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WEDNESDAY, OCTOBER 8, 2008

Volume 7 Issue 282



Santa Monica Daily Press

Since 2001: A news odyssey

COOKING UP PROBLEMS
SEE PAGE 11

THE CHOOSE OR LOSE ISSUE

Airport topic takes flight at forum

BY MELODY HANATANI
Daily Press Staff Writer

ELECTION 2008

DOWNTOWN The ongoing quality-of-life issues around Santa Monica Airport took center stage on Monday night when candidates for the City Council race sounded off on jet pollution and the possibility of shutting down the general aviation center in several years.

Concerned Residents Against Airport Pollution (CRAAP), a coalition of Santa Monica and West L.A. neighbors who abut the airport, hosted its third candidates forum at the Ken Edwards Center, questioning 10 of the 13 council hopefuls in attendance on some of the most critical issues facing their constituents, including pollution and runway safety.

The candidates forum was held as City Hall and the Federal Aviation Administration are embroiled in a legal battle over a ban on the fastest and largest jets from Santa Monica Airport. The City Council earlier this year passed an ordinance that banned categories C and D aircraft, which was subsequently challenged by the FAA.

Runway safety has long been an issue at the airport where there are homes situated less than 300 feet of both runway ends. The FAA has presented several safety options, all of which have been turned away by the council.

The fight between the two agencies has sparked discussions in recent months about whether City Hall should close the airport after its agreement with the FAA expires in 2015. The federal agency contends the expiration date of the contract is not 2015, but rather 2023.

Regardless of when the agreement ends, the council candidates all seemed open to exploring the possibility of closing the airport someday, some more adamant in their position than others.

Jon Mann, a flight attendant, said he is in favor of closing the airport and turning it into a park.

"I don't think sufficient consideration has

SEE FORUM PAGE 10



BOTTOMS UP

Fabian Lewkowicz *Fabian@FabianLewkowicz.com*

American Red Cross of Santa Monica volunteers Christine Law, 30, (right) and sister Liz, 26, enjoy hurricane drinks during the Hurricanes 2008 Relief 'Blow Out' fundraiser at Bubba Gump Shrimp Co. on the Santa Monica Pier Monday. The local chapter was asked to raise $70,000 for relief efforts.

Million-dollar donors flood ballot props

BY STEVE LAWRENCE
Associated Press Writer

SACRAMENTO Led by California's two largest utility companies, million-dollar donors have contributed more than 40 percent of the nearly $140 million raised so far to support or oppose 11 measures on the state's general election ballot.

"A million dollars seems to be almost a new threshold," said Robert Stern, president of the Center for Governmental Studies, a Los Angeles think tank that focuses on campaign finance issues.

Spending on California ballot measures has been climbing in recent years, with the median amount spent on an initiative jumping from $4.3 million in 2000 to $15.7 million in 2006, according to a study the center issued earlier this year.

That growth has been fueled by increasingly large donations.

In 1990, a third of ballot measure donations came from contributors who gave $1 million or more. By 2006, two-thirds of the contributions were coming in those amounts. Donors who have given at least $1 million have contributed 42 percent of the $139.5 million raised so far to pass or defeat 11 of the 12 measures on the Nov. 4 ballot, according to campaign finance reports filed this week with the secretary of state's office.



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WHAT'S UP WESTSIDE

OUT AND ABOUT IN SANTA MONICA AND SURROUNDS



Kicking it with Kiwanis

1332 Sixth St., Noon — 1:30 p.m.

Join members of the Santa Monica Kiwanis Club for their weekly luncheon where quests connect and hear from a rotating panel of speakers. The club has been serving the needs of the community and its children since 1922. For more information, call (310) 613-1249.

Get lost in thought

1008 11th St., Noon — 1 p.m.

Stressed out at work? Then take an hour to revitalize by walking and meditating at the First United Methodist Church's new permanent labyrinth in Simkins Hall. The labyrinth is open every Wednesday until Sept. 10, 2008. For more information contact Mary Garbesi at (310) 393-8258, ext. 106 or via e-mail at mary.garbesi@santamonicaumc.org.

Heal your body

1844 Lincoln Blvd., 6 p.m. — 7:30 p.m.

Come for free energy Pranic Healing for asthma, arthritis, cancer, addictions, depression, and phobias with Master Choa Kok Sui at the Kathmandu Boutique. The no-touch, painless, and effective healing art helps the body to repair itself. This healing treatment is offered as a service to the community, and all are welcome with no appointments necessary. For more information, call (310) 396-4036.

