

Santa Monica Daily Press

A newspaper with issues

DAILY LOTTERY

SUPER LOTTO

7 13 16 37 38
Meganumber: 14
Jackpot: 10 Million

FANTASY 5

4 10 11 14 16

DAILY 3

Daytime: 9 7 2
Evening: 6 1 3

DAILY DERBY

1st: 03 Hot Shot
2nd: 10 Solid Gold
3rd: 02 Lucky Star
RACE TIME: 1:42.66

NEWS OF THE WEIRD BY CHUCK SHEPARD

In September, a government appeals board in Melbourne, Australia, changed its mind and ruled that organizers of a lesbian festival could not, after all, limit attendance to just those lesbians who were born female, because that discriminates against transsexual lesbians. The female-born organizers had said they needed to exclude ex-males in order to affirm their identity and "consolidate our culture."

TODAY IN HISTORY

ON OCT. 6, 1927, the era of talking pictures arrived with the opening of "The Jazz Singer," a movie starring Al Jolson that featured both silent and sound-synchronized scenes.

■ **In 1884**, the Naval War College was established in Newport, R.I.

■ **In 1889**, the Moulin Rouge in Paris opened its doors to the public.

■ **In 1949**, President Truman signed the Mutual Defense Assistance Act, totaling \$1.3 billion in military aid to NATO countries.

QUOTE OF THE DAY

"Knowledge comes,
but wisdom lingers."

ALFRED, LORD TENNYSON (1809-1892)

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Candidates' cash reports trickle in



BY JOHN WOOD

Daily Press Staff Writer

CITY HALL — Fall has arrived in Santa Monica, and with it the political dollars have begun to change hands.

Several hundred thousand dollars will be spent this November in the race to fill four open seats on the Santa Monica City Council,

(Editor's note: This is the first in a series of articles this week covering the campaign contributions for those seeking office in Santa Monica.)

and three seats on both the local school and college boards.

Tuesday was the first of two pre-election deadlines for candidates and political groups to report how much money they've raised and from whom, along with how much they've spent and on what. The reports were as diverse as the candidates themselves.

Limiting the size of the war chests candidates accrued is a

local law that limits campaign contributions to \$250.

Kennedy-family descendant and local hedge activist Bobby Shriver raised more than \$80,000 in his bid to unseat one of the four City Council incumbents, spending \$22,893 and accruing another \$74,000 in debts, according to campaign documents filed at City Hall. Shriver also is part of a slate backed by the local

chamber of commerce.

Shriver's contributions came from a wide array of people across the country, including Hollywood players like producer Jerry Bruckheimer; actor Clint Eastwood; David Geffen of Dreamworks; political players like local City Councilman Herb Katz and U.S. Sen. Edward Kennedy; and educators like Santa Monica College President Dr. Piedad F. Robertson and organizing director of the local school district Harry Keiley;

See MONEY TRAIL, page 4

Parents lash out over Pico school shooting



Crill Hansen/Special to the Daily Press

Perturbed Pico neighborhood resident George Williams airs his concerns about a Sept. 28 shooting near Edison Elementary School to a panel discussing safety in the school cafeteria on Monday night.

Hundreds speak of anger, fear at Town Hall meeting

BY JOHN WOOD

Daily Press Staff Writer

PICO NEIGHBORHOOD — Angry and afraid after last week's drive-by shooting in front of an elementary school here, hundreds of parents lashed out at community leaders on Monday night.

Many blamed officials for the non-fatal shooting and demanded that additional safety precautions be taken, including the placement of a permanent police officer at Edison Elementary School and the potential barricading of Virginia Avenue, often used by criminals as a quick escape onto Interstate 10.

"This is not happening in all of Santa Monica, OK?" said an emotionally charged Sarah Carillo, an Edison parent and one of more than two dozen people who spoke at the Town Hall meeting in the school's cafeteria. "I would like this to be more than a good photo-op. These are our children, OK? You need to realize that."

A panel consisting of City Manager Susan McCarthy, Chief of Police James T. Butts, Jr., schools Superintendent John Deasy and Edison Principal Ernesto Leon responded by saying they were doing all they could to protect students and residents, but added they were bound by financial and practical limitations.

Parents didn't sit back quietly. Many challenged officials openly, disregarding the scheduled agenda

See LASH OUT, page 5

Grocery negligence no longer costs shoppers

By Daily Press staff

Consumers will get added protection at the grocery store with last week's signing of a new bill by Gov. Arnold Schwarzenegger.

The bill, known as AB 1721, will close a loophole in state law which allowed stores like Pavilions on Montana Avenue to charge customers more than the posted price for items on sale.

Under the new law, when more than one price for an item is post-

ed, stores must charge the lowest posted price. In addition, stores can't avoid the rule by relying on "expiration" or "effective" dates for sale items.

Pavilions was sued in 2001 by Santa Monica City Hall for allegedly charging more at the checkout stand for "value plus" items than was advertised on tags in the aisles. The charges were filed after an undercover investigation

by Larry Godwin, an LA County weights and measures official.

Godwin, who purchased 20 items, was overcharged by as much as \$2.90 on six of the products — including Taglio Primo Brie cheese, Vons brand spaghetti, A&H Peroxicare toothpaste and Hungry Jack Waffles.

Lawyers for Pavilions admitted tags are sometimes left up after their expiration, but said it is impossible to keep up with the

See STICKER SHOCK, page 8

Jacquie Banks

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Play ostrich tonight, Leo

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)
★★★ Get used to the unexpected — whether it occurs externally, as in events or others' behavior, or internally, as in personal insights. You need to embrace change and surprise. No longer will life run in a steady course. Tonight: Exercise on the way home. Plan on a quiet evening.



TAURUS (April 20-May 20)
★★★★★ Your attitude could be instrumental and determine the reaction of others. You could be floored by someone emotionally, but how you work with the energy will define what happens. Recognize that not everything is under your control — only how you react and feel. Tonight: Step right on out.



GEMINI (May 21-June 20)
★★★ You might be shaking your head at work, the demands of others and the chaos that seems to mark this moment. Your possessive side emerges with a loved one or someone quite important in your life. A child might threaten to run away! Tonight: Treat a key person in a manner appropriate to your feelings.



CANCER (June 21-July 22)
★★★★★ Your smile is a winner, especially as others seem less than sure of themselves. Surprising news heads your way. Express your heartfelt feelings, and others cannot help but respond. Your authenticity only adds to the situation. Tonight: Ask yourself what you would like to conjure up, and then do it.



LEO (July 23-Aug. 22)
★ The less said the better right now. You could tumble into quicksand too easily, even for your taste. In fact, on some level, you still might feel like you are walking on eggshells. Keep your own counsel. You pull the wild card financially. Tonight: Play ostrich.



VIRGO (Aug. 23-Sept. 22)
★★★★ Uproar continues, though you will have the ability to turn a bleak situation into a positive happening. Emphasize the positive in what occurs. Friends surround and support you. Don't say "no." Tonight: Whoop it up.



LIBRA (Sept. 23-Oct. 22)
★★★ Your nerves could be frayed, as everyone seems to come at you from different directions. You can do this; remember that. Pretend you are a traffic cop and handle what you must. Your adaptability is tested and will make or break the situation. Tonight: Count on being up late.



SCORPIO (Oct. 23-Nov. 21)
★★★★★ Visualize what you want, and take steps to make it so. Someone else's unexpected or flaky action will boomerang in your favor if you follow your sixth sense. Emotions intensify. Fortunately, you can handle feelings well. Tonight: Opt for unusual, be it cuisine, a place or company.



SAGITTARIUS (Nov. 22-Dec. 21)
★★★ You flip-flop through your day, as different currents in your life develop into riptides. Deal with others as if each individual is the only person in your life at that moment. You'll gain through that special touch. Tonight: Be a duo.



CAPRICORN (Dec. 22-Jan. 19)
★★★★ You have the wherewithal, patience and wisdom to handle the many different people and their needs as they float through your day. Not everything proceeds as you think it should. Life might be boring if you've had too much of a routine. Tonight: Catch some of the spontaneity in the air. Flip out the door.



AQUARIUS (Jan. 20-Feb. 18)
★★★ Encourage yourself to be all work and no play right now. You might be concerned with some monetary instability, but that too will pass. Honor your instincts with a child or loved one. You might be pleasantly surprised. Tonight: Take a walk after dinner.



PISCES (Feb. 19-March 20)
★★★★★ You have an answer or response to nearly anything that heads down your path, which is good news. Others around you might easily be floored, at best. Use that Piscean ingenuity for the higher good. Tonight: Add more play to a relationship.

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LOCAL



COMMUNITY BRIEFS

Ammunition against breast cancer

By Daily Press staff

Arm yourself in the battle against breast cancer with everything from the latest knowledge on treatment to how to access a low-cost mammogram. In recognition of Breast Cancer Awareness Month, the Santa Monica Chamber of Commerce is offering a free community education discussion on Oct. 7. A panel of experts will be on hand to supply information and answer questions on a range of issues related to breast cancer survival.

Mammography and options in breast cancer treatment will be explored by several specialists. Low-cost screening and diagnostic mammograms are available at Santa Monica-UCLA Medical Center. Jean McNeil Wyner, physician and community liaison at Santa Monica-UCLA Medical Center, will speak about the Westside Challenge to Beat Breast Cancer and explain the low-cost mammography program.

Finally, "Living With Cancer" is a psychotherapy group for middle-age adults and is designed to provide support empathic understanding, guidance and hope. Co-leader Lynn Wyner White, MA, MFT, will present information on the group.

The event will be from 12 p.m. to 1 p.m. at the Santa Monica Chamber of Commerce, 1234 Sixth St., suite 100. For more information, call (310) 393-9825.

Reef madness: Study abroad with SMC

By Daily Press staff

Explore the Barrier Reef and the Sydney Aquarium in Australia this winter.

Santa Monica College will hold an informational meeting for its Australia Study Abroad Program, scheduled for January of 2005. The 24-day program will be during Australia's summer and will include classes in zoology, marine biology, intercultural communication and public speaking. The biology classes are taught by SMC Professor Garen Baghdasarian and the speech classes by Professor Nancy Grass Hemmert.

The program will include excursions to the Great Barrier Reef, Sydney Aquarium, Sydney Zoo, Gavalá Aboriginal Center, Hawksbury Valley and more.

The program runs from Jan. 7-30, and costs \$3,965. That includes round-trip airfare, 22 nights accommodation, some meals, transfers and transportation by deluxe motor coach. Students will earn seven units of college credit.

The meeting will take place on Thursday, Oct. 7 at 11:15 a.m. The presentation will be held in room 151 of the SMC science complex at SMC, 1900 Pico Blvd. For more information, call (310) 434-8782 or (310) 434-8222.

'Well' being: Senior health fest this week

By Daily Press staff

"Aging well, living well" is the theme of the sixth annual County of Los Angeles Health Fair and Senior Festival, which will be held in Santa Monica this week.

Now in its sixth year, the event will provide free health screenings that include blood pressure, cholesterol, glucose, gait and balance, body fat analysis, pulmonary function, bone testing and hand strength.

Also featured will be guest speakers covering issues such as the new Medicare cards, exercise, tai chi, and memory enhancement. One hundred booths providing materials covering a wide variety of aging issues also will be available.

"LA County has an obligation to provide the most up-to-date information to our burgeoning senior population" said LA County Supervisor Zev Yaroslavsky. "It makes sense to educate our constituents about how to cope with aging."

The free, countywide event is scheduled for 9 a.m. to 2 p.m. Oct. 7, at the Santa Monica Civic Auditorium.

For more information, call 1-800-510-2020.

CORRECTION — In the Oct. 5 article about the Community For Excellent Schools' endorsement of the school board, the headline on page 4 contained an error. The PTA cannot make endorsements, only CEPS' political action committee can.



SURF REPORT

On Wednesday, look for a small mix of NW wind swell and secondary SW Southern Hemi. Northern LA breaks see inconsistent surf in the knee-waist high range at the good NW/combo breaks. Average South Bay spots will average knee-high waves while the best NW/combo spots in the north half of the bay get up to waist high. Slow increase in NW wind swell and Southern Hemi swell expected on Thursday. That peaks on Friday. Winds are light in the morning, turning WNW 8-12 knots for the afternoon.

Today the water is:

65°

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LOW TIDES

HIGH TIDES

	Morning	Height	Evening	Height	Morning	Height	Evening	Height
SATURDAY	5:14	2.2	6:49	0.8	12:12	3.9	(11:35	5.5)
SUNDAY	5:28	2.7	7:53	1.0	1:15	3.4	12:04	5.2
MONDAY	N/A	N/A	9:26	1.2	N/A	N/A	12:42	4.8
TUESDAY	N/A	N/A	11:03	1.1	N/A	N/A	1:49	4.5
WEDNESDAY	10:20	3.7	N/A	N/A	8:03	3.8	3:50	4.3
THURSDAY	12:08	0.8	12:04	3.4	7:44	4.0	5:22	4.5
FRIDAY	12:50	0.6	12:48	2.9	7:51	4.2	6:20	4.8

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The Q Line

The City Council recently adopted a new law that limits the size of storefronts on the Third Street Promenade to 50 linear feet as a way to discourage more chain stores from coming to Santa Monica's outdoor mall.

