the murder. The only person who could confirm Vargas had a gun was his girlfriend, who hadn't testified. Thus, the prosecution's case was based in "make-believe."

"If (Vargas' girlfriend) had appeared in court, it would support the prosecution's case, but she never testified," Levitin said. "Instead, it suggests the prosecution's case is made up, hocus pocus."

Levitin said the only possible evidence against Vargas was the videotaped interview in which the pregnant woman said she had overheard Vargas confess to the murder.

However, Levitin said her testimony

was dubious at best, since court records showed Vargas was serving time in a juvenile facility for a drug charge when the supposed confession took place.

"It's difficult for me to understand why the prosecuting agency would go to trial with (the pregnant witness), when I wouldn't rely on her to buy me dog food," Levitin said. "Her comments in the investigation have had more to do with getting help from the INS than telling the truth."

Levitin said there were too many circumstantial facts that did little to point the finger at Vargas, without leaving significant doubt. With this point in mind, Levitin suggested the drug dealer who testified against Vargas may very well have been the murderer, for the simple fact he also once owned the gun which killed Carter.

"Let's drop this case and find Carter's murderer," Levitin told the court.

Droege indicated that the evidence to support Vargas' conviction spoke for itself. He made no further remarks.

In his decision, Judge Dabney indicated the witness testimony, including the videotaped interview, supported the fact Vargas may be culpable for the murder.

"The (pregnant witness) was not being forthright, it was pretty apparent she didn't want to cooperate," Judge Dabney said. "At the time of the tape, there seemed to be a confidentiality agreement in place, but obviously, that confidentiality had been breached."

Judge Dabney said he also believed the analysis showed the gun used in the crime may have been used by Vargas to commit the murder.

A jury trial will be scheduled Oct. 5 if Vargas maintains his innocence.

Evidence is being sifted through by investigators

FRAUD, from page 1

ership's general manager, its finance department manager and sales manager were subsequently replaced. Some of them are named in the lawsuit. Honda of Santa Monica is owned by North Carolina-based Sonic Automotive, which owns car dealerships across the country. Sonic reportedly bought Honda of Santa Monica in 1999 from Kramer Motors Incorporated, which is also named in the class-action lawsuit.

Honda of Santa Monica officials have said in the past that they have replaced nearly the entire finance and sales departments and have instituted safeguards to ensure that no more scams will occur.

The lawsuit alleges the dealership defrauded its customers by adding false state taxes and fees, lying to customers about interest rates and tricking customers into making extra payments on vehicles they wanted to buy or lease.

One scam allegedly used at Honda of Santa Monica added to purchases a fictitious state tax called "VT Registration." Customers were told the fee was for Department of Motor Vehicles registration, the suit alleges. However, the state has no such fee.

Customers who have signed onto the lawsuit allege they had been given favorable deals in the showroom only to have

the dealership's finance department renegotiate the deals afterwards. Such a practice is forbidden by state law, according to the lawsuit.

Overcharging for a car allows the dealership to pocket a higher profit. In itself, it isn't illegal to strike a deal where the buyer and seller agree. In this case, however, the fraud allegation stems from deceptive practices surrounding the sales. Extended service contracts and additional accessories directly benefit Honda of Santa Monica and its employees through commissions and revenue for the company.

The suit says that since 1998, the dealership would require customers to first lease cars for four months before buying them. The dealership would then collect two sets of payments — one for four months of leases, and the other for the subsequent purchase.

Some customers also allege that they were tricked into extended service contracts, which would add thousands of dollars onto the purchase price.

Aratani, who works in the DA's consumer protection division, said his office for the past three years has been gathering evidence from thousands of pages of documents, both on paper and in the computers, seized from the dealership. Aratani said last fall that investigators had found more evidence inside additional computers.

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Business

SANTA MONICA BUSINESS BRIEFS

Merger suits noted Westside boutique law firms

By Daily Press staff

Respected real estate and land use attorneys Chris Harding, Tom Larmore, Ken Kutcher and Kevin Kozal have merged with two other specialty law firms headed by litigator Dennis Mullen and estate planning attorney John Jakle.

The new firm of Harding Larmore Mullen Jakle Kutcher & Kozal, LLP has nine attorneys to handle land use and real estate transaction matters, in addition to litigation and estate planning services.

"We are committed to offering the highest quality service from experienced attorneys in a small, collegial setting," said Harding, who has represented some of the area's leading residential and commercial developers over the past 25 years and has been involved in several key housing regulation cases.

"It's a natural fit to offer more services to our clients, realize administrative efficiencies and practice law with attorneys we have worked with and respected for many years," explained Mullen, who specializes in real estate, business, family law, professional negligence, personal injury and appellate litigation matters.

Mullen and Jakle first worked with Harding 30 years ago when the young law school graduate joined their Santa Monica firm that was located next door to the current offices of Harding Larmore Mullen Jakle Kutcher & Kozal.

"We have referred business back and forth for so many years that it made sense to join forces at a time when we were considering expanding," added Larmore, who joined Harding, Kutcher and Kozal in 1999 after co-chairing the national real estate practice at the former Pillsbury, Madison & Sutro. Larmore, Harding and Jakle are long-time Santa Monica residents with close ties to the business community and have exemplary records of supporting public education, youth athletic leagues and social services. Many of the firm's attorneys have received numerous awards for their pro bono and volunteer activities.

"Change is exciting, especially when you can work with attorneys you admire who just happen to be your good friends," said Jakle.



Photo courtesy

Partners (l to r): Kevin Kozal, John Jakle, Christopher Harding, Dennis Mullen, Kenneth Kutcher and Thomas Larmore.

Know your net worth



MARKET MATTERS

BY BRIAN HEPP

We all have goals and dreams, and you know it's important to plan financially for the things you want for both yourself and your family. But before you start creating a strategy for investing your money, it is important to evaluate your current financial status. One of the best ways to do this is by creating a net worth statement.

A net worth statement gives you a big picture look at your financial situation by providing a complete list of all your assets and liabilities. It breaks down your finances into segments and shows you the net value of your assets. Each segment tells you something about your current financial position and may allow you to identify issues or areas that need to be addressed when structuring your financial plan.