Thursday, Oct. 9, 2008

Pole position

1334 Lincoln Blvd., TBA

Learn how to entice that special someone while burning calories and boosting your self esteem during pole/lap dancing classes at Isabelle's Dance Academy. Classes are for ladies only. Private lessons are available as are those involving groups or couples. For more information, call (310) 392-3493, or go to www.isabellesalsa.com.

Introduction to oriental medicine

1807 Wilshire Blvd. Suite 200, Weekdays through Dec. 21

Want to learn more about oriental medicine, but not sure about committing to a four-year program yet? Learn more about the ancient medicine through the opening series of introductory courses at Emperor's College. The courses are fully transferable into a masters degree program. For schedule details visit www.emperors.edu or call (310) 453-8300 ext. 127, or e-mail admissions@emperors.edu.

Get the latest info

601 Santa Monica Blvd. MLK Auditorium, 5 p.m. — 7 p.m.

Join St. John's renowned breast cancer team as they discuss detection and screening options, the relationship between breast health and hormone replacement therapy, and advances in treatment. Advanced registration is required; call (310) 829-8809 for information and reservations.

For more information on any of the events listed, log on to smdp.com and click the "Events" tab for the given day's calendar.



LEAD endorses new face

BY MELODY HANATANI
Daily Press Staff Writer

DOWNTOWN A group that formed this summer in response to accountability and transparency issues in the school district threw its support behind two incumbents, all while warning voters about some of the concerns it has with the two candidates.

LEAD — Leadership, Effectiveness, Accountability, Direction — recently announced its endorsement for the Board of Education race, backing newcomer Ben Allen for one of the three open seats. The group, whose organizing committee consists of about 16 parents, recommended voters choose incumbents Jose Escarce and Maria Leon-Vazquez, stressing that it is not endorsing the two candidates because of reservations over their time on the board.

No position was taken regarding Ralph Mechur — an incumbent who was the lone candidate running to fill the remaining two years of Emily Bloomfield's term — because he will automatically be appointed.

"We felt that during the interview and conversation we had with them that they appeared to understand our concerns and agreed to redouble their efforts for the kind of leadership we're looking for," Debbie Mulvaney, one of the co-chairwomen of the organizing committee, said of the incumbents. "We felt we could move forward with recommending them."

The concerns relate to two separate issues that hit the district in the past two years, the first of which involved financial accountability raised when former Chief Financial Officer Winston Braham resigned in 2006. That was followed by allegations of a culture of intimidation in the special education department, which district officials are currently working to repair.

Concerns about financial management and special education led to the formation of LEAD. The organization did not endorse Chris Bley, a Santa Monica High School graduate and teacher at the Brentwood School, feeling that while it appreciates his interest in serving, it feels he doesn't have the knowledge to be an effective board member.

Bley said the lack of support was disappointing.

"I believe that Santa Monica and Malibu need change," he said. "I believe I offer a fresh perspective."

Escarce, who serves as the school board vice president, said considering the circumstances under which LEAD formed, he wasn't surprised by the loss of an endorsement.

"But I'm certainly very gratified that they recommended that people vote for me and I think that conveys an underlying trust that the incumbents can do a better job with … the leadership that I think LEAD is looking for from the board," Escarce said.

SEE EDUCATION PAGE 10



HANG TIME

Fabian Lewkowicz *Fabian@FabianLewkowicz.com*

Harlan Hayes, 23, relaxes on a slackline at Santa Monica Beach last week. Slacklining is a distinct form of tightrope walking.

Actor Nolte escapes from burning home

THE ASSOCIATED PRESS

MALIBU Actor Nick Nolte escaped a fire that caused an estimated $1.5 million damage to his Malibu home on Tuesday, authorities said.

The 67-year-old actor scraped his arm and inhaled some smoke but was not hospitalized, Los Angeles County fire Inspector Sam Padilla said.

"He is seeing his private physician" for the injuries, he said.

The fire was reported at 11:34 a.m. at Nolte's secluded Bonsall Drive home. The electrical fire started in the living room, and Nolte apparently tried to put out the fire before firefighters arrived, Padilla said.

Televised reports said firefighters found Nolte outside the house with a hose but Padilla said he did not have any details.

He didn't know if anyone else was in the home.

It took firefighters about 10 minutes to douse the blaze, which damaged a portion of the home, Padilla said.

A statement from the county Sheriff's Department said Nolte broke a window to escape the home but Padilla said he could not confirm that account.