Chain stores typically need a lot of space and by limiting how much they can have on the Promenade might deter new corporate stores from coming here. The City Council has been concerned for years about the homogenization of the street — there aren't enough independently owned retail stores and restaurants, they say. But critics

argue the Promenade is thriving and constantly attracting shoppers, making it a significant sales tax revenue generator for Santa Monica.

So this week, Q-Line wants to know, "Should the city government get involved in regulating the free market?"

Call (310) 285-8106 before Friday at 5 p.m. and we'll print your response in the weekend edition. Please limit your comments to a minute or less. It might help if you think about the wording of your response first.

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LOCAL

Contribution reports due again on Oct. 21

MONEY TRAIL, from page 1

as well as several relatives, including parents Eunice and Sargent Shriver, and sister Maria Shriver, wife of Gov. Arnold Schwarzenegger.

Shriver, who loaned his campaign an additional \$25,000, listed tens of thousands of dollars in expenses for consulting and professional services, along with expenditures for election literature and mailings.

City Councilman Mike Feinstein, who failed to win the backing of the powerful Santa Monicans for Renters Rights group and is running as an independent, reported nearly \$20,000 in money raised this year and an additional \$36,744 loaned by Feinstein to his campaign. So far, Feinstein's campaign has spent \$24,349 this year, according to documents.

Contributing to Feinstein's campaign were Doris Ganga, an attorney for City Hall's Rent Control Board; former City Attorney Robert Myers; Jay Fiondella, owner of Chez Jay on Ocean Avenue; Russell Barnard, owner of Rusty's Surf Ranch on the Santa Monica Pier; Joe Pipersky, owner of three Main Street restaurants; 2002 City Council candidate Josefina Aranda; and local preservationist Nina Fresco, among others.

Key expenses listed by Feinstein included a \$20,000 political consultant tab and hundreds of dollars on campaign literature and mailers.

Physician Matteo Dinolfo, also backed by the Santa Monica Chamber of Commerce, reported more than \$37,000 in money raised so far, and just over \$10,000 spent.

In addition to loaning \$16,950 to his campaign from his own personal account and \$2,000 raised in small donations, Dinolfo raked in more than \$35,000 in contributions of more than \$100.

Many of his donors are notable community members, including Klaus Mennekes, general manager of Casa Del Mar; local property rights attorney Tom Larmore; long-time chamber supporter Jean McNeil-Wyner; past chamber president Mike Gruning; Santa Monica College trustee Margaret Quinones and SMC president Robertson.

The \$10,000 Dinolfo has spent so far has been used mostly on his Web site, campaign literature and a series of election mailers, including ones entitled "California Voters Guide," "Parents Ballot Guide," "Continuing the Republican Revolution," "Save Prop 13" and "Citizens for Representative Government," according to Dinolfo's disclosure forms.

Challenger Patricia Hoffman, a former school board member who won the SMRR endorsement, has raised nearly \$8,000 and spent \$3,600, according to her disclosure report, which shows Hoffman loaned her campaign an additional \$1,500.

Supporting Hoffman with cash contributions were City Councilman Kevin McKeown; SMRR co-founder Dolores Press and Ganga, the rent control board attorney, documents show.

Like Dinolfo, the money Hoffman has spent has gone towards a Web site, campaign literature and election mailings. Hoffman spent \$400 and \$300, respectively, to appear on mailers entitled "Parents and Teachers for a Better LA" and "Independent Voters League."

City Councilman Ken Genser, also backed by SMRR, reported just \$1,240 in cash raised and another \$185 in gifts in the form of postage. Among his cash contributors were the Ocean Lodge Hotel. Among his expenses were \$346 for printing election materials. Though Genser's war chest was relatively small, he will benefit from SMRR backing, meaning his name will appear on a series of mailers sent to residents' homes.

Former newspaper columnist Bill Bauer reported nearly \$4,500 in cash raised so far, and indicated he's spent about \$2,000.

Among the donors Bauer listed were prominent landlord attorney Rosario Perry; commercial real estate agent Barbara Tenzer and a handful of resident activists from north of Montana Avenue to the Pico neighborhood. According to his report, Bauer has spent his money mostly on lawn signs, a newspaper ad, a Web site, and campaign literature and mailings.

Data entry operator Linda Armstrong filed campaign contribution disclosure forms stating she would not be raising money.

Filings are expected to continue to trickle in today. All documents had to be postmarked by Tuesday, but many are often over-nighted or mailed into City Hall, city officials said. Along with candidates, all political committees and organizations that will be spending money on the election must file disclosure reports. For example, the group pushing Measure S, a \$135 million bond benefiting SMC, reported more than \$160,000 in earnings and nearly \$60,000 in expenses, spent mostly on mailers and consultants.

Candidates and political groups must report their campaign contributions again on Oct. 21, the final disclosure date before the Nov. 2 election.

Walking to newstand increa

Santa Monica

LOCAL



PTA to begin discussing Edison shooting Oct. 20

LASH OUT, from page 1

for the meeting and speaking out of turn. Others shouted at Butts, "It's not enough" and "Why didn't you do it last time?" They booed when the moderator attempted to end the meeting.

"We're just going to keep asking and asking and asking until we get something," said Parent-Teacher Association Co-President Carol Davis, who commandeered the microphone at the close of the meeting.

Officials announced the meeting one day after the Sept. 28 afternoon shooting, which was witnessed by neighbors and young students in an Edison after-school program. The school went into lock-down mode until police managed to clear the scene.

Deasy told the group he was at Edison Elementary minutes after the shooting, before ambulances arrived on the scene. Leon said counseling has been offered to the victim's family and to all Edison students.

Police said a car of alleged Los Angeles gang members pulled alongside a 16-year-old bicyclist, yelled a gang slogan at him and fired 14 rounds from a handgun, missing the young man but forcing him to the ground and injuring his lip.

Police said they had no reason to believe the victim or his relatives were involved with gangs. Parents said the shooting served as a frightening reminder of the ongoing violence in eastern Santa Monica. For their own safety, the victim's family has been moved to temporary housing, courtesy of the school district. The family lives in the Pico neighborhood and has four students in the district.

In addition to maintaining a permanent police presence at Edison and possibly closing Virginia Avenue, parents requested special gates be installed at the school that open only from the inside, as well as a school safety analysis be conducted by an outside group, a protocol be established for reacting to future incidents and more money be spent by City Hall on youth programs in the Pico neighborhood.

While school officials said they already were pricing the special gates and agreed the safety study was necessary, city officials raised practical and financial concerns to the other requests.

According to McCarthy, City Hall already spends \$7.5 million on youth programs and will add more programs when the expanded Virginia Avenue Park opens next July. She said further financial resources were not only unavailable, but were unlikely to solve the larger societal problem with gangs. As for closing the busy Virginia Avenue, McCarthy said the effect

(Police Chief) Butts recited the significant drop in crime rates over the last 10 years, saying the trend mirrored his success as a police leader in other communities.

on neighbors would have to be considered.

"The fact of the matter is that this entire neighborhood is relatively freeway convenient," she said. "We're not sure that closing any one street is going to lower the danger overall."

Butts recited the significant drop in crime rates over the last 10 years, saying the trend mirrored his success as a police leader in other communities. Adding a permanent Edison police presence, however, wouldn't be the best use of funds in an eight-block area that already has the strongest police presence in the city, he added. The Pico neighborhood currently has a special bike force and extra officers are brought in as needed.

"I will not let you down as far as protecting your children," said Butts, as parents and community members responded with mixed shouts of "You already have" and "Shhh, let him speak."

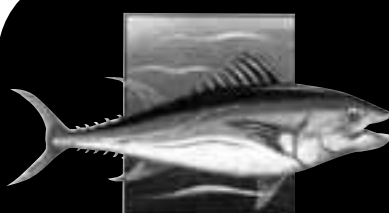
"I accept your criticism," Butts continued, after the crowd had quieted. "You have to hold me responsible. We will do our best to assure the absolute safety of your children, and that's all I can say."

In the meantime, Edison principal Leon said the school will be conducting frequent drills to practice the lock-down procedure and will distribute detailed information to parents. The Edison PTA plans to take up the matter with Deasy and other officials at its meeting on Oct. 20 at 6:30 p.m.

Frank Kosa, a 15-year resident of Santa Monica who has a son and a daughter at Edison, pointed out that Edison is a special language academy which uses an immersion program offered in only five schools across the country.

"I believe in my heart this is the right place for my child to be," he told the panel. "These are the future leaders of America."

"We must make sure they live to see their future."



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LETTERS TO THE EDITOR

What do babies know about Bush?

Editor:
I normally have nothing but praise for your newspaper, but was it really necessary to label the Oct. 4 front page picture “Babies against Bush?” Better yet, why didn’t someone from the paper ask these people what the h--- a baby would know about political protest?

James Walsh
Topanga

Feinstein reppin’ for Santa Monica

Editor:
A few weeks ago, I attended the LA City Council meeting at which the controversial Playa Vista phase II project was approved over the objections of many knowledgeable and credible speakers. The Santa Monica City Council has gone on record opposing the project. In that capacity, Councilman Michael Feinstein addressed the LA City Council and urged them to deny approval. I have never felt better represented by an elected official. Mr. Feinstein presented his/our concerns with conviction and clarity: Traffic congestion, loss of open space, water pollution, jobs-to-housing ratio, and the desecration of a native cemetery. By speaking for Santa Monica, he served both the residents, as well as the businesses that rely on tourism and I thank him for that.

Linda Piera-Avila
Santa Monica

Reader fired up over proposed smoking ban

Editor:
Jerry Rubin writes (SMDP, Sept. 30, page 4) that he’d like to see smoking banned in Santa Monica outdoor dining areas. Has he nothing else in his life to worry about except trivialities like this? I should have thought a person dining outside in Santa Monica would be more upset by filthy men leaning over his table and begging — the height of bad manners, if nothing else — or the god-awful racket of some idiot banging on plastic buckets.
You have thousands of cars belching exhaust fumes all the time. The air is heavily polluted by that. It’s ludicrous to say that cigarette smoke is a problem in air like

this. It’s a tiny drop in the ocean of car polluted air. My window sills at home are constantly filthy with the black dust from the air outside which comes from car exhausts. When I went to the restaurant, I walked or took a bus, polluting no one. When the average non-smoker drives to a restaurant, his car deposited more filth and pollutants into the air, which I breathe, than a smoker does in a lifetime. This is selective morality. Look at this bad smoker with his few whiffs of smoke, but don’t look at the huge filth my car has belched out.
If Mr. Rubin wants a cause to champion he would do better to mount a campaign against obesity. Far more people are going to die because of excessive eating rather than excessive smoking. In my opinion, a person who eats moderately and smokes occasionally is going to be healthier than someone who eats excessively and doesn’t smoke. I think the percentage of the population that smokes is down to about 25 percent and they are hardcore. They are not going to stop. But over 50 percent of the population, including kids, is overweight or obese. So the new battle is against obesity. The battle against smoking is won. Jerry finds smoking outside offensive. I find the sight of overweight people eating outside offensive. It puts me off my food. I don’t mean any disrespect to anyone who is overweight for reasons beyond their control, but most people have control over what they eat.
It seems Santa Monica passes more and more laws against respectable working people who have worked hard all day and want to relax with a cigarette at the end of the day, and ignores the enforcement of laws against layabouts who haven’t done a stroke of work all day. Why? Because respectable hard working people will obey the laws and layabouts won’t. In a Santa Monica City Council meeting, an advocate for the latest smoking ban said that there would be little or no cost for law enforcement because smoking bans are self-enforcing. In other words, smokers are such well behaved, solid citizens that they will obey the law without question or being policed.
Although it is true that excessive smoking will cause cancer, many smokers have the good sense to not smoke excessively and do not get cancer. It’s nonsense to suggest that everyone who smokes will get cancer. The biggest nonsense is to suggest that side smoke is going to harm a non-smoker’s health. Where is the statistically valid study which says so? Has Mr. Rubin read it in its entirety? We constantly get references in the news media to studies, but who has ever seen the study? Who has ever read it? What does it really say exactly? How big was the sample? How reliable is the organization which did the study? What is their degree of confidence in the results? Statistics is just a pragmatic science — it is not the word of God. It just consists of taking a very small sample of a population and hoping that the results of a study are applicable to the entire population. Sometimes they get it wrong. All we get