The best way to get started is by taking a look at your assets. These include items such as cash in bank or money market accounts, your stock or bond holdings, life insurance policies, retirement accounts, and any business, real estate or personal property you own, including your home.

By listing all your assets, you will be able to uncover how much of your holdings are actually in cash and decide whether it may be possible to move that cash to investments such as an IRA or other tax-deferred vehicles. By doing so, you can potentially help your cash accu-

mulate more quickly, instead of just gathering dust in your wallet.

When creating your net worth statement, you should include all your assets, regardless of where they are held. This will enable you to see if your investments are properly allocated to meet your goals, and if you are diversified enough among the different asset classes. For example, you can evaluate whether or not you hold the proper mix of corporate and municipal bonds, as well as, domestic and international equities.

Finally, when it comes to listing your assets, it is important to get a good view of the personal property you own. This can help you focus on things like the amount of insurance coverage you have and if it's enough. You should consider whether you have adequate life insurance to cover possible estate taxes and other expenses should something happen to you or your loved ones.

Now that you've listed what you have, you should take a look at your liabilities. This will include items such as your mortgage, bank or car loans, credit cards and any other expenses. When you list your liabilities you may find opportunities to reduce your debts, especially those with high interest rates like credit cards.

The most basic outcome of creating this statement is that you have the opportunity to observe your net worth, or your total financial value. You can use this information, with the help of your financial consultant, to develop a well-rounded plan to work toward your financial goals.

(This article provided by Brian Hepp of A.G. Edwards & Sons, Inc. Member SIPC. Hepp can be reached at (310) 453-0077.)

Sometimes doing nothing is the best thing you can do



THE WEEKLY RECKONING

BY BILL BONNER

The nation's newspapers and TV blabbermouths have been in full-throated yelp against inactivity. In the wake of the New Orleans inundation, they surf for sound bites. In those crucial hours, local officials "did nothing," they say. Federal officials, too, including the highest official, were nowhere to be seen, doing nothing.

Nothing. Nada. Zilch. The null category gets no respect. The hollowness of it is repulsive. The emptiness of it is unbearable. Even nature is said to abhor a vacuum. The poor man who has nothing to say is a pariah. He is like the investment advisor with nothing to recommend, save cash. He will get no work as a hedge fund manager; he will not drive a fancy car, nor live in a beach palace in the Hamptons.

And pity the poor renters. While everyone else has been getting rich, the renters have been left behind, stranded ... like people who showed up too late at an airline counter in Duluth, Minn., just before a snow-storm, doomed to spend a week-end there.

Imagine the conversations between husband and wife:

"You did nothing! This was the biggest

housing price boom in American history, and we missed it. Now, we'll never be able to afford to buy a decent house."

Few things are as damnable as inaction. In politics, it is cause for recrimination. In marriage, even the Catholics allow for annulment in case of non-consummation. In finance, it is cause for regrets. In war, it is cause for firing squads. In conversation, an absence of words is embarrassing. When a man stares you in the face and says nothing, you assume he is thinking something dreadful. Unless he smiles; then you think he has lost his mind.

And how could the poor husband know that house prices would rise? Of course, he could not. But his wife nevertheless holds him responsible, as if he not only saw the train coming, but intentionally failed to get on board.

No, dear reader, inactivity is almost always unpardonable. But here, nevertheless, we say a kind word for it, maybe two. First, we point out that doing nothing is usually the best course of action, especially in public affairs and investments. Second, we deny the possibility of doing

nothing in any case.

Since the entire world nurses a prejudice against inaction, the burden of proof is clearly on us. So, let us bend to our work like a field hand, knowing that our labors will be many, our rewards few.

In public affairs, as in private ones, there is a powerful compulsion to do something.

And now we read in the news that the administration and Congress have finally sprung to action on the bayous. They are going to spend more than \$50 billion. That the money will be almost certainly squandered seems to trouble no one. That every penny of the money could otherwise be better spent by the people who earned it, bothers neither conservative nor liberal. The impulse to do something is so powerful, no one wants to stand against it.

But our beat here is money. Are you ever better off doing nothing with your money? The answer falls in our lap like a ripe cocktail hostess: Of course.

Warren Buffett holds billions in cash. He is probably the best investor who has ever lived. If he cannot find anything better to do with his money than to leave it in cash — effectively doing nothing with it — how can the average lump investor expect to do better?

Is this the time to buy stocks? Probably not. Stocks are still relatively expensive. The idea is to buy low and sell high later. When stocks are high already, there is no alternative. You must do nothing.

Is it time to buy bonds? Again, probably not. Bonds are expensive, too, and yields are low. Will they become even more expensive? Will yields go even lower? Maybe. But we cannot predict the future. All we can do is look at the present and the past. We know, from past experience, that bonds have become more expensive almost every year for the last quarter of a century. At today's prices, you are not likely to make money in bonds, especially corporate and junk bonds. It is better to do nothing.

But it is still sunshine for America's house buyers. Should you join them while the getting is still good? Or should you do nothing? Do nothing is our advice. Most houses are too expensive. You will get more for your money as a renter. Most likely, you will be able to buy later — at better prices.

The real question is not whether you will do something or nothing, but: What will you do? When all major asset classes are expensive, the sensible thing to do is nothing. But since you can't do nothing, our advice is to do as little as possible.

(Bill Bonner is the founder and editor of The Daily Reckoning. He is also the author, with Addison Wiggin, of The Wall Street Journal best seller "Financial Reckoning Day: Surviving the Soft Depression of the 21st Century" (John Wiley & Sons). For more information, log onto: <http://www.dailyreckoning.com/>.)

More Fed rate hikes are expected down pike

BY MARTIN CRUTSINGER

AP Economics Writer

WASHINGTON — The decision of the Federal Reserve to keep raising interest rates in the face of a devastating hurricane means one thing to many economists: Rates will keep going up and are likely to head higher than previously expected.

Analysts saw the quarter-point rate increase by the Fed on Tuesday and the explanation for why it was needed as a clear signal that the central bank is growing more concerned about inflation.

The Fed pushed its target for the federal funds rate, the interest that banks charge each other, up for the 11th time in the past 15 months, raising it to 3.75 percent — the highest level since August 2001.