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LETTERS TO THE EDITOR

Send comments to editor@smdp.com

Going potty is a basic right

Editor:

The Daily Press article on the lack of restrooms available to Third Street Promenade visitors is long overdue but very welcome ("A going problem on promenade," page 1, Oct. 4-5). I have worked on the promenade for over 13 years and have seen basic public amenities, including restrooms, intentionally decreased by the joint efforts and policies of the City Council, the economic development department, and the Bayside District Corp. Unfortunately, our leaders have put profit far ahead of providing their guests with such a basic, primal necessity such as having a restroom to use.

A glaring example of this can be seen in what happened to the public restrooms that were in Parking Structure 5 located at Fourth Street and Broadway. The men's restroom was damaged by fire a couple years ago and the restrooms and lobby were boarded up. Unfortunately, instead of reopening the restrooms to the public, they were walled off and not reopened. Instead, the space was given to Provenzano Resources (the new, exclusive franchisee, which owns all the vending carts on the promenade).

There are thousands of people each day who drive from all over and park in Structure 5. The structure holds around 600 cars. There is no restroom close by for anyone to use. Young children, older adults, pregnant women, and people with certain medical conditions are most negatively affected by this. Over the past couple of years, I have seen several young children and older adults in and around Structure 5 who wet their pants because they could not get to a restroom in time.

The manager of Yankee Doodles was so right when he said that restrooms seem like a mandatory thing to have available, and that it is the city's responsibility to provide them. On the other hand, Rob Rader could not be more wrong when he said that the lack of restrooms could eventually hurt the promenade. The lack of restrooms is not the problem; it is a symptom of the problem. The problem is that the people who are in charge of providing restrooms are not doing it. Instead, their pursuit of profit has trumped their responsibility to do what is decent and right for those who trust them to do what is decent and right.

D. Bristol
Los Angeles

Governor's budget blows

Editor:

My husband and I have been residents of Santa Monica for 25 years. Needless to say, we are senior citizens. The other day I went down to our mailboxes to get our mail and when my husband asked me if we had any good mail, like a check or something, I said, "I think we received our renter's assistance check." When I opened the envelope, I found the following: a letter from the state of California telling us that "funds for the Homeowner and Renter Assistance Program were removed from the 2008/2009 state budget."

We were shocked. We only expected to receive $30 and got nothing. My $30 will buy two seniors on Social Security milk and bread and a couple of other things. I seriously doubt if my $30 will bolster Schwarzenegger's budget. I am sure others will feel this is terrible and totally unfair.

He lost our vote!

Masrshall and Florence Gershon
Santa Monica

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Going Postal

Steve "the Mailman" Breen — Send comments to editor@smdp.com

We are not in Kansas anymore

ARE YOU A FLYING MONKEY, A TALKING tree or a mental midget Munchkin? Take this test and see.

1. Name the parts of speech and define those that have no modifications.

2. Find the interest of $512.60 for 8 months and 18 days at 7 percent.

3. What is the cost of 40 boards, 12 inches wide by 16 feet long at $1.20 per square meter?

4. What are the following and give examples of each: Trigraph, sub-vocals, diphthong, cognate letters and linguals?

5. Describe the movements of the earth and give its inclination.

6. Name all the republics of Europe and give the capitals of each.

Welcome to sample questions of an eighth grade exit exam from Salina, Kansas in 1895. Most kids today can't identify the continent of Europe on a map let alone answer question six. Remember, too, that in the math portion the only "calculator" utilized was a pencil, paper and gray matter.

During the past 30 years in the Emerald City of California Education, bloviating bureaucrats masquerading as "educators," have tangoed with your kids down the Yellow Brick Road of intellectual pursuits into the soporific poppy field of dullarddom.

California ranks 47th in academic achievement (Kansas is 15th) while having the second largest educational budget, the second highest paid teachers yet is a parsimonious 29th in per student spending.

The Los Angeles Unified School District has a 1 in 3 dropout rate. And while a self-congratulatory Santa Monica-Malibu Unified School District claims to be in the upper quintile of academic achievement in a state with a 1 in 4 dropout rate, this only makes SMMUSD a top-level bottom feeder.

The California SAT average for math and critical reading is 1017. Dubya had an SAT score of 1206. How'd your kid do?

Nachum "the Surf Rabbi" Shifren wants to reform this noxious narrative promulgated by the Lullaby League within the LAUSD. Rabbi Shifren is running for LAUSD school board against incumbent Marlene "the Wiz" Canter.