See LETTERS, page 7

Bush, beware: We have a candidate who cares



INCITES
BY ED SILVERSTEIN

Sen. John Kerry and President George W. Bush squared off in their first debate last Thursday. The subject, foreign policy, was expected to be Bush’s strongest, yet only 15 percent of viewers gave the nervous and defensive President the edge while a whopping 61 percent rated a more presidential Kerry the clear victor. And, for once, the Republican juggernaut has not been able to spin away the President’s poor showing.
The reason is that voters were finally able to see the real John Kerry. In contrast to the President’s tired sound bites and nasty attacks, Kerry provided specific plans to win the war in Iraq and combat terrorism.
While Kerry did admit that in his speech about the \$87 billion he made a mistake about how he talked about the war, he asserted that Bush made a mistake by going to war, which Kerry termed “... a colossal failure of judgment.” Otherwise, Kerry has been consistent about Iraq, certainly more so than the President, whose justifications for war seem to change on a weekly basis. Kerry has stated from the beginning that he voted to allow the use of force in order to bring Saddam Hussein to the table, and with the President’s explicit promise that he would go to war only as a last resort.
Instead, the President misled us. He did not exhaust all diplomatic solutions, went

to war unnecessarily and used the war to enrich big donors such as Haliburton. Kerry voted against the \$87 billion because he no longer trusted the President and because the money was to be distributed without proper checks and balances.
Kerry emerged from the debate as a strong leader who would have done everything in his power to avoid the loss of our soldiers’ lives. And, despite his conviction that this was the wrong war at the wrong time in the wrong place, he, like the President, is unequivocal about the necessity to win this war. Where he and the President differ is how to proceed.
For starters, Kerry would heed the advice of his military experts. Bush, on the other hand, ignored his commanders’ battle plans that called for 350,000 to 400,000 troops, instead, using the lives of American soldiers to test Defense Secretary Donald Rumsfeld’s disastrous pet theory that fewer troops were required, which allowed the violent insurgency to take hold. Kerry also agrees with our commanders that our armed forces are stretched too thin and plans to add two active duty divisions.
Furthermore, Bush has lost the world’s trust. With the insurrection growing worse, many coalition countries are considering withdrawing their troops and have not made good on financial pledges. Kerry, with renewed credibility and a willingness to share reconstruction, believes he can elicit commitments from our allies for both troops and funding for the effort. Kerry also plans to reach out to moderate Muslims, many who perceive Bush as a Christian crusader, and would also make it clear that America has no

long-term designs on Iraq’s oil.
In terms of fighting terrorism, Kerry announced that he will stay focused on hunting down and killing terrorists wherever they are, but believes Bush diverted our attention from that goal by attacking Iraq and by allowing Osama bin Laden to escape at Tora Bora when he “outsourced” his capture to Afghan troops.
Kerry will implement programs that address our vulnerabilities at home, programs that have been ignored by Bush for the three years since 9/11. Specifically, Kerry will provide additional funds for first responders, putting more police and fireman on the streets, as well as provide money to protect our bridges, tunnels, trains, subways and, especially, our ports. Kerry will implement programs to screen cargo on passenger planes, tighten security in nuclear facilities and require chemical companies to secure their plants, which contain some of the world’s most deadly substances.
Kerry has advocated doubling our special forces to combat terrorism around the world. And, most importantly, Kerry wants to contain all Russian nuclear materials — one of the most likely sources for a terrorist nuclear bomb — within four years, rather than the 13 under Bush’s current budget.
But what may be the most telling moment in the debate was Bush’s response to Kerry’s plans. He wanted to know how we would pay for these programs? The answer is: How can we not? There is no price too high to ensure that our families are safe when they travel; that they will not be left blind, on a respirator or dead from a toxic chemical cloud;

or vaporized by a nuclear device smuggled into a port. And, Mr. President, if you think protecting us is expensive, imagine what it will cost if Wall Street goes up in a mushroom cloud because you want your rich friends to keep their tax cut.
What this debate clearly demonstrated is that the President, short of cohesive policies, has had to resort to schoolyard attacks. But when he complains about Kerry’s criticism of Iraqi Prime Minister Allowi’s overly rosy speech to Congress, he is being disingenuous. Because, according to the Washington Post, it was Bush’s own operatives who crafted Allowi’s speech so that it would reflect the President’s pie-in-the-sky assessments of Iraq. Nor does the President have any standing when he charges that Kerry is sending mixed messages when, as Kerry pointed out, the President is telling countries they cannot have nuclear weapons while pursuing a brand new nuclear bunker-busting bomb.
And Bush’s assertion that, with him, you know where you stand, seems a bit out of touch when you consider Iraq has become a quagmire, the Taliban is resurfacing in Afghanistan — which now provides 75 percent of the world’s opium — and bin Laden remains free.
Because, as Kerry stated, “It’s one thing to be certain, but you can be certain and wrong.”
And anyone certain that Kerry is not the better choice for President ... is just that.
(Comments and requests for copies of this column can be sent to: Incites@incites.net)

OPINION



LETTERS TO THE EDITOR

LETTERS, from page 6

in the media is some paraphrasing of the result — blown up to be as alarmist as possible. During childhood, my parents smoked like chimneys. When I was a teenager, I worked as a waiter in an English pub where everyone smoked and the smoke was so dense that tears ran down my face on the first night. If there were any truth whatsoever in these silly so-called studies which say side smoke is dangerous, I would have been dead before I was 7 years old. I'm still alive and far more healthy than the average person of my age. It's time for people to use their common sense and life experience and stop being hoodwinked by all these misleading studies.

Those who advocate the eternally increasing number of bans are very underhand in their approach. They got their original draconian ban on indoor smoking by saying that smokers could just sit outside. Now that they have gained a beach head they want to ban smoking outside as well. This is just pure bloody mindedness.

It's time for smokers to stop letting themselves be walked over. They have a right to smoke which, in my opinion is a lot more important than the right to bear arms. Stop being so damned co-operative. The more co-operative smokers are, the more bans get passed against them.

We keep hearing about America being the best country in the world because of its freedom and democracy, but Jerry Rubin doesn't want people to have the freedom to smoke after a meal outside. Do we have to go to Russia to get that freedom? Anti-

smokers' idea of democracy consists of a self-righteous majority eternally persecuting a minority of which they disapprove. We mustn't discriminate because of race, religion or sexuality, but it's OK to discriminate based on a person's chosen pleasures. He doesn't like smoking, therefore, no one else may smoke. The obvious, obvious, obvious answer is to have smoking and non-smoking pubs and restaurants. Then customers and restaurateurs and workers alike have the freedom to choose where to go and everyone is happy. We heard so much about these poor restaurant workers who were going to die from side smoke — but go round the back of a restaurant and guess what you'll probably see? A worker outside enjoying a cigarette while the poor customer inside, who would enjoy a cigarette after his dinner but can't. But no, that's not good enough for Mr. Rubin. He doesn't want freedom of association. He doesn't want the marketplace to decide. He wants a total ban.

How does this total ban mentality differ from the kind of thinking which lead to fascism? It's not clear to me.

Democracy is about live and let live. It is not about a majority eternally forcing its will on the minority. How about some tolerance for people whose tastes and pleasures differ from yours, Jerry?

Neil Macaulay
Santa Monica

Getting off the street, heading in New Directions



**GUEST
COMMENTARY**
BY KELLY HAYES-RAITT

"Home is the place where, when you ... go there, they have to take you in."
— Robert Frost

"Home" is such a transient concept, especially here at our country's western fringes. But do we have to "take in" the West Coast's version of our tired, our hungry, our poor? Do we have to tolerate people who seem to have dropped so far out of our American dream that they repulse us, scare us, shame us?

I was surprised recently when Sylvia Renee Banton told me she had chosen homelessness. A passionate, articulate, driven woman of relative privilege, Banton had given up her supportive family, her successful military career — even her two children — to pursue the drug addiction that had insidiously infiltrated every aspect of her life.

Her story is no "there-by-the-grace-of-God-go-I." Instead, it is one of tolerance, patience and willingness to accept that even the least healthy among us deserve, in Banton's words, "a chance to hope."

"I didn't have an appetite — I only fed my habit," Banton said of the weight loss resulting from her drug and alcohol addictions. For 10 years, she lived on Skid Row, hustling Walkman batteries, making just enough money to land her in a cheap hotel for a shower and a fix. She refused free meals, feeling they were for people with no other options.

"I was there by choice," she said. "I could always go home. My parents never closed their doors to me."

Banton is no aimless youngster. She is

49, newly sober, with a 20-year Air Force career as a government accountant before that.

"I had a degree, I had a family, I had friends, I worked every day ... I grew up in a family where my parents worked hard to get where they were," Banton said. "All of us went through school and have degrees. I really can't tell you what happened."

"The drug part was recreational on the weekends in the beginning," she added. "I don't know where it went bad. Drugs and alcohol became a way of life. I had to supply myself on a 24-hour basis. Drugs had become my job, way worse than a regular 9 to 5."

"Every day I thought about my sons. At some point, I remember crying, at the end I cried a lot. I wanted to see my kids, but I thought it was (bad for) them seeing their mom in that shape."

"On Mothers Day, I knew I needed to do something. I came to the (Veteran's Administration), and they got me into New Directions. I needed structure ... I knew it would be a year- (long program). Nothing else was going right in my life, so off I went."

New Directions is a non-profit organization that operates houses for 217 women and men in a rigorous recovery program for homeless veterans. The first six months are "spent working on yourself," said Banton of the program she credits with giving her new hope. It operates on the 12-Step principles, offering housing, clothing and group contact. The next six months focus on getting the recovering addict "back into society."

Banton now works as New Directions' accountant and lives in a sober house with eight women. She pays rent, abides by the curfews, attends five 12-Step meetings a week feels "blessed" each day.

"I've learned a lot in the last year," she said. "I've learned that alcohol and drugs

are not my problem, but what I used as a solution to not live life on its terms. I learned I made poor choices."

How would she counsel a City Council member trying to find a "solution" to homelessness?

"If you jail homeless addicts, they get dry," Banton offered. "If you jail them and assist them, they might get better. If you're going to take them off the streets, (then) really help them. You know, at some point, all addicts don't want to be there ..."

"It's about outreach — addicts need to hear from other addicts. They have to see some examples. No matter what walk of life you come from, you can be a role model. I stayed connected to New Directions because the other women kept me going. In the beginning, that's all I had to hold onto."

New Directions has outreach teams, runs a detox facility, conducts programs to reintegrate veterans with their families and provides job training and placement.

"If you don't take care of the whole person, you've missed it," said New Directions Executive Director Toni Reinis.

"About 80 percent of homeless veterans abuse drugs or alcohol," Reinis said. "There was a lot of drug use among soldiers in Vietnam while they were serving, and many came back addicted. We're seeing more alcoholism (than drug abuse) in soldiers returning from Iraq."

"We're doing more with less," Reinis added. "Meanwhile, all of our insurance has gone up tremendously; expenses have absolutely skyrocketed. And the people

coming in are so broken down."

Between her curfew, recovery meetings, job and sobriety, Banton is pursuing a degree in drug counseling.

"I have the experience, now I'm getting the intellectual part," she laughs.

Her sons, now 24 and 17, were raised by her family during the decade their mother was absent. Her oldest works with Head Start and her youngest is a senior in high school. Does she worry they might become addicts?

"I do," Banton said. "I worry more about the point (when) there's nothing I can do, except be an example. My parents couldn't make me stop, my children couldn't make me stop ... I hope they would see where I am now, and see there are other choices."

"My children seem to be moving in the right direction ... but then, so was I ... My parents still live in Carson (where I grew up). They never gave up hope. These days, I go down and sit with them for a few hours and just be the daughter they missed out on for all those years."

(Editor's note: Sylvia Renee Banton will be honored at the Westside Hunger and Homeless Coalition's Success Breakfast on Friday, Oct. 8 at 7:30 am. Tickets cost \$25 and are available at www.westsideshelter.org).

(Kelly Hayes-Raitt is a political consultant specializing in public relations and community organizing campaigns. She can be reached at (310) 474-5545 or www.CommunityCampaigns.com).



SYLVIA RENEE BANTON

YOUR OPINION MATTERS!

PLEASE SEND LETTERS TO:

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Software disasters are typically people problems

BY MATTHEW FORDAHL
AP Technology Writer

SAN JOSE — New software at Hewlett-Packard Co. was supposed to get

orders in and out the door faster at the computer giant. Instead, a botched deployment cut into earnings in a big way in August and executives got fired. Last month, a system that controls

communications between commercial jets and air traffic controllers in southern California shut off because some maintenance had not been performed. A backup also failed, triggering potential peril.

Computer code foul-ups also recently held Tacoma, Wash.'s budget hostage, delayed financial aid to university students in Indiana and caused retailer Ross Stores Inc.'s profits to plummet 40 percent after a merchandise-tracking system failed.

Such disasters are often blamed on bad software, but the cause is rarely bad programming. As systems grow more complicated, failures instead have far less technical explanations: bad management, communication or training.

"In 90 percent of the cases, it's because the implementer did a bad job, training was bad, the whole project was poorly done," said Joshua Greenbaum, principal analyst at Enterprise Applications Consulting in Berkeley. "At which point, you have a real garbage in, garbage out problem."

As governments, businesses and other organizations become more reliant on technology, the consequences of software failures are rarely trivial. Entire businesses — and even lives — are at stake.

Many experts believe the situation will only worsen as software automates new tasks and more systems interconnect with and rely on other computers. Technical challenges may be surmounted, but managing people never gets easier.