In response, commercial banks began raising their prime lending rates by a cor-

responding amount, to 6.75 percent, the highest in more than four years. These rates are used for many short-term consumer loans, including some credit cards and popular home equity lines of credit.

The Fed's rate increase came even though some analysts had suggested it might pause to allow time to see how big a hit the economy would sustain from Hurricane Katrina, the country's costliest natural disaster.

Instead, Federal Reserve Chairman Alan Greenspan and his colleagues said Katrina's widespread devastation would not prove to be a "persistent threat" to the economy.

However, the central bank did worry about the persistent rise in energy prices this year, including a renewed surge after Katrina shut down Gulf Coast oil and natural gas production.

"Higher energy and other costs have

the potential to add to inflation pressures," Fed officials said in the statement.

Many analysts said that statement and the Fed's decision to go ahead with another rate increase showed the central bank will be focusing in coming months on what it perceives as its primary mission

— making sure inflation pressures do not get out of control.

Analysts said Fed officials raised interest rates at this meeting even though they know that the economy is going to show some significantly weaker statistics over the next month.

Women are to blame for lack of female executives

GUEST COMMENTARY

BY JOHN MCKEE

Many aspiring female executives, business managers and other professionals often forget that they really have two jobs — the first is to do what they get paid for (and do it better than men). The other is to proactively manage their career path and do what is required to ensure their upward mobility isn't dependent on others — especially those who notoriously subscribe to the "Old Boys Club" mentality who may or may not be working in her best interest.

It's shocking and frankly unacceptable that less than 4 percent of America's largest companies have women in the most senior management roles. This is clearly not representative of a woman's ability or desire to lead, but rather is reflective of the cold, hard fact that gender bias does still exist in the 21st century workplace. This statistic also reveals that too many talented, intelligent and deserving women simply do not strategize, or execute, effective ways they can be seen, heard, respected and, in turn, promoted in the workplace.

Throughout my many years as a corporate executive, I have hired, promoted, fired and laid off literally thousands of women and men, and in my current capacity as a business coach I counsel many aspiring women on how to successfully achieve their business goals.

For one, women managers need to understand the "circle of success," in that they need to spend time helping their boss look good at every opportunity. When the boss understands that someone is willing and able to help her/him succeed, they will get more time, attention and resources facilitating maximum productivity.

Women also need to accept that gender stereotyping remains a harsh reality even in today's so-called politically correct workplace.

The proverbial "old boys' club" still rings true today, as many of our nation's male executives entered the workplace with little experience interacting with women other than mothers, sisters and girlfriends. Consequently, a woman may unknowingly be getting slotted into one of those roles by men throughout the

workplace and should be aware of this possibility so, if deemed necessary, they can compensate accordingly.

Women would also benefit from speaking more assertively, since how a woman sounds affects how she is perceived. Many women tend to state their opinions, objections or suggestions as a question as opposed to affirmatively and confidently making their point as a statement. In a work context, women must command the floor lest their great ideas fall by the wayside.

For women, "presence" pays. Because many bosses still associate one's appearance, demeanor and speaking ability with their overall ability, this remains a formidable challenge for those women who have physical or other stereotype-based attributes that are difficult, if not impossible to change, such as height or weight, blonde hair color, or simply a high-pitched voice. Women must condition themselves to walk with good posture, speak and gesture in a confident and authoritative manner, and wear attire that imparts her success.

To really stand out from the others and get the all important promotion, women should pace their boss by ensuring they are in the office whenever the boss is in the office. Let the boss know that she shares the same work ethic. Right, wrong or indifferent, these are new rules of time management. Simply put, if your boss is at work, she should be as well. Even in this day in age of so-called gender equality, women must take advantage of all opportunities to distinguish themselves in the workplace.

And finally, women really need to step up self promotion. It is important that those who are in the position to benefit a woman's career in any way know who she is and what she has accomplished. Successful business people understand the importance of letting others know about their successes, and go about it in the appropriate way. If done properly, it will not be construed as bragging or conceit. Women should stop humbly waiting to get noticed while they toil away at the task at hand, but rather develop the skill of how to strategically talk about her achievements in the workplace.

(John McKee, a certified business and executive coach. He can be reached at www.businesssuccesscoach.net.)

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Alaskan trek over, complete with grizzly ending

EASY WRITER

NOTES FROM THE ROAD



(Editor's note: Santa Monica resident Lance Schmidt spent his last summer days cruising through Alaska on his motorcycle. He has provided a glimpse into that world for Santa Monicans every Thursday for the past several weeks. Check out smdp.com/archives for previous reports.)

BY LANCE SCHMIDT
Special to the Daily Press

SANTA MONICA — Between the Summer Solstice and the Winter Equinox, the loss of daylight in Alaska is rapid. Averaging about six minutes a day, this steady approach of darkness brings on a slow and methodical depression. Alaskans begin their transformation from a life playing softball games at midnight without lights to bracing for the dark, lonely and cold winter days — days when temperatures can reach 85 degrees below zero.

Some fold their tents and migrate south for the winter. Others prepare for their jobs working and servicing the ice roads. Many simply concentrate on stocking up on the meat, produce and whisky necessary to stay alive. As one Alaskan trucker on the Haul Road explained to me, “It ain’t winter ‘til your axles freeze and your first tire shatters like a beer mug.”

For the battle-hardened and road-weary motorcycle adventurers, it meant the end of a summer of exploration, physical and mental challenges, foolish endeavors and camaraderie. It also meant it was time to head home.

Day 27: Before we headed out of Deadhorse, Phil had to drop off some supplies and two new motorcycles to mysterious “clients” in Prudhoe Bay. Until now, Phil was very circumspect about these individuals and their reasons for being on the North Slope. The two new Suzukis were identical in nature. As we came to find out, so were their new owners.

We met two tall, serious looking and smartly outfitted men in front of the bunkhouse facility. They appeared to be in their late 40s. After exchanging a bit of small talk, they asked if they could have a moment with Phil to conclude the details of the delivery. They went inside the facility while Andy, Darren and I waited outside to confer and speculate.

After about an hour the three emerged, shook hands and began unloading their new bikes.