As a three-decade veteran teacher, an orthodox rabbi and ardent surfer, Rabbi Shifren is vociferously revolted by the lack of simple academic direction for students in the LAUSD.

Ms. Canter and her mangy minions manacle teachers to "class management" handbooks on "Assertive Discipline" that relies heavily on retread Pavlovian "reward/punishment" behavior modification instead of fundamental academics.

Under "Assertive Discipline," your kid isn't being taught intellectual self-realization so much as how to sit up and beg like Toto.

Would it be an inconvenient truth that Marlene Canter is also the co-founder and CEO of Canter and Associates, now Laureate Education, Inc., that invented "Assertive Discipline" and is ringing the cash register bell for the salivating canines holding the educational purse strings?

It must be nice to have a side business that financially dovetails into one's day job at taxpayers' expense. Pay no attention to that gal behind the curtain!

Marlene Canter touts her greatest achievement as banning the sale of junk foods and soft drinks on LAUSD campuses. Considering past, recent and regular occurrences of shootings/stabbings/beatings on LAUSD schoolyards, I wonder if Ms. Canter has yet surmised that bullets can kill faster than a bag of Doritos.

While teaching at Dorsey High in South Central, Rabbi Shifren was burned out of his classroom by arsonists because he had the temerity to insist that his students actually do their schoolwork! Lollipop Guild "community organizers" regularly pitched race cards at Rabbi Shifren faster than Hoyle could make them. "He's a racist! He only sends black kids to the principal for discipline," they priggishly squealed.

He only had black kids in his class. DOH!

Let me get this straight. Politically correct "community organizers" condescend to label a Jew as a "racist" despite the fact that the speaker who preceded Martin Luther King's "I Have a Dream" speech was Rabbi Joachim Prinz?

German-born Rabbi Prinz tended to the Berlin Jewry during Hitler's regime.

Maybe Dorsey community organizers didn't get the memo that folks like Rabbi Prinz, Rabbi Shifren and their tribe have had a front row seat to historical pogroms since Ramses II. The story is in a book called a "Bible."

And what would MLK say?

Folks, Rabbi Shifren's message is simple: Simplicity.

Now click your heels three times …

1. Scrape away all the barnacles of school administration excess. A lessened miscreant administration translates into more money for the kids where it patently belongs.

2. Go back to the fundamentals. Review those eighth grade sample questions above. How'd you do? Washington left school at 16. Lincoln and Frederick Douglass were predominantly self-educated. In 1872, Douglass was the first black man to be nominated as vice president of the U.S. They all appeared to do pretty well without self-aggrandizing, cash corpulent academic apparatchiks monitoring the scene.

3. Parents: give teachers the power to teach without interference from self-appointed "community organizers."

Your kid might then get to be president someday like Dubya.

STEVE BREEN is looking for a conservative pair of size 12 ruby slippers for Halloween and is still "the best looking mailman at the U.S. Post Office." He can be reached at dulcamarax@yahoo.com

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Word in Edgewise

Kenny Mack

Send comments to editor@smdp.com

Bad Barack choice

BY NOW, READERS OF THIS COLUMN should know I was the first person to go on the record predicting an Obama presidency back in April of 2007. When he's elected, it's only natural that I'll assume the title of America's Smartest Columnist. But this isn't about me patting myself on the back for being so in touch with the people. This is about me questioning how Lorne Michaels, creator and executive producer of "Saturday Night Live," could be so clueless as to stand by his decision to cast Fred Armisen to play soon-to-be President Obama on the show — ostensibly for the next eight years.

In his defense, Lorne Michaels isn't as smart as I am. Like everyone else who doesn't live in Illinois and hasn't been a Democratic Party activist, he didn't see Barack coming. Making things even more complicated was the fact that the WGA strike was in full swing when Obama won the Iowa Caucuses back in January, so "SNL" was dark at the time. Behind the scenes, however, Michaels was scrambling to find someone to play the role and was reportedly looking "both inside and outside the current cast" before settling on Fred Armisen — or, more accurately, settling for Fred Armisen.

Armisen is funny, he's just not that good. His main talents are mugging (like his Prince impression), overacting (like his Dov Charney), and a combination of both (like his Larry King). His unconvincing Obama wouldn't be such an issue if he wasn't in the same cast as the premier political impressionist of the last 20 years, Darrell Hammond — whose Jesse Jackson is so good I don't even mind that he does it in blackface — and if the role was anything short of a dream job for a black actor. A dream job that Lorne Michaels, once again, isn't giving to a black actor.