"The limit we're hitting is the human limit, not the limit of software," Greenbaum said. "Technology has gotten ahead of our organizational and command capabilities in many cases. It's amazing when you go into companies and see the kinds of battles that go on."

Big software projects — whether to manage supply chains, handle payroll,

track inventory, prepare finances — tend to begin with high expectations and the best intentions. They're all about efficiency, reliability, cost-savings, competitive-

ness. Companies might develop their own programs internally, outsource the job or buy from a company such as SAP AG, Oracle Corp. or PeopleSoft Inc. Regardless of the route, it's usually a major undertaking to get things right.

Often, however, the first step toward total disaster is taken before the first line of code is drawn up. Organizations must map out exactly how they do business, refining procedures along the way. All this must be clearly explained to a project's technical team.

"The risk associated with these projects is not around software but is around the actual business process redesign that takes place," said Bill Wohl, an SAP spokesman. "These projects require very strong executive leadership, very talented consulting resources and a very focused effort if the project is to be successful and not disruptive."

A 2002 study commissioned by the National Institute of Standards and Technology found software bugs cost the U.S. economy about \$59.5 billion annually. The same study found that more than a third of that cost — about \$22.2 billion — could be eliminated by improving testing.

A lack of strong leadership appears to have been a factor in HP's problem, which led to the dismissal of three top executives in its server and storage business hours after the company announced disappointing earnings on Aug. 12.

HP did not return a telephone call seeking comment but has said previously that its problems have been resolved. Wohl said the software, made by SAP, was not at fault.

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NOTICE OF AVAILABILITY CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT FOR 2003 PROGRAM YEAR



Notice is hereby given that the City of Santa Monica has developed the COnsolidated Annual Performance and Evaluation Report (CAPER) for the 2003 Program Year. The CAPER provides a status report on how the City is meeting its overall housing and community development needs as specified in the Consolidated Plan (FY 2000-05) adopted by City Council and submitted to HUD in June 2000. The City is seeking community comments on this report.

Copies of this report are now available to the public for a 15-day community review period ending October 13, 2004. To obtain a copy of the report, please contact the Human Services Division, located at 1685 Main Street, Room 212, Santa Monica, CA 90401, at (310) 458-8701. Please send your written comments to Gigi Decavalles-Hughes at the above address by October 13, 2004.

In accordance with Americans with Disabilities Act, this publication is available in alternate formats by calling the Human Services Division at 458-8701 (TTY 458-8696).

New law protecting consumers goes into effect on New Year's

STICKER SHOCK, from page 1

10,000 offers made each week. To cover that lapse, expiration dates are printed beneath sale prices, they contended.

Malibu Superior Court Judge Lawrence Mira dismissed City Hall's case against Vons Inc., Pavilions' parent company, saying that once an offer expires, the normal price is technically the posted price and not the "value plus" discounted price, even if it is still posted.

The law already made it a crime for stores to charge more than the posted price. However, many stores have been leaving up sale price tags (often in the form of "Club" specials) on items after its respective sale had expired. As a result, consumers were being charged full price even though a bold-type sale sign remained posted.

City Hall lawyers claim it's a misleading tactic, since shoppers often don't read the fine print and, at any given time, most supermarkets have literally thousands of different items on sale with differing expiration dates.

The bill became necessary after judges ruled in favor of Vons companies in several Southland trials. Vons had argued that it could charge regular price for items even though the sale prices were still dis-

played since the sale tag included an expiration date. In recent months, more and more stores had begun relying on that tactic to avoid honoring sale prices, city attorneys say.

The Santa Monica City Attorney's Consumer Protection Unit worked closely on the drafting and development of the bill, which was authored by Assemblyman Paul Koretz of West Hollywood.

"Most consumers don't even know when they're overcharged at the supermarket since there are usually so many items in their cart and it's impossible to keep track of all the different sale prices," said Deputy City Attorney Adam Radinsky. "The last thing we need is stores charging regular price when the sale signs are still up."

The Santa Monica City Attorney's Office has prosecuted dozens of large chain stores in recent years for charging more than the posted price.

Violations of the law are misdemeanors if the overcharge is more than \$1. Stores are subject to maximum fines and penalties of more than \$3,000 for each violation.

The new law goes into effect on Jan. 1.

STATE



U.S. House votes to dismantle 9th Circuit Court

BY MARK SHERMAN
Associated Press Writer

WASHINGTON — The Republican-led House voted Tuesday to break up the San Francisco-based 9th U.S. Circuit Court of Appeals, an action opponents said was motivated by conservatives' ire over some of the court's rulings.

Nine western states are currently covered by the 9th Circuit, but the legislation would leave just California and Hawaii in a revamped lineup.

The proposal splits the seven other states into two new courts: one to handle appeals from Arizona, Idaho, Montana and Nevada; and the other to oversee Alaska, Oregon and Washington.

Supporters said the new lineup reflects the need to address the region's bulging caseload and rapid population growth. They denied the vote was an expression of displeasure with court rulings, including the 2002 opinion that declared the Pledge

of Allegiance unconstitutional when recited in public schools.

"The need to split the 9th Circuit is undeniable. It has grown so rapidly that we will have to split this court," said Rep. Mike Simpson, R-Idaho.

However, the measure, which passed by a vote of 205-194, was not expected to become law because of strong opposition in the Senate. It is part of a larger bill that passed by voice vote and would create 58 new judgeships across the nation.

Opponents said the legislation's certain death in the Senate was evidence that Republicans were more interested, in the words of Rep. Howard Berman, D-Calif., in providing "campaign-season cannon fodder" to their political base than passing a bill that would relieve overburdened federal courts.

Rep. Rick Renzi, R-Ariz., described 9th Circuit judges as activists who are "legislating from the bench."

California Gov. Arnold Schwarzenegger, a Republican, and a majority of 9th Circuit judges say the split is unnecessary.

Most of the 21 California Republicans in the House initially opposed the measure, and their votes would have insured its defeat. But at least 10 Californians changed their votes to "yes" after huddling on the House floor, while five Republicans maintained their opposition.

"We don't want to create a hyper-liberal court in California" by putting the court's more conservative judges in the two new circuits, said Rep. Dana Rohrabacher, R-Calif., among the vote-switchers.

Lawmakers were reassured that the new 9th Circuit would be given seven new judgeships to dilute, in effect, what they see as its liberal leanings, Rohrabacher said.

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CALIFORNIA BRIEFS

Blessed art thou who driveth through

By The Associated Press

LAGUNA NIGUEL — Pets get a curbside holy boost at St. Anne School, where the Rev. Monsignor Paul Martin blessed more than 100 rats, cats, dogs and parrots in the school's drive-through pickup lane for about an hour.

Monday's event celebrated St. Francis of Assisi, the patron saint of animals and the environment. Catholics around the globe gather each year on Oct. 4 to celebrate his fondness for living creatures during the Blessing of the Animals.

"We trust this will keep them in good health and they will be kind to their masters," Martin said. "We bless the animals because we love them and want them to have God's special protection and love."

Martin has been a priest for 46 years and he has taken part in many animal blessings, but Monday's celebration was his first drive-through event.

St. Anne, a Christian school with more than 600 students, has hosted the blessings for 13 years. At first, the ceremony was done on a field near the school, but officials thought it would be more convenient and there would be fewer dog fights if owners could get their pets blessed without getting out of their cars.

"With all the dogs barking, it was scary," school admissions director LuAnn Wilson said of previous ceremonies. "It was like a dog park gone wild."

Lisette Olamendi drove up with three kids, six dogs, a parrot, a canary and a hairless rat.

"This beats having to take all the pets to church," she said.

Wagons begin to circle around embattled sheriff

By The Associated Press

LOS ANGELES — A federal grand jury wants the records of a charity organization run by Orange County Sheriff Michael S. Corona, according to a newspaper report alleging it's a sign scrutiny of the sheriff's inner circle is expanding.

The criminal grand jury subpoena, obtained by the Los Angeles Times, ordered the nonprofit Mike Carona Foundation to turn over its bank records, financial documents, contracts and correspondence.

The grand jury subpoena ordered that copies of all foundation records be turned over to the Internal Revenue Service by Sept. 22.

Disclosure of the subpoena comes after the arrest last week of former Assistant Sheriff George Jaramillo on corruption charges. Jaramillo, fired by Carona six months ago, allegedly used squad cars and helicopters in demonstrations to promote a company paying him as a consultant.

Another assistant sheriff, Donald Haidl, resigned the previous week to focus on his son's rape trial. The son, Gregory Haidl, and two friends are facing a second trial for the alleged gang rape of a 16-year-old girl in 2002.

Meanwhile, the state's Fair Political Practices Commission has been investigating whether campaign donations to Carona in 2002 were laundered.

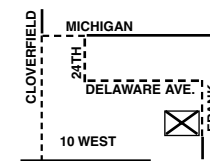
Carona declined to comment on the federal investigation. He said the Newport Beach-based foundation, which helps at-risk youths, operates with minimal overhead and an unpaid staff.

"We try to put every penny we get into nonprofit organizations that are changing kids' lives," Carona said.

The subpoena does not explain why the financial documents and correspondence are needed, nor what the investigation is focusing on.

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WANT TO TICKLE YOUR FUNNY BONE?
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NATIONAL

Arizona activists look to cut services for illegals

BY ANANDA SHOREY

Associated Press Writer

PHOENIX — Activists who say illegal immigrants are draining Arizona's coffers by fraudulently obtaining government services are pushing a ballot measure that could throw state workers in jail for turning a blind eye to such practices.

The measure in Arizona, the busiest illegal entry point on the U.S.-Mexico border, is the latest across the nation aimed at cracking down on illegal immigrants.

Opponents of the measure say it promotes racial profiling, and insist it would do nothing to stop fraud.

Supporters maintain Arizona spends hundreds of millions annually to provide food stamps, welfare and other social services to illegal immigrants who slip through the cracks using fake documents — or when sympathetic clerks and social workers look the other way.

Kathy McKee, director of the group sponsoring Proposition 200, said elected

officials have created a system that is fraught "with the opportunity for fraud."

"Our government has opened the gates and put up a 'welcome here' sign," she said. "The villain in all of this is our government."

Although the measure is opposed by Democratic Gov. Janet Napolitano and Sen. John McCain, R-Ariz., a poll this week showed nearly two-thirds of registered Arizona voters support it.

So far, the issue has gotten much attention. Both sides say they are preparing to launch ad campaigns as the election draws closer.

Under the measure, government workers would face a \$750 fine and up to four months in jail for failing to report when people illegally apply for government aid. The measure also requires people to produce proof of citizenship when registering to vote.

Opponents include immigrant rights groups and representatives of hospitals, unions and fire departments. They cite the high cost of enforcing the measure and

say it will prove intrusive and burdensome, requiring people to carry multiple forms of identification for everyday tasks, preventing them from registering for government services online and resulting in long lines for social services.

They also believe it could create health risks. Rescue workers fear vaccines would not be given out carte blanche because they would need to see identification first. The measure does not affect things like emergency care or education.

"It's like poisoning our own well to prevent people from drinking our water," said Capt. Billy Shields, president of the United Phoenix Fire Fighters Association.

Masavi Perea, a 29-year-old undocumented immigrant who has lived in Phoenix for 10 years, has been visiting local communities to try to educate residents about the measure. He said the measure is similar to the Jim Crow laws that were used against blacks.

"Immigrants are the foundation of this country," Perea said.

Election officials would not face the

same punishment as other government workers. Rather, more precautions to prevent voter fraud would be put in place, such as requiring people to submit copies of their birth certificate or present naturalization records when they register. Now, they just have to write the information on their applications.

"To me, voting is something that is very precious. I don't want my vote canceled by someone who isn't legally here," McKee said.

Arizona's decision will have a lasting effect, perhaps mobilizing the Hispanic community here the way a similar measure did in California in 1994, Merrill said. Voters passed California's Proposition 187, but it was challenged in court and never took effect. Still, it alienated many Hispanic voters from the Republican Party.

"The long-term consequences are huge," Merrill said.

The Arizona measure is likely to face lawsuits, too.

Illegal border traffic hits 3-year high in New Mexico

BY LESLIE HOFFMAN

Associated Press Writer

ALBUQUERQUE, N.M. — Arrests of illegal immigrants have hit a three-year high in New Mexico, the first increase here since a decline following the Sept. 11, 2001, terrorist attacks.

Apprehensions are up by 26 percent

over last year in New Mexico and have increased by 17 percent across the Border Patrol's El Paso sector, which encompasses New Mexico and West Texas, according to preliminary figures released by the federal agency this week.

The Border Patrol tracks statistics by fiscal years ending Sept. 30. The preliminary totals for the year just ended provide

a snapshot of a busy New Mexico border.

"We don't really have a barometer to tell us what's caused the increase," Border Patrol spokesman Doug Mosier said. "The most common explanation we can offer is, first of all, increased enforcement efforts in those areas. You also may have increased volume in those areas from a shift from southern Arizona."

There were 61,374 apprehensions in the year just ended in New Mexico compared with 48,637 in fiscal 2003; sector-wide, there were 104,228 compared with 88,961 in 2003.