I could contain myself no longer. “Phil, what’s the gig with these guys?” I asked in a hushed voice. “What’s up with the matching bikes and black riding suits? They look way too serious.”

“They are,” retorted Phil. “But if I told you I’d have to kill you ... and you know I’ve wanted to do that for weeks.”

I thought he was kidding. But I had to admit I wasn’t sure.

Neither I nor my companions ever

broached the subject with Phil again, but we all knew that whatever Phil’s clients were there to do, it wasn’t just to sightsee.

Day 28: We pulled into the river station crossing and set up camp along the shore of the slow moving and beautiful Yukon River, next to Yukon River Bridge. This 2,290-foot-long wooden-decked bridge — built this way to allow tire chains to grip — is the only bridge to cross the Yukon River in Alaska. It also carries the Alaskan Pipeline over the river on its way to Valdez.

We settled down in our riverside tents

and opened the bar to discussions of life. It turned from animal attacks on humans to the sexual proclivities of lesbians to which, as my friends knew, I was sensitive to seeing that my travel companion left me midway through the trip after realizing she was one.

People commonly refer to alcohol as a method for keeping warm. While a slug of hard liquor can create the illusion of warmth, it actually can be deleterious to body temper-

See **EASY WRITER**, page 11



Lance Schmidt/Special to the Daily Press

The picturesque view from a boat ride on the way to the Tanana River.

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LOCAL



Lance Schmidt/Special to the Daily Press

(Clockwise, from top left) Moose and her babies; the long, dark winter approaches: early morning moose call; and the boys gather at the Sluice Box Bar.

Anchorage away: Writer returns

EASY WRITER, from page 10

ature. But I didn't care that evening.

I came to Alaska with an opinion that ANWR should never be touched, never molested by sanction of agreements made by the Feds. My compadres varied from pumping the crap out of it to shutting it down to all human contact. At the end of the day, we all agreed that the U.S. has to become less dependent not just on foreign oil but on petroleum in general.

As the sun set mercifully and momentarily below the horizon, we finally solved the world's energy problems.

Day 29: We rode, backtracking the Haul Road to the point that we were so fatigued that I started to hallucinate on road houses and petrol stations in the distance. There is nothing like the feeling of knowing that you just came this way a few days ago but do not recognize a damn thing whilst traveling in the opposite direction.

The weather was becoming foreboding and we had to stop at some point. Phil suggested we pull over and camp along a stream. It was the only option at that point. We broke a very loose camp while we busted out some food.

Day 30: The group awoke to some rustling in the moss. As we gathered our wits, it became clear that our intruder was not human, but a very agitated female brown bear. We all scrambled and took the prescribed "bear posture" that we gleaned from the Alaskan Park Service guide.

The bear was in her mid-teens with a beautiful brown mane, a gate that could catch you in a flash and a nasty look on her face. Instinctively, we all started yelling and waving our hands. At first, she didn't budge — then slowly, she became annoyed with us and strutted off.

This was my second close encounter with a Grizzly and I didn't want to become the sequel to "Grizzly Man."

Day 33: We were just outside of Anchorage and went to visit some of Andy's ski buddies before we hit reality. We all met at a local bar where Andy and Joe suggested that we go for a stroll along the road and under the Alaskan moonlight, fire off a potato cannon. For the entire night, I was tutored on the ballistics, pressure release, hairspray content

and effective range of a hand-built, Alaskan potato cannon.

Day 34: We headed back to civilization where would dismount for the final time. Since I had extended my stay and it was getting far too cold to make it back to the lower 48, I decided to leave my bike in Anchorage and fly home.

We rolled into Anchorage and it felt like coming back to Santa Monica after a weekend in Orange County. It was strange. We all went out to dinner to celebrate our time together. We toasted our intense two weeks of strenuous fun. We all agreed that we had discovered adventure like few others.

We were strangers in the beginning, competitors' in-between, and in the end, friends for life.

Day 35: I landed at LAX and took a cab back to Santa Monica where I crashed for the next 14 hours. When I awoke, I knew the feeling from previous journeys — a haze that takes awhile to clear. This one however, I couldn't come to wiping it away.

And now the last word from the e-mail bag:

Dear Easy Writer,

I have been reading your articles and your adventures in Alaska since I got back from my "vacation." I am impressed. I do have a few questions though. What makes you think that the "lovely professor" was a lesbian and not simply bored of you and your childish antics and really wanted to get back home to find a real man?

"The Lovely Professor"
Santa Monica

Dear Dr. Lovely,

I would rather not answer those questions through an e-mail. As you may know these are very personal and sensitive issues. I think we should discuss this in private. Why don't you come over to my place on Thursday night, say about 7:30 and we'll chat over dinner. Oh, go ahead and invite your girlfriend.

Best,
Easy Writer

(You may reach Easy Writer at: easy-writermail@yahoo.com.)

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'Shriver plan' has competition

VA GROUNDS, from page 1

men and women without shelter.

Officials said the "Shriver plan" may also be competing with several projects for use of the site, including commercial interests which may want to use the VA facilities for pharmaceutical research, or to build high-rise condominiums, they said.

The VA's leadership will consider Shriver's and other proposals during a public comment session set for Thursday, from 4 p.m. to 7 p.m., at the Wadsworth Theater on VA grounds, which can be accessed from Wilshire Boulevard just west of San Vicente.

At the meeting, the public will also hear from the VA's consultant about future land use options for the West Los Angeles VA campus.

Shriver said his proposals would align well with the VA's mission to serve veterans, since many lack shelter.

"In the lobby of the West LA VA hospital, a sign reads, 'The cost of war is visible here,'" Shriver said. "The cost of war is also visible on our city streets."

The new housing would give veterans access to the many successful rehabilitative programs the VA already has in place on the West LA campus, Shriver said.

Westside elected officials, including Los Angeles Councilmember Bill Rosen Dahl, Santa Monica Councilmember Richard Bloom, West Hollywood Councilmember Jeffrey Prang, Culver City Councilmember Carol Gross and Shriver, are expected to attend and speak on behalf of the proposal. Santa Monica Mayor Pam O'Connor noted that this broad-based support by local elected officials confirms that both the problem of homelessness

and measures to end it must be addressed regionally.