This is the same Lorne Michaels that created the position of the "Other Black Guy" who isn't in any sketches (unless he's in a dress), almost never speaks, and only existed so the show could claim two black cast members.

This is the same repertory company that hasn't had two black players at the same time since 2005, and even then the "OBG" was the totally forgettable Finesse Mitchell. I guess Michaels figured that the gifted Kenan Thompson has enough size, range, and talent to qualify as two people, so there was no need to cast another black guy.

Like a dummy, I went into the summer hiatus thinking that Lorne would be searching high and low for a better Barack. After all, political humor is "SNL's" bread and butter and Armisen as Obama on screen with Hammond as Bill Clinton or Al Gore would be like Linda McCartney trying to keep up with Paul McCartney on stage when they were in Wings.

Michaels didn't get the memo that Obama was coming, so casting a new "OBG" didn't happen because he had Amy Poehler and her (adequate) Hillary Clinton impression. Hillary was "inevitable" back then, so everything was going to be fine. When the show starts with the cold open, "live from New York, it's Saturday night!" there is, literally, only one place in New York City you can go and not see at least two black people and that's backstage at Studio 8H in the G.E. Building at Rockefeller Center where "SNL" is taped.

As for the new cast, it turns out there is no room for a new "OBG" because Lorne Michaels took the revolutionary step of reaching all the way out to the Upright Citizens Brigade (again) and his own production company (the same one that gave us "A Night at the Roxbury" and "Stuart Saves His Family") to find Bobby Moynihan. Bobby Moynihan? At this historic moment in our culture and our politics when a black man is poised to become the icon of a generation, the executive producer and grand poobah of the definitive satire showcase of the last 30 years didn't cast a black comic actor to play the role because he simply had to make room for the transcendent talent of Bobby Moynihan? Really?

Lorne Michaels has been passed by. His 90-minute show is too long by a third, its sketches end with a whimper instead of a bang, and a better version of the best part ("Weekend Update") is available on "the Daily Show."

As a content provider, there is a silver lining in this cloud of comic mediocrity for me. If, for some insane reason, no syndication services ever pick up my column and no publishers ever release my books, I can take comfort in the fact that a coattail-rider like Lorne Michaels still has a show on network TV, but a comedic genius like Dave Chapelle doesn't.

Ain't showbiz a bitch?

KENNY MACK is a writer, comedian, and social commentator living in Santa Monica who is shopping his book, "Word In Edgewise – The Collected Opinions of America's Smartest Columnist" to forward-thinking publishers. He can be reached at kennymack@gmail.com

The Q Line

Paying the taxman

There are three issues on the November ballot that deal with taxes. Santa Monica College is attempting to pass a bond, the county is trying to increase sales taxes by half a cent to pay for transit projects, and the city wants to expand the Utility Users Tax. Times are tough and more taxes would be hard to swallow for many residents.

So this week's Q-Line question asks:

If you could pick just one, which of these issues would you vote for, and why?

Call (310) 285-8106 before Friday at 5 p.m. and we'll print your answers in the weekend edition of the Daily Press. Please limit responses to a minute or less.

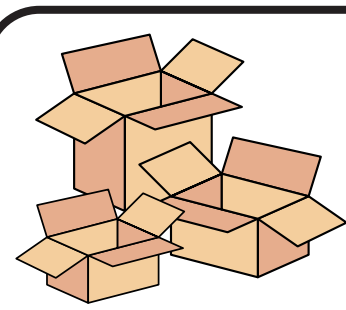

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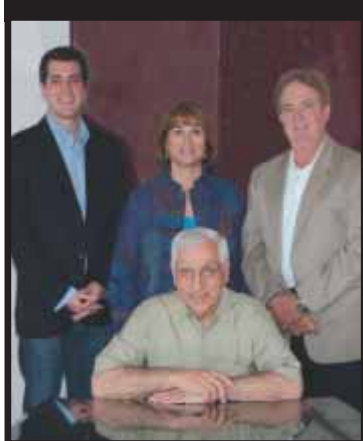
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Defense in yacht killings says their client did it

BY AMY TAXIN
Associated Press Writer

SANTA ANA The attorney for a man accused of throwing a couple off their yacht bound to an anchor told a jury Tuesday his client is guilty of those two murders and a third, but shouldn't be put to death.

"My goal is simply to save Skylar Deleon's life," defense attorney Gary Pohlson said in a 15-minute opening statement on behalf of his 29-year-old client.