The last time apprehensions increased in New Mexico was during the 2001 fiscal year, which ended just after the terrorist attacks. Apprehensions that year hit 66,973 over the 2000 total of 65,260 but declined in 2002 and 2003.

The figures do not represent the number of people caught, only the total number of apprehensions. Many undocumented immigrants get caught more than once trying to cross into the United States along the Southwest border.

A federal crackdown in Arizona funneled millions of dollars in additional agents, tools and technology along that state's border this year to choke off soaring illegal immigration. Arizona agents

registered nearly 600,000 undocumented immigrant apprehensions, the second highest number on record.

The new figures suggest New Mexico agents are feeling a bulge from the Arizona squeeze, particularly in the state's far southwestern corner known as the Bootheel.

The Lordsburg Border Patrol station, which is responsible for the Bootheel, more than doubled its apprehensions during 2004, going from 5,117 in 2003 to 10,691. The 2004 total is the highest in at least five years.

Shem Peachey, agent in charge at Lordsburg, pointed to the push from Arizona and increased vigilance by his agents for the increase.

"It's these agents going out there and making a difference, doing the very best they can with what they have," he said.

Lordsburg's 50 or so agents are responsible for 81 miles of border and the 3,000 square miles north of it, unaided by the border cameras or vehicle barriers helping agents in the neighboring Deming area, a more popular immigration corridor.

The border sectors also saw a spike in the number of apprehensions of undocumented immigrants from countries other than Mexico.

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The Q Line™

NATIONAL



Si note: Immigrants send billions back to Mexico

BY DANIEL GONZALEZ

Associated Press Writer

PHOENIX — Driving through the cobblestone streets of his hometown of San Jose De Mendoza, Mexico, in a shiny new pickup, Alfredo Chalico passes adobe homes being torn down and rebuilt with red bricks.

While burros and goats are still common sights in this farming village in the central state of Guanajuato, so are pickup trucks and color televisions hooked up to new DVD players showing the latest movies.

The growing economic prosperity in this small rancho, or farming village, is the direct result of an infusion of American dollars sent home by hundreds of local residents like Chalico, a Phoenix businessman who left behind poverty to find work in the United States. Community leaders estimate that one-third of the town's 5,000 residents, and 70 percent of its men, live in the United States.

The amount of money Mexican immigrants and Mexican-Americans send to Mexico this year will easily exceed the record-setting \$13.3 billion sent last year, experts say, and is now Mexico's second-highest source of foreign income after oil exports.

Chalico, however, is an extraordinary case, a former undocumented immigrant who gained U.S. citizenship, built a successful tire business, and now helps boost his hometown's economy in ways that go far beyond the typical immigrant.

The average immigrant toiling in construction or restaurant jobs manages to send home a few hundred dollars a month. Chalico, who lives two out of three months a year in Phoenix, sometimes sends home as much as \$4,000 to his wife, Lorenza, and their two children, Alfred, 4, and Eladio, 19 months. His wife and children moved back to Mexico this year and live in a \$200,000 ranch house with a large sloping lawn in an exclusive country-club neighborhood in Irapuato, a city of 350,000 people about 30 miles from Chalico's hometown.

With profits from Llantera del Valle, his \$500,000-a-year tire business in Phoenix, Chalico also has been buying property, opening businesses and employing workers in Mexico who otherwise might head to the United States.

He also pools his money with other immigrants from the same hometown to finance bigger projects. For the first time ever, San Jose de Mendoza's health clinic is

equipped with an ambulance. The town's crumbling church is undergoing major reconstruction. And when school opened in August, 84 preschool and kindergarten students returned to freshly painted classrooms, upgraded light fixtures and new learning materials paid for with money earned by immigrants working in the United States and matched by the Mexican government.

About 1.5 million people from Guanajuato live in the United States, fourth in total number behind the states of Michoacan, Jalisco and Zacatecas.

Last year, immigrants sent \$1.2 billion to relatives in Guanajuato, the third highest amount behind Jalisco, \$1.3 billion, and Michoacan, \$1.7 billion, according to the Bank of Mexico.

Under a government economic-development program created in 2000, for each dollar contributed by immigrants, the municipality, the state and the federal government each chip in as much as an additional dollar, multiplying each dollar made in the United States by three, and thus the program's name, Tres por Uno, Three for One.

Last year, the government financed 92 projects totaling \$3.7 million in 32 towns in Guanajuato including the church in San Jose de Mendoza. Of that, \$1.1 million came from immigrants in the United States.

Chalico was 15 when he struck out for the United States nearly 20 years ago. His father, Eladio, 91, owned a small ranch but had a difficult time supporting his 11 children.

Chalico hitched a ride to Irapuato, a large agricultural center, and then hopped a bus to the border. He crossed illegally through the desert near Yuma.

Chalico didn't tell anyone he was going, not even his parents. They remember being worried sick when he didn't return home from school.

"We looked all over for him. I was crying and my husband was real mad," Chalico's 78-year-old mother, Amada, recalled.

At the border Chalico encountered three men from his hometown. They agreed to help him get a job picking cauliflower and watermelons on a farm in Marana on one condition: If Chalico couldn't handle the work he would return to Mexico.

He toiled in the dusty fields as long as 16 hours a day, six days a week.

He worked 10 months on the farm in Marana and another farm in Scottsdale. After that he got a job clean-

ing stalls on a horse farm in Buckeye, and then fixing flats at Villa Tire, a tire shop in southwest Phoenix.

In 1993, when the owner wanted to retire, Chalico bought the tire business, changed the name to Llantera del Valle and moved the business. He employs six full-time and three part-time workers. The shop sells new and used tires. Every day, Chalico and his employees drive trucks to car dealerships throughout the Phoenix area to collect used tires, which they resell at Llantera del Valle. His mostly Mexican-immigrant customers can't afford new tires. The shop sells about 35,000 used tires a year.

The time Chalico spent as a farm worker made him eligible for legal residency under the 1986 amnesty. In 1987 Chalico got his green card. He became a naturalized U.S. citizen in 1998. He took English classes and earned his high school graduation equivalency diploma.

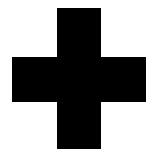
At first, Chalico sent home about \$300 a month. As Chalico's fortunes increased, so did the amount he sent.

For at least 10 years Chalico has been buying farmland in San Jose de Mendoza. He now owns more than 65 acres. In August, he showed off the fields of sorghum and corn.

"I made this property from the U.S.," Chalico boasted as he waded through a field of thigh-high sorghum.

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**BUYING
AND SELLING**
BY BRENT PARSONS

For many first-time buyers, their knowledge of what exactly a mortgage is and how it works might be lacking.

A mortgage is the instrument that is used in connection with loans for the purchase or improvement of real estate. A mortgage requires a contract between two parties — the lender and the borrower. It contains the conditions of the loan, such as mortgage assignments (who is the beneficiary of the loan); assumptions; the lender's ability to declare the mortgage due on any sale of the property, and assignment of rents in the event of a default on the note. Both parties must agree to the contract in order for it to be valid.

The loan process changes in different parts of the United States. The explanation of the loan process below is a general sequence of events that take place during the processing of your loan. Different lenders in different states have their own requirements. The descriptions are meant to give you a general idea of what is required to go from applying for a loan to closing the loan.

FINANCING OPTIONS

Competition among lenders has resulted in many real estate financing options. In order to get the best deal on a mortgage, make sure to investigate the various interest rates, terms, fees and closing costs between lenders. They can vary greatly and the difference between the highest and lowest rate you are quoted could affect your cash flow by substantial amounts. When choosing a lender, the programs that they have available

to you will be invaluable. This is why sometimes it is best to do your research instead of having a friend or relative broker your loan. Ask your loan officer to discuss the different possible loan programs available to you that might best meet your needs, the interest rates available, and your financial and property qualifications for the loan program you would like. Below is a brief explanation of some of the options you will find out there.

FIXED RATE LOANS

A fixed rate is a long-term fully amortized loan that has distinct advantages for the borrower. The equal payments are spread out over a long period of time, keeping the payments manageable and there is no balloon payment required at the end of the loan term. This type of loan is the most popular with borrowers mostly because this is the type of loan program that they are most familiar with.

ADJUSTABLE RATE LOANS

There are many variations on an adjustable rate mortgage. When we talk about a "six month arm" we mean that the loan is for 30 years with an interest rate and monthly payment that adjusts every six months. A 7/1 arm is a loan with a fixed interest rate and monthly payments for the first seven years, then an interest rate that is adjustable annually for the remaining 23 years. The lender is protected because the company can raise the interest rate as rates go up — after the seven year fixed rate period — so they feel that they can offer lower interest than they can on fixed rate loans. There is a "cap," or fixed amount that the interest can increase each year over the term of the loan. With this example (7/1), if you were going to stay in the house for seven years or less, you would be able to take advantage of the lower interest rate. If you were to stay longer than the seven years and the interest rate

went up, your payments would go up also.

HOW AN ARM WORKS

The borrower's interest rate is determined by the cost of money at the time the loan is made. The rate is tied to a recognized index your lender is currently using for the loan. Your future interest adjustments are then based on the upward or downward movements of the index. An index is a reliable statistical report that reflects the approximate change in the cost of money. Some examples of this would be the monthly average yield on three-year treasury securities, or the national average mortgage contract rate for purchases on previously occupied homes. The rise and fall of your payments will fluctuate with the index preferred by the lender for the loan program when the loan was made.

To ensure that the expenses of administration and profit are included in the payments to the lender, it is necessary for the lender to add a margin to the index. Different lenders use different margins, which explains the variation in interest rates offered for the same loan program. Margins range from 2 percent to 4 percent, and are added to the index to come up with the interest rate you pay (margin + index = interest rate). It's the fluctuation of the index rate that causes the borrowers interest rate to increase or decrease.

(For all your real estate needs contact Brent Parsons at Pacific Ocean Real Estate at (310) 392-9223 or email him at bparsons@pacificoceanrealestate.com).

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09/24/2004	Lot Size: 5,296	Sold Price: \$1,090,000	Bath: 4.00	
Sold	2629 6TH ST	SANTA MONICA 90405		
Santa Monica	SqFt: 912	List Price: \$910,000	Bed: 2	
09/24/2004	Lot Size: 5,993	Sold Price: \$995,000	Bath: 1.00	
Sold	1219 MARINE ST	SANTA MONICA 90405		
Santa Monica	SqFt: 1,397	List Price: \$829,000	Bed: 2	
09/24/2004	Lot Size: 6,250	Sold Price: \$829,000	Bath: 1.75	
Sold	1039 25TH ST	SANTA MONICA 90403		
Santa Monica	SqFt: N/A	List Price: \$1,515,000	Bed: 3	
09/30/2004	Lot Size: 6,118	Sold Price: \$1,500,000	Bath: 2.50	
Sold	1304 SAN VICENTE BL	SANTA MONICA 90402		
Santa Monica	SqFt: 2,791	List Price: \$2,095,000	Bed: 3	
09/30/2004	Lot Size: 9,540	Sold Price: \$1,925,000	Bath: 3.00	
Sold	854 23RD ST	SANTA MONICA 90403		
Santa Monica	SqFt: 2,502	List Price: \$1,295,000	Bed: 5	
09/29/2004	Lot Size: 8,000	Sold Price: \$1,350,000	Bath: 3.00	
Sold	1327 PEARL ST	SANTA MONICA 90405		
Santa Monica	SqFt: 1,362	List Price: \$879,000	Bed: 3	
09/28/2004	Lot Size: 7,150	Sold Price: \$925,000	Bath: 1.50	
Sold	1802 20TH ST #A	SANTA MONICA 90404		
Santa Monica	SqFt: 1,175	List Price: \$449,000	Bed: 2	
09/28/2004	HOD: \$125	Sold Price: \$440,000	Bath: 2.50	
Sold	1329 YALE ST #2	SANTA MONICA 90404		
Santa Monica	SqFt: 1,113	List Price: \$450,000	Bed: 2	
09/29/2004	HOD: \$230	Sold Price: \$485,000	Bath: 2.00	
Sold	1105 IDAHO AVE #208	SANTA MONICA 90403		
Santa Monica	SqFt: 732	List Price: \$459,000	Bed: 1	
09/27/2004	HOD: \$125	Sold Price: \$470,000	Bath: 1.00	
Sold	2314 28TH ST #6	SANTA MONICA 90405		
Santa Monica	SqFt: 999	List Price: \$425,000	Bed: 2	
09/28/2004	HOD: \$198	Sold Price: \$425,000	Bath: 1.00	
Sold	1111 16TH ST #3	SANTA MONICA 90403		
Santa Monica	SqFt: 1,776	List Price: \$799,000	Bed: 3	
09/30/2004	HOD: \$350	Sold Price: \$841,000	Bath: 2.50	
Sold	1139 HARVARD ST #A	SANTA MONICA 90403		
Santa Monica	SqFt: N/A	List Price: \$995,000	Bed: 3	
09/30/2004	HOD: \$238	Sold Price: \$1,026,000	Bath: 2.50	
Sold	844 7TH ST #8	SANTA MONICA 90403		
Santa Monica	SqFt: N/A	List Price: \$529,000	Bed: 2	
09/29/2004	HOD: \$200	Sold Price: \$538,000	Bath: 2.00	
Sold	837 18TH ST #2	SANTA MONICA 90403		
Santa Monica	SqFt: N/A	List Price: \$1,125,000	Bed: 2	
09/29/2004	HOD: \$283	Sold Price: \$1,125,000	Bath: 2.50	
Sold	2222 NEILSON WAY #202	SANTA MONICA 90405		
Santa Monica	SqFt: 1,805	List Price: \$799,000	Bed: 2	
09/24/2004	HOD: \$450	Sold Price: \$785,000	Bath: 2.50	
Sold	156 HART AVE #3	SANTA MONICA 90405		
Santa Monica	SqFt: 1,734	List Price: \$925,000	Bed: 3	
09/30/2004	HOD: \$366	Sold Price: \$845,000	Bath: 3.00	
Sold	837 2ND ST #105	SANTA MONICA 90403		
Santa Monica	SqFt: N/A	List Price: \$659,000	Bed: 2	
09/24/2004	HOD: \$260	Sold Price: \$659,000	Bath: 2.50	
Sold	1120 24TH ST #D	SANTA MONICA 90403		
Santa Monica	SqFt: 838	List Price: \$409,000	Bed: 1	
09/24/2004	HOD: \$75	Sold Price: \$400,000	Bath: 1.00	
Sold	1513 9TH ST #4	SANTA MONICA 90401		
Santa Monica	SqFt: N/A	List Price: \$1,050,000	Bed: 2	
10/01/2004	HOD: \$323	Sold Price: \$1,000,000	Bath: 2.00	
Sold	1513 9TH ST #2	SANTA MONICA 90401		
Santa Monica	SqFt: N/A	List Price: \$875,000	Bed: 2	
10/01/2004	HOD: \$323	Sold Price: \$850,000	Bath: 2.00	
Sold	852 20TH ST	SANTA MONICA 90403		
Santa Monica	SqFt: 10,000	List Price: \$2,650,000	GL: \$171,360	
09/30/2004	Lot Size: 7,997	Sold Price: \$2,535,000	GRM: 15.50	
Sold	1527 18TH ST	SANTA MONICA 90404		
Santa Monica	SqFt: 1,778	List Price: \$985,000	GL: \$0	
09/29/2004	Lot Size: 7,497	Sold Price: \$985,000	GRM: 0.00	