A coalition of service providers have also agreed to work together in hopes the VA will convert abandoned buildings into the veteran's shelter. Shriver presented his proposal to local leaders at an August meeting.

Santa Monica staff participated in a May 6 meeting hosted by the VA, at which officials discussed alternative uses for several VA sites around the country, including the West LA campus. The proposal intends to take advantage of the existing facility in order to provide "all services on site" for the homeless veterans, including medical, psychological and social assistance.

The project would accommodate as many as 500 chronically homeless veterans, as well as those with other needs, such as those dealing with mental illness or suffering from substance abuse. It's the coalition's intent that half of the veterans served are chronically homeless.

The number of homeless veterans in Los Angeles County is estimated to be between 17,000 and 18,000.

The project would be financed from the five participating organizations, which include the U.S. VETS, New Directions, Inc., and the Salvation Army. Primary sources of funding are expected to come from federal, state and local grants, as well as private donations. The proposal doesn't state how much the project might cost.

Officials say developers at the moment seem to have the inside track on the VA grounds. The VA, which is undertaking a national overhaul to renovate many of its under-utilized facilities, may be looking to bolster revenue for its operations by the liquidation of some of its properties, officials said.

Alaskans determine how to enjoy returns

BY MATT VOLZ

Associated Press Writer

JUNEAU, Alaska — For video store clerk Dave Marshall, Alaska's annual payout to its residents means getting a chance to escape the dark, cold winter of the far north. This year, he's thinking Hawaii.

"Somewhere nice and warm," said the 18-year-old Juneau resident. "You've got to leave once in a while."

No such splurge for Robert Rodman, owner of a downtown Juneau liquor store. Not a dime of the dividend will cross his palm. His wife, Oke, squirrels the cash into their kids' education fund. They need every penny: One daughter is in graduate school, the other starts college next year.

"Sad, but true. No play money. I don't even see it," he said.

This year, Marshall, Rodman and every other eligible man, woman and child will receive \$845.76 just for living in Alaska, Gov. Frank Murkowski announced Tuesday night in Juneau. The dividends come from the earnings of the Alaska Permanent Fund, the state's rainy day savings account of its oil wealth. Some 603,080 people this year will get checks.

The \$845.76 is the lowest dividend payout since 1988 and marks the fifth straight year the value has dropped. Last year, it was \$919.84. Just five years ago, it was a record \$1,963.86. That would have made for a sizable bank deposit for Rodman's daughters and a plush tropical vacation for Marshall. This year's divi-

dend is well less than half that, and Marshall is reconciled to dipping into his savings for his Hawaiian escape.

The shrinking dividend is in contrast to this year's record crude oil prices and a permanent fund worth an all-time high \$31.5 billion. The keepers of the permanent fund say a good year in the markets doesn't necessarily translate into big dividend checks.

The dividends are calculated on a five-year average of the permanent fund's income from stocks, bonds, real estate and other investments. Stock market losses in 2002 and 2003 drove the value down this year, according to the Alaska Permanent Fund Corp. And while high oil prices bulk up the permanent fund's principal, that money must be invested and is not figured into dividends.

But, said fund spokeswoman Laura Achee, investment forecasters say the dividends have bottomed out. The payouts are forecast to rise the next 10 years.

The permanent fund was created by voters in 1976 and is a legacy of former Gov. Jay Hammond, a major advocate of the fund who died earlier this year. The first dividend in 1982 was \$1,000, and over the years has paid out \$13.6 billion to Alaskans.

To be eligible, a person has to live in the state for over a year. Alaska's residents pay no state income tax and no state sales tax. In Anchorage and Fairbanks, the largest cities, there isn't even a municipal sales tax.

Direct deposit of dividends is scheduled for Oct. 12 for about 455,000 Alaskans.



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NATIONAL



FBI, building industry offering reward for wanted ecoterrorists

BY ELIZABETH M. GILLESPIE
Associated Press Writer

SEATTLE — The FBI and a building industry group will begin offering \$100,000 rewards for information leading to the arrest and conviction of ecoterrorists.

The main target is the Earth Liberation Front, a group that has claimed responsibility for setting fires at construction sites in housing developments, calling attention to what it sees as the growing problem of suburban sprawl.

"While ELF used to spike trees and sabotage logging equipment, they're now firebombing neighborhoods and burning down apartment complexes," Lyle Fox, president of the Building Industry Association of Washington, said in a news release.

The "increasingly brazen" attacks raise the likelihood

that someone will be hurt or killed, he said.

ELF is an underground movement with no public leadership, membership or spokesperson. E-mails seeking comment drew no immediate response.

The FBI estimates that ecoterrorist groups have committed more than 1,100 crimes in the United States since 1976, causing about \$110 million in property damage.

The builders group claims ecoterrorists have caused nearly \$8 million in property damage since 1996 in Washington state, much of it in housing developments. California has taken a \$53 million hit, and Oregon has had more than \$3 million in damage, according to the group's estimates.

In a statement Tuesday, the Seattle FBI office said it was investigating several arsons and attempted arsons in Washington state over the past year and a half that seem to have ties to ELF.

Change to Endangered Species Act would cut critical habitat provisions

BY ERICA WERNER
Associated Press Writer

WASHINGTON — Congress is considering proposed changes to the 32-year-old Endangered Species Act that would get the government out of the business of setting aside critical habitat for threatened plants and animals, eliminating a central element of the landmark law.

The House Resources Committee was hearing testimony on the proposal Wednesday. Rep. Richard Pombo, R-Calif., the committee's chairman and the bill's principal sponsor, wants his panel to vote on it Thursday and he hopes the full House will consider it next week.

Environmentalists fear that eliminating the government's ability to establish critical habitat would take away a key to species survival.

"Even a young schoolchild recognizes that every species needs a home," said Susan Holmes, senior legislative representative at Earthjustice.

Pombo's bill also would compensate landowners if the federal government blocks their development plans to prevent negative impacts on species, and would give political appointees the responsibility of making some scientific determinations.

Landowners would be able to move forward with development projects that might affect species after notifying the federal government, unless the government objects within 90 days.