"Skylar is guilty of all three murders," he said.

The concession is not the same as a guilty plea, however, and Pohlson said he will dispute some details of the prosecution case. The attorney indicated his client should not face the death penalty because others involved will have different outcomes of their cases. He urged life in prison without possibility of parole instead.

Deleon is accused of killing the Arizona couple, Tom and Jackie Hawks, in 2004 in order to steal their yacht, and a man he stole thousands from in 2003. He has pleaded not guilty to murder and murder for financial gain.

The defense strategy stunned Ryan Hawks, the 32-year-old son of Tom Hawks, who came to hear testimony.

"I was blown away," Ryan Hawks said. "Thank God I was sitting down."

Earlier, Orange County prosecutor Matt Murphy told jurors the couple took a cruise off Southern California thinking they were showing off their yacht, the Well Deserved, to an interested buyer and ended up pleading to be spared.

"The evidence is going to show that is how Tom and Jackie Hawks died, begging for their lives," Murphy said. "The evidence is going to show Jackie Hawks was crying and saying ... I have a grandchild. Please don't kill me."

The prosecutor graphically described the killings.

"Skylar threw the anchor overboard, the rope goes taught and it rips Tom and Jackie Hawks off that (boat)," he said.

Deleon, a former child actor, has allegedly boasted that he was a star on the "Mighty Morphin Power Rangers" but apparently only had a small part in one episode.

Prosecutors are seeking the death penalty for Deleon, who they say drafted a plan to kill the Hawkses after learning they were planning to sell their 55-foot yacht in November 2004 to spend more time with their baby grandson.

They say Deleon feigned interest in buying the nearly half-million-dollar yacht, then enlisted the help of two men to overpower the Hawkses on the cruise before forcing them to sign over paperwork for the yacht and killing them.

Murphy took jurors on a step-by-step outline of how the case unfolded after the Hawkses disappeared and family and friends began to frantically search for them around Newport Harbor, where they docked their boat.

Murphy said Deleon and his former wife, Jennifer Henderson, were a young couple saddled in debt and living in a converted garage, and had a bank account with only $2,619 two days before Deleon took the test cruise.

He said a police search of Deleon's home found voter registration and auto insurance cards and a video recorder belonging to the couple, as well as Jackie Hawks' personal computer.

After the killings, Murphy said, Deleon paid a notary $2,000 to backdate paperwork to transfer ownership of the yacht and had a friend show her color photocopies of the Hawkses' drivers' licenses so she could describe the couple to police as if she had seen them.

Future of flagship Mars mission up in the air

BY ALICIA CHANG
AP Science Writer

LOS ANGELES Will NASA's flagship mission to Mars fly next year?

The space agency could decide as early as Friday whether to cancel, delay or proceed with plans to launch a nuclear-powered, SUV-size rover to the red planet.

NASA has already sunk $1.5 billion into the Mars Science Laboratory, which is pricier than expected. The mega-rover will roam the surface and drill into rocks for clues to whether the planet ever possessed an environment capable of supporting primitive life.

Doug McCuistion, who heads the Mars exploration program at NASA headquarters, told scientists in recent public meetings that he expects the mission's total cost to run over by more than 30 percent. If it goes over that threshold, Congress would have the right to intervene and use its power to end the project on its own.

Managed by NASA's Jet Propulsion Laboratory in California, the project has been plagued by development problems and ballooning costs that caught headquarters' attention. McCuistion told a gathering of Mars scientists last month that NASA was keeping a close eye on the project's progress and costs and participating in weekly reviews with JPL.

From the outset, the Mars Science Lab proved to be an engineering challenge due to its size and capability. The 9-foot-long robot geologist is bigger and can drive farther than its twin predecessors, Spirit and Opportunity, which are still alive after four years. It also carries some of the most sophisticated instruments, including a laser that can zap rocks from afar.

The mission's financial woes took many in the science community by surprise who fear that other projects will suffer to pay for the mega-rover.

"The magnitude of the increases has been mind-boggling," said geologist John Mustard of Brown University. "It has sent a shock wave to the Mars program and beyond to the planetary community."

If NASA pushes to launch in 2009 as planned, it will have to find the money to get the rover ready. Any delay until 2010 or 2011 will add at least $300 million to the mission's price tag.

Alex Dery Snider, a spokeswoman for the House Science Committee, said members were concerned about the extra cost and want to know how NASA will solve the problem.