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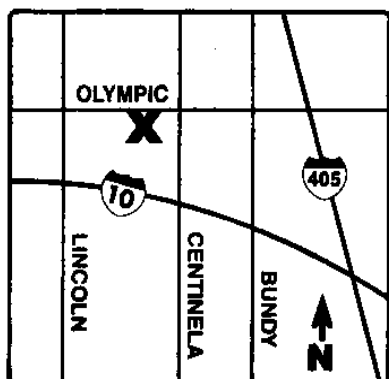
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Fall into the gap: Calif. has biggest differential



DAYS ON THE MARKET

BY JODI SUMMERS

Santa Monica might be expensive, but you know which city in the country has the most expensive housing?

La Jolla.

According to a recently released home price comparison conducted by Coldwell Banker Real Estate Corp., seven of the 10 most expensive housing markets in the nation are in California.

"Santa Monica never makes the top 10 lists because such a large part of our housing market is condominiums," notes real estate attorney Richard Besone. "Notice that New York City is not on the list either."

"A basic one-bedroom apartment in a pleasant part of Manhattan starts at \$700,000, and prices can go well beyond \$20 million," he added. "Cities like Santa Monica and New York don't meet the statistical criteria of these studies."

According to the U.S. Census Bureau, 40 million Americans moved between 2002 and 2003. Focusing on areas with high relocation rates, the Home Price Comparison Index offers an "apples-to-apples" evaluation of similar homes sold in "typical middle-management transferee neighborhoods in 348 markets across the country and in Puerto Rico and Canada." More than 60 percent of the markets surveyed have an average home price of less than \$300,000.

The top 10 most expensive markets in the country are:

- 1) La Jolla.
- 2) Beverly Hills.
- 3) Santa Barbara
- 4) Palo Alto
- 5) Greenwich, Conn.
- 6) Newport Beach
- 7) San Mateo
- 8) San Francisco
- 9) Wellesley, Mass.
- 10) Kailua Kona, Hawaii.

The average sale price in September of a single family home in Santa Monica was \$1,250,000, bringing the year-to-date average sales price to \$1,400,000, according to Multiple Listing Service statistics. This is down from August, when the average sale price for a home was \$1,460,000, and the year-to-date average was \$1,425,000. The average condo price for September was \$659,000 and \$625,000 year-to-date. This is up from August, which posted \$625,000 as the average monthly price and \$621,000 as the year-to-date median.

Lou Barnes, mortgage broker and nationally syndicated columnist, believes prices on the coasts will stay high.

"The population of the United States has doubled in the last 50 years, and is now growing by 2.5 million people each year," Barnes stated. "Our land inventory is the same as it was, and will be. There is no new San Francisco Bay lying undis-

covered somewhere in the Midwest, and as each hurricane makes landfall, it is painfully clear that there is no undeveloped reserve of coastline. We can develop increasingly remote or undesirable tracts, but our most attractive land is rising disproportionately in value."

For those of you wishing to cash out and buy a mansion in the Midwest, the top 10 most affordable markets in the country are:

- 1) Minot, N.D.
- 2) Great Falls, Mont.
- 3) Arlington, Tex.
- 4) Billings, Mont.
- 5) Killeen, Tex.
- 6) Tulsa, Okla.
- 7) Topeka/Shawnee County, Kan.
- 8) Parkersburg, West Va.
- 9) Cadillac, Mich.
- 10) Knoxville, Tenn.

The price difference between La Jolla and Minot is \$1,578,033 for a similar 2,200-square-foot home. Price comparisons were made on a 2,200-square-foot home with four bedrooms, 2.5 baths, family room (or equivalent) and two-car garage in neighborhoods/zip codes within a market that is typical for corporate middle-management transferees.

Throughout the United States, California has the greatest variance within the same state at \$1,359,733 — between La Jolla, at \$1,708,333, and Riverside/Ontario, at \$348,600.

The percentage of households in California able to afford a median-priced home stood at 18 percent in July, a 9 percentage-point decrease compared to the same period a year ago when the index was at 27 percent, according to the California Association of REALTORS® (CAR).

The July Housing Affordability Index (HAI) was unchanged compared to June, when it also stood at 18 percent. Los Angeles County holds steady at 17 percent, but down from 27 percent last year.

At 42 percent, the high desert region was the most affordable region in the state, followed by the Sacramento and central valley regions at 26 percent. The San Diego area is one of least affordable in the state at 10 percent, followed by the Orange County and Monterey regions at 11 percent.

The average price for a single-family home in California in August was \$474,370, a 16.8 percent increase over August 2003, according to CAR. Prices edged up 2.6 percent from July.

The cumulative average sales price of the 322 U.S. markets surveyed in the Home Price Comparison Index was \$354,372; up 11.4 percent from \$318,172 in 2003.

While all of this information was being tabulated, 30-year fixed mortgage interest rates averaged 5.87 percent during August 2004, down from 6.26 percent in August 2003, according to Freddie Mac. Adjustable mortgage interest rates averaged 4.06 percent in August 2004 compared with 3.79 percent in August 2003.

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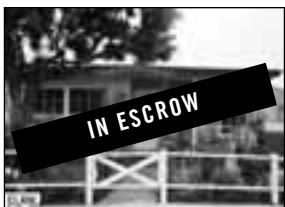
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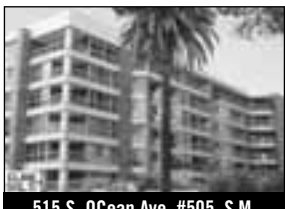
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Now's a good time to consider lease conditions



IN YOUR SPACE

BY CHRISTINA S. PORTER

As the economy improves and more business owners are adding to their staff, businesses that have been putting off expansion are now starting to move. This is a good time to consider the different terms and conditions that may be included in a lease.

Parking: Find out specifically if it is reserved or unreserved, tandem or single spaces and what the cost, if any, is for each type. In general, the city requirement for general office is three parking spaces per 1,000 square feet occupied. For medical, the requirement can be four to five spaces per 1,000 square feet occupied. There are different parking requirements for different uses. It is a good idea to

check this out with the building and safety department of the city you are thinking about leasing space.

Agreed use: Usually a lease will specify what type of use is permitted. When we sign a lease we don't usually anticipate that we will have to sublease, however, it is good to leave your options open. When stating the type of use for the space, I suggest that you keep the description as broad as possible. You could add to "general office and any other legally permitted use." The lessor is still protected because most leases include specific language requiring approval by the lessor of any potential sublessee.

Condition of the premises: The premises should be delivered "broom clean and free of debris" upon the lease commencement date. A good rule of thumb is to require that all of the existing improvements be in good working order and the lessee should have the premises inspected to verify that. Some leases provide warranty periods in which the lessor will be responsible for repair of any malfunction of an improvement on the premises. This is a definite negotiating point.

Operating expenses: One lease defines operating expenses as "all costs incurred by the lessor relating to the ownership and operation of the project" for which each tenant pays its "prorata" share. Most of the time operating expenses

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1617 Broadway	Office	9/29/2004	4,000	\$3.25/+elec
1119 Colorado Ave	Office	9/28/2004	2,125	\$2.08/fs
2425 Olympic Blvd	Office	9/29/2004	60,048	\$3.00/fs
506 Santa Monica Blvd	Office	9/29/2004	1,000	\$3.25/mg

The above information is deemed reliable but not guaranteed. The quoted rates are the initial asking rates and have not been confirmed as the actual lease rate.

include the cost of electricity (if it is a full service gross lease it would be for the entire building), water, building management, building maintenance, trash removal, landscaping and reserves set aside for maintenance and repair of the common areas (if you are leasing in a multi-tenant building). Property taxes and building insurance also are included in operating expenses. Capital expenditures are a grey area as to their definition and how the cost is allocated between lessor and lessee. It is important to know that in most office leases, a lessee is responsible only for any increase in operating expenses after their first year of occupying the premises. Some lessees prefer to include a cap on how much of the operating expense increases they will pay — another negotiating point.

Surrender and restoration: Of course, all of the provisions in a lease are important, but I would like to point out a provision in this clause that says when a lessee alters the premises by installing his own improvements, he must be sure to obtain the lessor's consent prior to doing so. Some leases require that any alterations installed without the lessor's prior consent become the property of the lessor at the end of the lease term, if the lessor so chooses.

Insurance: We all know how important insurance is, but I also know how confusing it can be. General liability insurance is always important and has been required in every lease that I have helped negotiate. Many leases require more than just general liability, and a good way to deal with this is to just send a copy of the page in the lease stating the insurance requirements to your insurance broker. Many times you may already be covered, or adding the owner to your existing policy might be a minimal cost.

Compliance: The lessor is expected to warrant that the space, with its existing improvements, and the common areas comply with the building codes in effect at the time it was constructed and also with all applicable laws, ordinances and covenants at the start date of your lease. There also is a provision for a lack of compliance that puts the burden on the lessee to notify the lessor, in writing, within a certain amount of time, after which the responsibility to comply becomes the lessee's.

(Christina S. Porter is in the business of leasing and selling office and industrial buildings. She can be reached at 310-806-6104 or cporter@naicapital.com).



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NATIONAL



Mount St. Helens blowing off a little steam

BY GENE JOHNSON

Associated Press Writer

MOUNT ST. HELENS, Wash. — Mount St. Helens shot off a spectacular cloud of steam and ash Tuesday, dusting some residents miles to the northeast with light ash.

Although some have worried that the recent stirring at the southwest Washington volcano could portend a major eruption, geologists said the more likely scenario was weeks or months of smaller-scale venting, with the possibility that some lava could enlarge the dome within the mountain's gaping crater.

"There's not necessarily going to be a big one," Jake Lowenstern, a U.S. Geological Survey volcanologist said. "People have to get that out of their minds."

Carl Thornberg, a USGS scientist, said Tuesday's steam burst opened up two small new vents in the floor of the crater — one west of the lava dome and another within the glacier next to the dome.

Another USGS scientist, Jon Major, said the crater floor continued to lift up, a sign that magma was still building under the volcano. In the last several days, the lava dome within the crater has swelled by about 150 feet.

Mount St. Helens has been venting

steam daily, along with small amounts of ash, since Friday, making it the most active volcano in the lower 48 states and Canada. Tuesday morning's burst was the largest, with a roiling, dark gray cloud rising thousands of feet above the mountain and streaming miles to the northeast.

Lowenstern said the plume had "a significant amount of ash in it."

"There was some jetting of ash down in the crater ... and the material was observed coming up from several different vents in the crater, so that could mean things are starting to break up," he said.

Ash fell on the small town of Randle, home to roughly 2,400 people about 25 miles northeast of the mountain.