Pombo, who has been trying for more than a decade to rewrite the Endangered Species Act, contends the law leads to more lawsuits than benefits for plants and animals.

"It has been a failure at recovering species and it has been a failure in terms of the conflict with private property owners," he said, noting that a tiny percentage of the 1,830 species listed under the act — about 15 — have come off the list because they've recovered.

Many farm and property rights groups agree with Pombo. But environmentalists and many Democrats contend the law has been successful, pointing out that only nine listed species have gone extinct.

In the mid-1990s, Pombo failed to get a bill rewriting the law through the House. He introduced his new bill with Rep. Dennis Cardoza, D-Calif., and five other moderate-to-conservative Democrats already on board.

But the Resources Committee's top Democrat, Rep. Nick Rahall of West Virginia, said talks to reach a consensus bill had broken down and he wouldn't support Pombo's legislation.

Environmentalists are counting on the bill running into trouble in the Senate.

Sen. Lincoln Chafee, R-R.I., a moderate who chairs the fisheries and wildlife subcommittee of the Environment and Public Works Committee, is holding hearings on the Endangered Species Act and considering introducing a bill.

Chafee spokesman Stephen Hourahan said the senator has concerns about the critical habitat provision in Pombo's legislation.

Pombo says his bill compensates for the elimination of critical habitat by strengthening the focus on species recovery, including adding a deadline for the government to develop "species recovery plans."

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NATIONAL

Up to 1 million ordered to steer clear of Rita

BY PAM EASTON

Associated Press Writer

GALVESTON, Texas — Hospital and nursing home patients were evacuated and as many as 1 million other people were ordered to clear out along the Gulf Coast on Wednesday as Hurricane Rita turned into a 150-mph monster that could pummel Texas and bring more misery to New Orleans by week's end.

All of Galveston, vulnerable sections of Houston and Corpus Christi, and a mostly emptied-out New Orleans were under mandatory evacuation orders, one day after Rita sideswiped the Florida Keys as a far weaker storm and caused minor damage.

Having seen what 145-mph Hurricane Katrina did three weeks ago, many people were taking no chances as Rita swirled its way across the Gulf of Mexico.

"After this killer in New Orleans, Katrina, I just cannot fathom staying," 59-year-old Ldyyan Jean Jocque said before sunrise as she waited for an evacuation bus outside the Galveston Community Center. She had packed her Bible, some music and clothes into plastic bags and loaded her dog into a pet carrier.

The federal government was eager to show it, too, had learned its lesson after being criticized for its sluggish response to Katrina. It rushed hundreds of truckloads of water, ice and ready-made meals to the Gulf Coast and put rescue and medical teams on standby.

"You can't play around with this storm," Homeland Security Secretary Michael Chertoff said on ABC's "Good Morning America." He added: "The lesson is that when the storm hits, the best place to be is to be out of the path of the storm."

By early afternoon, Rita was a Category 4 storm centered more than 700 miles southeast of Corpus Christi, with winds of 150 mph. Forecasters predicted it would come ashore Saturday along the central Texas coast between Galveston and Corpus Christi. But even a slight rightward turn could prove devastating to New Orleans.

Meteorologist Chris Landsea of the National Hurricane Center in Miami said Rita could strengthen into a terrifying Category 5 with wind over 155 mph as it moves over the warm waters of the gulf.

Galveston County, population 267,000, was ordered evacuated, along with low-lying, flood-prone areas of Houston, which at its lowest point is 6 feet above sea level. Altogether, as many as 1 million people in the Houston-Galveston area were under orders to get out, said Frank Michel, spokesman for Houston Mayor Bill White. Houston is about 50 miles northwest of Galveston.

Along the Louisiana coast, some 20,000 people or more were being evacuated or were warned to leave.

Galveston, situated on an island 8 feet above sea level, was the site of one of the deadliest natural disasters in U.S. history: an unnamed hurricane in 1900 that killed between 6,000 and 12,000 people and practically wiped the city off the map.

The last major hurricane to hit Texas was Alicia in 1983. It flooded downtown Houston, spawned 22 tornadoes and left 21 people dead. The damage from the Category 3 storm was put at more than \$2 billion. Tropical Storm Allison flooded Houston in 2001, doing major damage to hospitals and research centers and killing 23 people.

"Let's hope that the hurricane does not hit at a

Category 4 strength and let's hope the lessons we've learned — the painful, tragic lessons that have been learned in the last few weeks — will best prepare us for what could happen with Rita," Louisiana Sen. Mary Landrieu said in New York.

The death toll from Katrina along the Gulf Coast climbed past 1,000 Wednesday to 1,036. The body count in Louisiana alone was put at 799 by the state Health Department.

In New Orleans, the Army Corps of Engineers raced to patch the city's fractured levee system for fear the additional rain from Rita could swamp the walls and flood the city all over again. The Corps said New Orleans' levees can only handle up to 6 inches of rain and a storm surge of 10 to 12 feet.

"The protection is very tenuous at best," said Dave Wurtzel, a Corps official handling some of the repairs.

Engineers and contractors drove a massive metal barrier across the 17th Street Canal bed to prevent a storm surge from Lake Pontchartrain from swamping New Orleans again, and worked around the clock to repair the damaged pumps, concrete floodwalls, earthen berms and channels that protect the below-sea-level city.

The corps had 800 giant sandbags of 6,000 to 15,000 pounds each on hand, and ordered 2,500 more to shore up low spots and plug any new breaches.

The federal government's top official in the city, Coast Guard Vice Adm. Thad Allen, said the preparations in and around New Orleans included 500 buses for evacuation, and enough water and military meals for 500,000 people.

Buses stood by at the city's convention center to evacuate the 400 to 500 residents Mayor Ray Nagin estimated were left in the main part of the city, on the east bank of the Mississippi River. Two busloads left on Tuesday. Almost no one showed up Wednesday morning.

"The majority of people who are back in the city came with their own vehicle. We expect them to go out in their own vehicle," said Spc. Amber Mangham, a military police officer at the convention center.

The evacuation order meant that for the second time in 3 1/2 weeks, many New Orleans residents were forced to decide whether to stay or go. Also, many Katrina victims still in shelters faced the prospect of being uprooted again. At the Cajun Dome in Lafayette, emergency officials arranged to take the 1,000 refugees from the New Orleans area out on buses if Rita tracks north.