Some scientists outside the Mars research community said canceling the project does not make sense since so much money has already been invested.

Animal rights activists want more space for hens

BY TRACIE CONE
Associated Press Writer

ATWATER The din of nearly a half million clucking White Leghorns crammed into cages four tiers high fills a temperature-controlled barn at J.S. West and Companies.

The egg-laying chickens are packed six tight inside two-foot-square wire cages. Underneath each row of cages, conveyor belts whisk away the excrement that drops through, while the eggs travel from hen to carton without touching a human hand. It is just one of three barns at J.S. West, which pops out 1.2 million eggs a day.

On Nov. 4, California voters will decide whether that kind of operation is an example of factory farming at its safest and most efficient or an example of cruel farming practices by producers concerned only about their bottom lines.

Proposition 2, would set standards for housing chickens and other farm animals. If passed, it would prohibit ranchers from keeping chickens, veal calves and breeding pigs in pens or cages that are too small for the animal to move comfortably.

Ranchers would have to ensure that their animals can stand up, turn around or stretch. Since producers have voluntarily phased out the caging of newborn calves and breeding sows, the argument has centered on California's 19 million egg-laying chickens, 90 percent of which are housed in so-called battery cages like the ones at J.S. West.

The restrictions would take effect in 2015, with violations carrying a $1,000 fine.

Major egg producers oppose the initiative and say it will drive them out of state or force them to greatly reduce their operations.

> **"EVEN IF I HAD MONEY TO MAKE ALL OF THE CHANGES, WE WOULD NOT BE COMPETITIVE WITH THE REST OF THE NATION. EGGS WOULD BE OUTSOURCED. WE DON'T HAVE THE CONSUMERS FOR MORE EXPENSIVE EGGS."**
>
> Jill Benson
> President of egg producing company J.S. West

J.S. West already has delayed expansion plans as the company awaits the outcome, company president Jill Benson said.

"Even if I had money to make all of the changes, we would not be competitive with the rest of the nation," she said. "Eggs would be outsourced. We don't have the consumers for more expensive eggs."

Opponents have raised nearly $7.5 million, including donations of $100,000 or more from at least 15 poultry producers. Two of the largest donors to the campaign against the initiative face an unrelated federal investigation into alleged egg price-fixing.

Supporters have raised nearly $7.4 million, including $3.8 million from the Humane Society of the United States. Most of the rest has come from three-figure donations from private citizens.

Proposition 2 is the latest attempt by animal-rights groups to mandate a change in living conditions for farm animals.

Voters in Arizona and Florida already have banned pig crates, with Oregon following last year. Colorado has banned veal and pig crates.

The California initiative would be the first to include battery cages used to house egg-laying hens, which currently are being phased out across the European Union. If it passes, supporters hope it would trigger a national movement aimed a poultry producers.

Experts differ about the economic effects that freeing chickens from cages will have.

Egg prices will skyrocket or increase by 1-cent per egg. Factory egg producers will expand the cage-free operations most of them already have or move out of state. It will put California's food at risk of salmonella or create a safer and healthier local food supply.

Small egg-farming operations will have a better chance to compete, supporters of Proposition 2 say. But the large egg producers argue that the small farms cannot meet California's demand for an inexpensive source of protein. Even the large producers can meet only two-thirds of California's demand, Benson said.

The competing claims have reduced the debate about a $323 million industry to an ethical discussion about the treatment of farm animals.

State law already makes animal cruelty illegal and requires that animals in enclosed areas have adequate food and water, plus room to move freely.

"I do not perceive that there is suffering," said Julie Buckner, who heads Californians for SAFE Food, which is fighting the proposition.

Supporters want ranchers to go several steps further. At issue is whether caged chickens are suffering because they are packed into cages every hour of their lives, said Dr. Kate Hurley, a professor of veterinary medicine at the University of California, Davis.

"There is a disconnect between us and them over what it means to exist and what it means to have a life," said Jennifer Fearing of the Yes on 2 campaign. "Would you want to spend your entire life on an elevator with eight other people?"

Benson, the egg company president, said the health of their hens is of foremost concern to farmers.

"Ask them how they know our chickens are unhappy," Benson said. "They're making emotionally based decisions about what chickens want."

About 10 percent of California's eggs are produced by cage-free hens, and Benson's operation is no exception.

While specialty eggs are the largest-growing segment of the market, producers say demand for the more expensive cage-free eggs has not kept up with supply. Costco officials say 11 percent of the eggs sold in their stores are from cage-free operations.