"We're getting a light dusting. We seem to be on the north edge of the column as it's going over," said Jack Thorne, public services assistant for the Cowlitz Ranger Station, Gifford-Pinchot National Forest.

The town's two schools were keeping students with asthma inside, and postal workers were given face masks in case they came across blowing ash.

About 15 miles east of Randle, members of the Packwood Fire Department reported seeing ash, but said it was up in the atmosphere and appeared to be dissi-

pating. To the north, a thick haze enshrouded Mount Rainier.

The reports came after the National Weather Service issued an advisory, warning that winds could send ash falling over the sparsely populated areas north-east of the mountain.

Skamania County Undersheriff Dave Cox said authorities were also concerned about the possible health risk to elk hunters in the area.

The latest burst began shortly after 9 a.m. PDT, sending a plume of ash and steam billowing up a few thousand feet above the 8,364-foot rim of the mountain. The emissions tapered off after about an hour.

Several dozen volcano watchers at the Coldwater Ridge Visitors Center, 8 1/2 miles north of the mountain and the closest that visitors were allowed, were rewarded for arriving early — or in some cases, spending the night.

Ken Marshall drove up from Valley Springs, Calif., hoping to see an eruption.

"It's almost like clockwork," he said. "It blows in the morning and then there are earthquakes and rockfall all the rest of the day."

The mountain shot off a 40-minute steam burst Monday, sending a cloud nearly 2,000 feet above the high point of

the rim. A smaller one rose up over the rim several hours later.

Geologists say there is little chance of anything similar to the devastating blast which blew 1,300 feet off the top of the peak, killed 57 people and paralyzed much of the inland Pacific Northwest with gritty volcanic ash on May 18, 1980.

Since Sept. 23, thousands of tiny earthquakes have shaken the mountain and several steam eruptions have occurred, the most seismic activity at the peak since the months following the 1980 blast.

Earthquakes trailed off after Tuesday's eruption, dropping in both magnitude and frequency, said Bill Steele, spokesman for the University of Washington seismology lab in Seattle.

"We don't really know what it means at this point as far as a prognosis," Steele said. "It could mean the plug (in the volcano's magma channel) is real up there near the surface right now — that it's not resisting anymore. We're watching very closely."

Areas closer than Coldwater Ridge, including the Johnston Ridge Observatory, about five miles from the crater, have been closed since the weekend, and most air traffic has been prohibited below 13,000 feet and within five miles of the volcano.

Kids in '80, St. Helens rangers recall eruption's aftermath

BY GENE JOHNSON

Associated Press Writer

MOUNT ST. HELENS, Wash. — Forest Service ranger Scott Hinderman is flustered. He's trying to tell a group of tourists about the 1980 eruption of Mount St. Helens. But they're more interested in the sight of television personality Geraldo Rivera strutting by.

Hinderman regains their attention by pulling out one of his standard crowd pleasers. It's a photograph of himself as a 5-year-old boy, leaning in swim trunks against a dock on a lake as the volcano blows its top.

The tactic works — at least until Geraldo walks by again.

The recent reawakening of Mount St. Helens has drawn thousands of people to the volcano. Even if they are occasionally distracted by the media, many have an insatiable interest in information about the

landscape, its history and how scientists predict eruptions.

That attention has been satisfying for many rangers, but perhaps most of all for a handful of rangers who, like Hinderman, grew up nearby.

"St. Helens is such a dynamic, changing area," said Hinderman, a 29-year-old native of Tacoma. "Year after year, season after season, these changes occur. And when people are interested in what they're seeing, when they're enthusiastic — by no stretch of the imagination are we rock stars, but we are the center of attention up here."

Forest Service ranger Pamela McCray and her boyfriend of three years, ranger Jason Harrison, experienced different ends of the 1980 blast, which killed 57 people and devastated 230 square miles of forest.

She was 6, and her dad drove her from their home in Clatskanie, Ore., across the Columbia River to Kalama, Wash., to

watch the eruption. More than 200 miles away, the ash from the plume darkened the sky over Spokane, and Harrison, then 7, had to wear a breathing mask on his way to school.

"I went to school for art, but when I got done, I decided I really wanted to just be out in the woods," McCray said.

She started working for the Northwest Interpretive Association, a nonprofit bookstore that funds the Coldwater Ridge Visitors Center, and Johnston Ridge Observatory. She fell in love with Harrison and the landscape.

"I feel totally blessed. I mean, look at what a geek I am — I'm here on my day off," she said.

Ranger Jerry Gould was only 3 months old in 1980 when the volcano erupted. But she grew up in Castle Rock, one of the closest towns to the blast zone. She remembers smirking when she would see tourists buying volcanic ash at souvenir

shops when they could just walk down to the Toutle River and get it themselves.

Sometimes, she concedes, she got bored with all the adult talk about the volcano. That all changed five years ago after high school, when she, too, began working at the bookstore.

"You just fall in love with this place. It's so fascinating and changing all the time," she said.

And since Sept. 23, when scientists first detected a flurry of earthquakes in the crater, "I've just had a permanent grin on my face," she said. "There's a lot of families coming up here, bringing their kids, a lot of locals and people coming from all over. They've driven so far to be here, and they have such great interest in what's going on."

She paused. "You never really have bad days up here."

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NATIONAL

Army official: Environment cuts hinder training

BY JOHN HEILPRIN

Associated Press Writer

WASHINGTON — The Army's largest major command is worried that spending cuts will make it unable to comply with environmental laws, which would put military training sites at risk of being shut down by activists' lawsuits.

Proposed spending levels "for the sustained management of the training lands ... dwindle dramatically" this year and the next several years, Maj. Gen. Larry D. Gottardi, a deputy chief of staff of the Army Forces Command at Fort McPherson, Ga., wrote in a Sept. 24 letter.

In the letter, a copy of which was obtained by The Associated Press, Gottardi complains to his Pentagon bosses that "regrettably" most Army projects to sustain the ecological health of its training ranges "were considered optional" and, therefore, will not be funded.

Forces Command is responsible for ensuring that Army combat forces are trained, supplied and mobilized in ways to

satisfy commanders' personnel requirements at home and abroad.

Gottardi did not specify how much of the Army's environmental budget was being cut. Pentagon officials have estimated they spend \$4 billion a year on environmental programs.

The general said that although Forces Command no longer can view the individual budget items, it has learned that even money for planning would be cut by a third, from more than \$60 million to \$40 million.

"The policy change also places the training mission in potential jeopardy by providing a sound legal basis for private parties or conservation activists to obtain court-ordered injunctions and effectively shut down all training operations," Gottardi wrote.

A spokesman for Gottardi, Barry Morris, at Fort McPherson, said the Forces Command deals with anything that affects Army training but relies on bases to take responsibility for managing their

natural resources.

That management is watched closely by environmentalists.

"These are some of the most important wildlife habitats in the world," said Jeff Ruch, executive director of Public Employees for Environmental Responsibility, a whistle-blower group that obtained Gottardi's letter. "In many cases, these lands have never been used commercially or recreationally."

In the last two years, Congress has approved several exemptions from environmental laws requested by the Pentagon. They include lowering the threshold for what is considered harassment of a marine mammal and fewer requirements for setting aside areas to help recovery of species of plants and animals in danger of vanishing.

It remains unclear just what Congress requires the Pentagon to do to avoid having to set aside as much habitat for species, Gottardi wrote.

In May, the head of the Army's

Installation Management Agency ordered garrison commanders worldwide to take more risks with environmental programs, cancel environmental contracts and delay all but the most essential enforcement actions until the next fiscal year in October.

Maj. Gen. Anders B. Aadland, who retired in August after serving as the agency's first director since its creation in 2002, had said the reductions in contracts and environmental programs were needed to help pay for the war effort. Within hours of an AP report on the order, however, Army officials reversed it.

They said all the environmental programs, summer hires and force protection would continue, but other hiring would be frozen. Spending on travel and conferences would be cut to help cover expenses for operations in Iraq and Afghanistan, the Army said.

Ruch said the latest reductions include some environmental programs that had survived that earlier round of planned cuts.

Oil industry calls for fight against environmentalists

By The Associated Press

SANTA FE, N.M. — Oil and gas industry executives are calling for a battle against environmentalists they see as anti-development.

Steve Hinchman, senior vice president of worldwide production for Marathon Oil Co., said it's vital to gain access to drilling in new areas and to ease restric-

tive regulations to increase supplies in the short term.

The "anti-development movement" is increasing costs of oil and gas development, denying access to resources and hurting the industry's image, and eventually could harm the U.S. economy, Hinchman said at the New Mexico Oil and Gas Association's annual meeting here Monday.

The oil and gas industry must get its own message out and come up with a litigation strategy, he said.

"The barriers to new access must be addressed, and we must counteract the anti-development movement," he said.

Hinchman said the environmental movement is well-organized, well-funded and currently winning.

"They're proactive and put industry on the defensive. ... It's a business run by highly professional people," he said. "It's their full-time business to delay, deny access."

John Walker, chairman of the Independent Petroleum Association of America, said his organization is waiving fees to attract more members, and will coordinate e-mail and fax campaigns to influence Congress and the White House on energy issues.

"The environmentalists are trying to shut us down inch by inch, no compromise," Walker said. "We have to fight them more effectively."

The San Juan Basin of northwestern New Mexico produces 10 percent of the

nation's natural gas. Royalties and other fees paid by oil and gas are a major contributor to the state's budget.

Stephen Capra, executive director of the New Mexico Wilderness Alliance, said in a telephone conversation after the association's meeting that 95 percent of federal land is open to development, but that there are some wild places that should be off limits.

"We are saving small amounts of land and we're not even fighting them on 95 percent of what they want to do," Capra said.

The alliance is trying to restrict drilling on Otero Mesa in south-central New Mexico, an area with one of the largest remaining pieces of biologically valuable Chihuahuan desert grassland.

The Bush administration has pushed to open more environmentally sensitive public lands for oil and gas drilling. Environmentalists have questioned the need for the rapid pace of the government issuing leases on public land given that large chunks of acreage already leased have yet to be developed.



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INTERNATIONAL



Ties that bind: Three Americans share Nobel Prize

BY MATT MOORE

Associated Press Writer

STOCKHOLM, Sweden — Americans David J. Gross, H. David Politzer and Frank Wilczek won the 2004 Nobel Prize in physics on Tuesday for their exploration of the force that binds particles inside the atomic nucleus.

Their work has helped science get a step closer to “fulfilling a grand dream, to formulate a unified theory comprising gravity as well — a theory for everything,” the Royal Swedish Academy of Sciences said in awarding the physics prize.

The trio — researchers at the University of California, Santa Barbara, the California Institute of Technology and the Massachusetts Institute of Technology — made important theoretical discoveries “concerning the strong force, or the ‘color force’ as it is also called,” the foundation said.

The “strong force” is the dominant force inside the nucleus that acts between the quarks inside the proton and the neu-

tron, the foundation said in its citation.

Their discoveries, published in 1973, led to the theory of quantum chromodynamics, or QCD.

“I’m shocked, very surprised and honored,” Gross, 63, said on hearing he had won the prize.

Wilczek, 53, told Swedish radio that he would “spend the day floating six feet off the ground.”

The three physicists came by their discovery through a brilliant and non-intuitive insight. They showed that unlike forces such as electromagnetism and gravity, which grow stronger as two particles get closer to one another, the strong force actually gets weaker as two quarks converge. It is as if the particles were connected by a rubber band that pulls them together more tightly as it stretches.

“This theory was an important contribution to the Standard Model,” the citation said.

The Standard Model is the theory that

describes all physics connected with the electromagnetic force, which acts between charged particles, the weak force, which governs radioactive decay, and the strong force, which acts between quarks.

Alfred Nobel, the wealthy Swedish industrialist and inventor of dynamite who endowed the prizes, left only vague guidelines for the selection committee.

In his will, he said the prize should be given to those who “shall have conferred the greatest benefit on mankind” and “shall have made the most important discovery or invention within the field of physics.”

The academy, which also chooses the chemistry and economics winners, invited nominations from previous recipients and experts in the fields before cutting down its choices.

Last year physicists Vitaly L. Ginzburg of Russia and Americans A. Abrikosov and Anthony J. Leggett were honored for their work on superconductivity and

superfluidity, the motion of a fluid without internal friction.

This year’s award announcements began Monday with the Nobel Prize in medicine going to Americans Richard Axel and Linda B. Buck.

Axel, 58, and Buck 57, were selected by a committee at Stockholm’s Karolinska Institutet for their work on the sense of smell. They clarified the intricate biological pathway from the nose to the brain that lets people sense smells.

The winner of the Nobel Prize in chemistry will be named Wednesday and the literature prize will be announced Thursday. The Bank of Sweden Prize in Economic Sciences in Memory of Alfred Nobel will be announced Oct. 11.

The winner of the coveted peace prize will be announced Friday in Oslo, Norway.

The prizes, which include a \$1.3 million check, a gold medal and a diploma, are presented on Dec. 10, the anniversary of Nobel’s death in 1896.