"I don't think I can stay for another storm," said Keith Price, a nurse at New Orleans' University Hospital who stayed through Katrina and had to wade several miles through chest-deep water to reach a friend's apartment on higher ground. "Until you are actually in that water, you really don't know how frightening it is."

Along the Texas coast, authorities rushed to get the old and infirm out of harm's way, three weeks after scores of sick and elderly nursing home patients in the New Orleans area drowned in Katrina's floodwaters or died in the stifling heat while waiting to be rescued.

In Galveston, the Edgewater Retirement Community, a six-story building near the city's seawall, began evacuating its more than 200 nursing home patients and retirees by bus and ambulance.

"They either go with a family member or they go with us, but this building is not safe sitting on the seawall with a major hurricane coming," said David Hastings, executive director. "I have had several say, 'I don't want to go,' and I said, 'I'm sorry, you're going.'"

The University of Texas Medical Branch at Galveston discharged 200 hospital patients healthy enough to go home and evacuated others by helicopter, ambulance and buses.

"There are going to be some people who are too sick to evacuate and we are going to keep them here," said spokeswoman Jennifer Reynolds-Sanchez.

About 80 buses began leaving Galveston at midmorning, bound for shelters 100 miles north in Huntsville. Dozens of people lined up, carrying pillows, bags and coolers, to board one of several yellow school buses in the city of 58,000.

"The real lesson (from Katrina) that I think the citizens learned is that the people in Alabama, Louisiana and Mississippi did not leave in time," said Galveston Mayor Lyda Ann Thomas. "We've always asked people to leave earlier, but because of Katrina, they are now listening to us and they're leaving."

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INTERNATIONAL



Iraq, Britain stepping up their dispute over Basra

BY THOMAS WAGNER
Associated Press Writer

BAGHDAD, Iraq — About 500 civilians and policemen rallied Wednesday in the southern city of Basra and denounced “British aggression” following London’s decision to use force to free two of its soldiers being held by Iraqi police.

Attacks by insurgents continued in and around Baghdad, with a roadside bomb wounding two U.S. soldiers. The blast came a day after the death toll for U.S. forces in Iraq rose to more than 1,900.

The demonstrators in Basra, which included police and civilians waving pistols and AK47s, shouted “No to occupation!” and carried banners condemning “British aggression and demanding the freed soldiers be tried in an Iraqi court as “terrorists.”

Some of the protesters met with the Basra police chief, Gen. Hassan Sawadi, to demand a British apology, said police spokesman Col. Karim al-Zaidi. Heavily armed soldiers and police watched the protest but didn’t intervene.

Clashes between British forces and Iraqi police have killed five civilians, including two who died of their injuries Wednesday in a hospital, authorities said.

The fighting occurred Monday night when British forces used armored vehicles to storm a Basra jail and free their two soldiers who had been arrested by police. During the raid, British forces learned that Shiite Muslim militiamen and police had moved the men to a nearby house. The British then stormed that house and rescued them.

Interior Minister Bayan Jabr disputed the British account. He told the British Broadcasting Corp. the two soldiers never left police custody or the jail, were not handed to militants, and that the British army acted on a “rumor” when it stormed the jail.

Britain defended its action, saying the men were first stopped by plainclothes gunmen, then moved by militiamen from a jail to a private home while British officials tried to negotiate their release with Iraqi officials.

Lisa Glover, a British Foreign Office spokeswoman in Baghdad, said Wednesday the two soldiers “were challenged by armed men in plain clothes ... and they obviously didn’t know who there were being challenged by.” But “when Iraqi police asked them to stop, they did,” she said in an interview with The Associated Press.

She said British officials had been negotiating with Iraqi authorities in Basra for the release of the two soldiers with an Iraqi judge present. “When it became apparent they were no longer at the station, but had been moved elsewhere, we naturally became concerned.”

British Defense Minister John Reid said his forces were “absolutely right” to act. But a spokesman for Iraqi Prime Minister Ibrahim al-Jaafari said the operation was “very unfortunate.”

After British armored vehicles stormed the jail to free two commandos, National Security Adviser Mowaffak al-Rubaie said the operation was “a violation of Iraqi sovereignty.”

Al-Jaafari’s office in Baghdad issued a statement Tuesday afternoon, insisting there is no crisis in relations between the two countries.

At first, Basra police said the men shot and killed a policeman, but on Tuesday al-Jaafari’s spokesman,

Haydar al-Abadi, said the men were grabbed for behaving suspiciously and collecting information.

The British said the soldiers had been handed over to a militia. The Basra governor confirmed the claim, saying the Britons were in the custody of the al-Mahdi Army, the militia controlled by radical Shiite cleric Muqtada al-Sadr.

“The two British were being kept in a house controlled by militiamen when the rescue operation took place,” said Gov. Mohammed al-Waili.

“Police who are members of the militia group took them to a nearby house after jail authorities learned the facility was about to be stormed,” he said, demanding that the British soldiers be handed over to local authorities for trial. He would not say what charges they might face.

Britain’s position appeared to be strengthened by al-Rubaie, who acknowledged that one problem coalition forces face is that insurgents have joined the ranks of security forces.

“Iraqi security forces in general, police in particular, in many parts of Iraq, I have to admit, have been penetrated by some of the insurgents, some of the terrorists as well,” he said in an interview with the BBC on Tuesday night.

Officials in Basra, speaking on condition of anonymity because they feared for their lives, said at least 60 percent of the police force there is made up of Shiite militiamen from one of three groups: the Mahdi Army; the Badr Brigade, the armed wing of the Supreme Council of the Islamic Revolution in Iraq; and Hezbollah in Iraq, a small group based in the southern marshlands.

All militia have deep historical, religious and political ties to Iran, where many Shiite political and religious figures took refuge during the rule of Saddam Hussein.

While about 135,000 U.S. troops operate throughout Iraq, the 8,500 British forces are headquartered in the Basra region.

In Wednesday’s violence in and around Baghdad, a roadside bomb exploded as a U.S. military convoy drove through the Abu Ghraib area on the western outskirts of the capital, wounding two soldiers, said Lt. Jamie Davis, a spokesman for the U.S. Army.

Iraqi police 1st Lt. Mohammed Khayon said the U.S. forces then opened fire on people in the area, wounding an Iraqi civilian, but Davis couldn’t confirm that.

Roadside bombs also exploded near two other U.S. convoys in southwestern Baghdad and in the Taji area north of the capital. No soldiers were wounded, Davis said.

Iraqi forces fought with suspected insurgents based in several homes near the United Arab Emirates Embassy in the Mansour neighborhood, and two policemen, one soldier and five insurgents were killed, said army Brig. Abdeljalil Khalaf.

The fighting began after an Iraqi the insurgents had tried to kidnap reported the militants to Iraqi forces, who then raided several homes and found bombs and weapons, said Maj. Falah al-Mohamdawi of the Interior Ministry.

In the Euphrates River insurgent stronghold of Haditha, a coalition raid Sunday on a terrorist safehouse killed Shehab Hamed, also known as Abu Ali, a regional leader of the al-Qaida in Iraq insurgent group, the U.S. military said. Hamed had recently moved from Qaim, near the Syrian border, to Haditha, it said.

Mexico bulldozes homes enabling illegal migrants

BY MARINA MONTEMAYOR
Associated Press Writer

LAS CHEPAS, Mexico — Mexican officials have bulldozed 31 abandoned buildings in Las Chapas, a border hamlet that officials in neighboring New Mexico say is used as a staging ground for crossings by undocumented migrants.

A squad of about 15 Chihuahua state police officers showed up Tuesday and, along with two bulldozers, began demolishing the adobe homes with tin roofs.

“This is great news for everyone living on the border,” New Mexico Gov. Bill Richardson said in a statement. “I commend the actions of the Mexican government for taking this step to put a halt to increased illegal activity on the Mexico-New Mexico border.”

The operation was monitored from the United States side by U.S. Border Patrol agents.

Last month, Richardson declared a state of emergency in four New Mexico counties along or near that border with Mexico. Arizona Gov. Janet Napolitano earlier had declared a similar emergency in her state.

“Bulldozing abandoned buildings in Las Chapas is a major step that sends a strong signal to anyone involved in illegal criminal activity on the border that it will not be tolerated,” Richardson said.

But many houses were left standing in the farm community, which has 50 full-time residents and supports three grocery stores whose main business apparently involves selling supplies to border crossers.

Village residents complained Tuesday that police had not shown them any court order to justify the demolitions.

“Bill Richardson wouldn’t like it if we demolished Columbus,” the New Mexico city that stands just beyond a barbed-wire fence that marks the border, said local communal farm representative Francisco Molina.

Molina complained that the houses, while abandoned, had legal owners. However, another leader of the communal farm community had apparently agreed to the demolitions, angering the other residents.

Resident Erasmo Silva said one of the state police officers pointed his rifle at him, after residents voiced their objections.

The village is formally named after a heroine of the Mexican Revolution, Josefa Ortiz de Dominguez, but is more widely known as Las Chapas.

In August, Richardson and the governor of Chihuahua agreed to bulldoze or board up abandoned buildings here to prevent them from being used as a haven for would-be immigrants and smugglers.

Richardson and Chihuahua Gov. Jose Reyes Baeza also said they hoped to establish a police presence to end lawlessness in Las Chapas and fine unlicensed bus operators who ferry would-be immigrants along a dusty washboard road to Las Chapas.

However, even after the demolitions, one such bus carrying people who appeared to be migrants was seen driving on the road to Las Chapas.

And in the village, people peered out from the remaining homes, where bunk beds and cots apparently serve as improvised quarters for migrants waiting to cross.

One man waiting for nightfall before embarking on a journey he hoped would take him to New York vowed that the demolitions wouldn’t stop him from making the crossing.

“When I’m not sucking up to celebrities or sucking down cocktails, I write about both in the Daily Press.”

Dan Dunn, entertainment writer and local lush

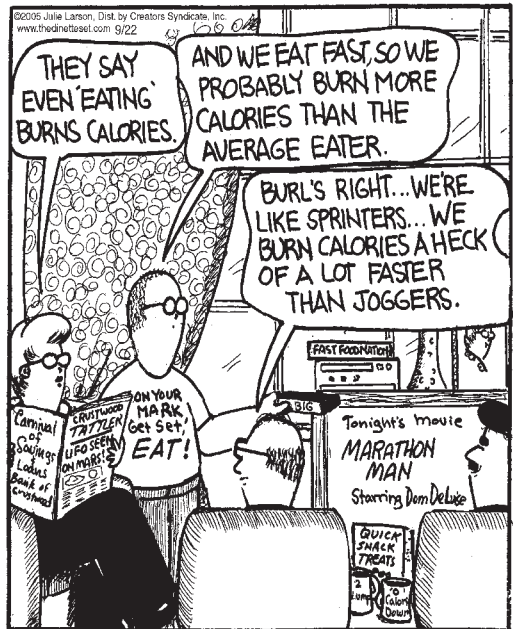
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 - 11 Concert souvenirs
 - 17 Leaf lifter

S	A	L	A	M	I		S	T	U	D
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U	L	N	A			S	T	E	R	E
B	E	S	S			P	I	R	A	T

Yesterday's answer

- 19 Tub
- 22 Freeway mishap
- 24 Mosque tower
- 25 Oblivious
- 27 Gifted
- 28 Fancy desserts
- 30 Used to be
- 33 "Don't Cry for Me" singer
- 34 Daytona car
- 35 Subject of a Lewis Carroll hunt
- 37 Polo shirt, usually
- 38 March date
- 42 Rocker Nugent

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1	2	3	4		5	6	7	8	9
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9-22

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Obituaries

MICHAEL GERALD LYONS



MICHAEL GERALD LYONS, 58, reached the finish line at his home. He was a long time Santa Monica resident and Vietnam Veteran. He will be missed by his brother and sisters, Mary Catherine, Patrick, Geraldine, and his nieces and nephews. Cherished and loved by his Santa Monica family, Roxanne, Danielle, and Tani. Be at Peace my Love

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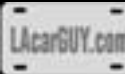
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