American troops and insurgents clash in Ramadi after two car bombings

FISNIK ABRASHI

Associated Press Writer

BAGHDAD, Iraq — Two car bombs exploded in the insurgent stronghold of Ramadi on Tuesday, killing four Iraqis and prompting clashes between U.S. troops and gunmen. In the northern city of Mosul, another vehicle bomb went off, killing three Iraqis and wounding four Americans.

Also in Mosul, three decapitated bodies have been found in and around the city, a coroner said, the latest in a grisly campaign of beheadings by militants who have been snatching foreigners and Iraqis accused of helping the United States.

U.S. warplanes pounded the vast Baghdad slum of Sadr City overnight after an American patrol came under fire, the military said. Hospital officials said at least one Iraqi was killed.

Interim Prime Minister Ayad Allawi said the basis for an agreement to end fighting in the Shiite stronghold has been reached with followers of radical cleric Muqtada al-Sadr.

“I met with some brothers in Sadr City and we laid the basis for an agreement to end all their armed manifestations and to give up all their arms,” Allawi told a news conference.

U.S. forces have been attacking Sadr City daily to knock out the cleric’s militia and pressure him to lay down his arms in favor of negotiations. Al-Sadr’s militia, known as the Mahdi Army, staged an uprising in April, sparking fierce fighting in Sadr City, the southern holy city of Najaf and other areas. A peace deal was brokered following heavy fighting in Najaf in August, but clashes in Sadr City have continued.

Near Baghdad, one soldier from the U.S. Army’s 13th Corps Support Command was killed Monday night and two were injured when their convoy hit a homemade bomb, the military said. As of Monday, 1,058 members of the U.S. military have died since the start of the war in March 2003, according to the Pentagon.

Meanwhile, 10 Iraqi policemen were killed in two separate attacks by militants south of Baghdad on Monday, police said Tuesday.

Intensifying violence and the insurgents’ dominance in several cities have

raised concerns about elections set for January. Iraqi and U.S. leaders insist they will be held, although some officials have said voting may not be possible in the most violence-torn areas, which are largely Sunni Muslim.

A powerful group of Sunni Muslim clerics on Tuesday warned against leaving out parts of the country, saying it would undermine the vote and be tantamount to fragmenting Iraq.

“This could be a bad omen for the unity of the country because this means that (the excluded areas) would be separated from the rest of Iraq,” said Mohammed Bashar al-Faidhi, a spokesman for the Association of Muslim Scholars.

In Ramadi on Tuesday, a homemade bomb exploded near the city’s Grand Mosque as a U.S. military convoy passed. Four Iraqis inside a car near the explosion were killed and two bystanders were wounded, said Dr. Dia’a al-Haity, a doctor at Ramadi General Hospital. Marine spokesman 1st Lt. Lyle Gilbert said he had no reports of civilians killed, but he added that one U.S. soldier and seven Iraqi civilians were wounded.

Earlier Tuesday, another car bomb exploded in Ramadi, sparking a gunbattle between U.S. forces and gunmen. Al-Haity said two Iraqis were killed and four wounded in the fighting.

Ramadi, 70 miles west of Baghdad, is one of the Sunni Triangle cities where U.S. and Iraqi commanders are considering launching a new push to clear out insurgents ahead of the elections.

In Mosul, 225 miles northwest of Baghdad, a car bomb Tuesday hit a U.S. convoy, killing three Iraqi civilians and wounding four American soldiers, the U.S. military said.

Earlier, an Iraqi police officer 2nd Lt. Mohammed Ahmed, said three Iraqis were killed and several others were wounded when U.S. troops opened fire following the blast in the city’s Yarmuk neighborhood.

Capt. Angela Bowman, a military spokeswoman, denied U.S. troops opened fire on civilians in the area. The military said the convoy came under fire from a rocket-propelled grenade and small arms.

Mosul has seen increased rebel attacks recently, with frequent car bombings.

Its coroner, Riyadh Mohammed, said three beheaded bodies have been found in and around the city in the past two days. Two were Iraqis, while the third was unidentified, he said.

Besides those found in Mosul, the headless body of a police officer was discovered in the Kirkuk area north of Baghdad. Another headless corpse was found of south of Baghdad with authorities initially saying he appeared to be of Western origin.

The comments by the Association of Muslim Scholars reflected that community’s fears of being left out of the elections.

“Such elections would be unfair because many people in some areas would not be able to vote and their opinions would be neglected. This would affect the credibility of the elections,” he said.

Allawi said last month that residents who might not be able to vote would be able to cast their ballots elsewhere. He did not elaborate.

Deputy Secretary of State Richard Armitage told Congress last month that elections must be held throughout Iraq, including areas beset by violence. But Defense Secretary Donald Rumsfeld said if insurgents prevent voting in some areas, a partial balloting would be better than none.

Al-Faidhi, the spokesman for the Association of Muslim Scholars, also warned that a nationwide jihad, or holy war, could be declared if the killings of innocent civilians by U.S. and Iraqi forces continued.

He said his organization condemned the weekend attack on the Sunni Triangle of Samarra, in which doctors said at least 23 children and 18 women were killed. U.S. forces said they tried to minimize civilian casualties as they swept into the city 60 miles northwest of Baghdad.

“If these killings, extermination of innocent people, damage to their property and violation of their honor continue, we believe that the Iraqi people will be left with only one option, which is jihad, a popular uprising from the north to the south,” al-Faidhi told The Associated Press.

U.S. Marines have distributed \$367,300 in condolence and damage repair payments in Najaf since three

weeks of fighting ended there in August, the military said.

The statement did not specify how many families have benefited from the payments.

Condolence payments are made to express sympathy to those who were injured or lost relatives in the fighting. Collateral damage payments are intended for those who suffered damage to their homes, businesses or other property.

While Najaf has calmed since the uprising, U.S. troops and al-Sadr militiamen have fought almost daily in Baghdad’s Sadr City district, home to more than 2 million people.

Hospital officials in Sadr City said Tuesday at least one person was killed in skirmishes overnight. Residents said they continued to hear loud explosions until dawn.

U.S. soldiers were fired on late Monday during a patrol in Sadr City, said Capt. Brian O’Malley, spokesman for the U.S. 1st Cavalry Division. They returned fire as U.S. AC-130 planes targeted insurgent machine gun crews on the ground, he said.

Abu Tar al-Kinani, the spokesman for the insurgents in Sadr City, said the overnight attack was a “liquidation operation” and an effort to keep al-Sadr’s movement from taking part in elections.

On Monday, the former head of the U.S. occupation in Iraq, L. Paul Bremer, said the United States did not have enough troops in Iraq after ousting Saddam Hussein and “paid a big price” for it.

Bremer said he arrived in Iraq on May 6, 2003, to find “horrid” looting and a very unstable situation.

“We paid a big price for not stopping it because it established an atmosphere of lawlessness,” Bremer told an insurance group in White Sulphur Springs, W.Va. The group released a summary of his remarks in Washington.

“We never had enough troops on the ground,” Bremer said. But he insisted he was “more convinced than ever that regime change was the right thing to do.”

Rumsfeld said Monday he does not expect a civil war in Iraq, and he pointed to the recent retaking of the former insurgent stronghold of Samarra as evidence of progress.

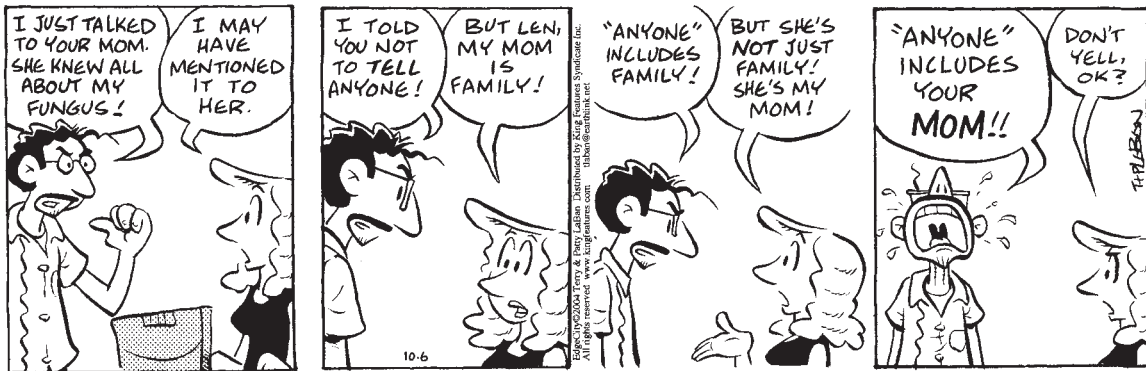


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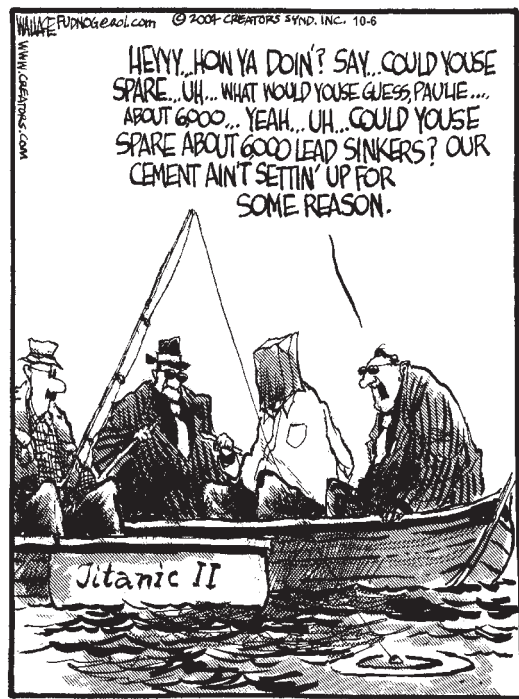
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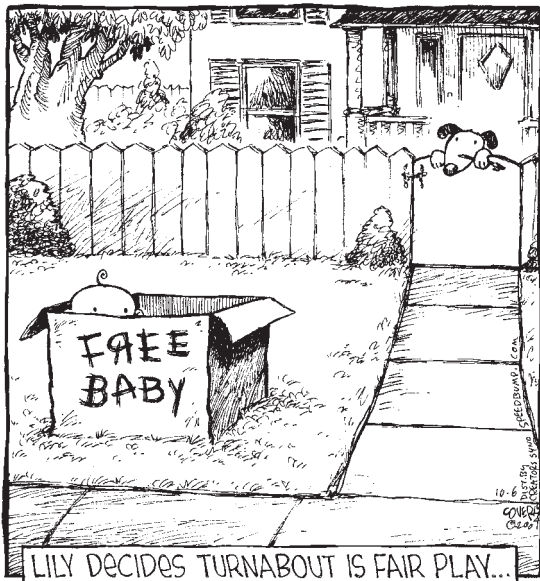
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- 15 Bauxite product
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- 17 Ring bearer of fiction
- 19 Vinegar's partner
- 22 Cartoon cat
- 24 Small mistake
- 26 Vaccine type
- 27 Hayes of "Will & Grace"
- 28 Bar supply
- 30 Chain makeup
- 31 Bad grade
- 32 Dover sight
- 34 Fellow
- 35 Cloth scrap
- 38 Mascara targets
- 41 Trim
- 42 Not out
- 43 Poker player's cry
- 44 Cell phone's kin

45 Tidy

DOWN

- 1 Edinburgh native
- 2 City car
- 3 Candle feature
- 4 Farm sight
- 5 Grave
- 6 Act the beat cop
- 7 Makes fun of
- 8 Big galoot
- 9 Agreeable answer
- 10 Use a stool
- 16 Kit's parent
- 18 Irritate
- 29 Plot

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Yesterday's answer

- 19 Bowler's failure to strike or spare
- 20 Writer Dinesen
- 21 Telescope part
- 22 Pleat
- 23 Historic canal
- 25 "Like that'll ever happen!"
- 29 Plot
- 30 Gloss target
- 33 Powerful beam
- 34 Pork serving
- 36 Met song
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FICTITIOUS BUSINESS NAMES STATEMENT FILE NO. 04-2280220 FIRST FILING. The following person(s) is (are) doing business as One Life Pictures, 1625 Glendon ave. #6B, LA, CA 90024. The full name of registrant(s) is/are : Edwin Porres, Jr. , 1625 Glendon ave. #6B, LA, CA 90024 This Business is being conducted by, an individual. Signed: The registrant commenced to transact business under the fictitious business name or names listed on (Date)3/3/2003. /s/ Edwin Porres, Jr. This statement was filed with the County Clerk of LOS ANGELES County on 3/3/2003. NOTICE: THIS FICTITIOUS BUSINESS NAME STATEMENT EXPIRES FIVE YEARS FROM THE DATE IT WAS FILED IN THE OFFICE OF THE COUNTY CLERK. A NEW FICTITIOUS BUSINESS NAME STATEMENT MUST BE FILED PRIOR TO THAT DATE. The filing of this statement does not of itself authorize the use in this state of a fictitious business name statement in violation of the rights of another under federal, state, or common law (see Section 14411et seq., Business and Professions Code). SANTA MONICA DAILY PRESS to publish 9/29/2004, 10/6/2004, 10/13/2004, 10/20/2004

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