Producers say the current method of mass production is the most efficient way to deliver inexpensive eggs to consumers, but warn those operations will move out of state or across the border if voters approve Proposition 2.

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HEALTH

Drug companies: No cold medicines for kids under 4

BY RICARDO ALONSO-ZALDIVAR
Associated Press Writer

WASHINGTON Don't give over-the-counter cold remedies to kids under 4, drug companies said Tuesday. What sniffling little ones need, doctors said, are plenty of fluids and lots of tender, loving care.

"The best thing a parent can do is comfort their children," said Dr. Laura Herrera, a Baltimore family practitioner and mother of two. "Keeping them as comfortable as possible is certainly better than giving cough and cold medicines."

In a concession to pediatricians, who doubt the drugs do much good for children and worry about risks, the companies that make over-the-counter remedies like Dimetapp and Pediacare announced they had changed their advice to parents for the second cold season in a row.

Besides recommending against cold medicines off drugstore and grocery shelves, the companies say not to give antihistamines to kids to help them sleep. The new instructions are on packages that started hitting stores this week.

Last year, the industry went against cough and cold medicines for children under 2. The latest changes came after discussions between drug companies and the Food and Drug Administration. The talks were kept quiet for months as federal health officials debated how to respond to a pediatricians' petition seeking to ban the medications for kids under 6. At a public hearing last week, neither industry officials nor regulators gave any hint of an impending announcement.

WHAT YOU SHOULD DO

■ Industry said parents should never:
• Give adult medicines to a child.
• Give two or more medicines with the same ingredients at the same time.
• Give antihistamines to make a child sleepy.

■ And parents should:
• Give the exact recommended dose, using the measuring device that comes with the medicine.
• Keep medicines out of sight and out of reach.
• Consult their doctors if they have any questions.

Cough and cold products have been given to children for decades, but it turns out the medicines were never scientifically tested to see how well they work in kids. And recent research has found some untoward side effects, mostly stemming from accidental overdoses.

Pediatricians who support a ban for kids under 6 nonetheless said they were pleased with the industry announcement.

"It's a huge step forward," said Dr. Joshua Sharfstein, Baltimore's health commissioner. "There is no evidence that these products work in kids, and there is definitely evidence of serious side effects."

Problems with over-the-counter cough and cold medicines send some 7,000 children to hospital emergency rooms each year, with symptoms including hives, drowsiness and unsteady walking. Many kids overdose by taking medicines when their parents aren't looking.

"The 2- and 3-year-olds are definitely the highest risk," said Sharfstein. "More than 50 percent of the problem is with these kids. If they don't have this stuff around the home, they're less likely to grab it and ingest it."

The new advice could create its own kind of quandary. For example, what to do in a family with a 3-year-old and a 6-year-old?

Dr. Herrera said parents should resist the urge to give the medications to the older child. "They feel like they're doing good by giving these medications, but in some cases they could be doing more harm than good," she said.

Herrera has a 6-year-old daughter and 7-year-old son, and neither of them have gotten cold remedies.

The drug makers said they are also introducing new dispensers to help parents make sure they give the right amount of medicines, and not too much. The industry is expanding a nationwide educational campaign aimed at getting parents to be more careful.

"We are doing this voluntarily out of an abundance of caution," Linda Suydam, president of the Consumer Healthcare Products Association, said in announcing the changes on behalf of the companies. "The vast majority of the serious adverse events are in 2- to 3-year-olds. They are the ones who get into the products by being curious toddlers."

Sen. Christopher Dodd, D-Conn., an advocate for children's health care, said he will continue to press the FDA to ban the drugs for children under 6. Outside advisers made that recommendation to the agency a year ago.

"While I'm pleased to see that the drug companies are voluntarily taking some steps to ensure the safety and well being of our children, I am disappointed that the FDA has not followed the recommendations of its own advisory panel," Dodd said.

Dr. Janet Woodcock, a senior FDA official, said restricting use of the medicines to children over 4 makes sense as an interim step, while the agency continues to study the risks and benefits in children under 12. It's a process that could take years.

"This was a logical cutoff," said Woodcock, adding, "It was somewhat of a judgment call." She said government officials fear that taking the medicines off the shelves might prompt parents to give their children adult medicines instead.

Leading cough and cold brands include Dimetapp, Pediacare, Robitussin, Triaminic, Little Colds and versions of Tylenol that have ingredients to treat cold symptoms. U.S. families spend at least $287 million a year on cold remedies for kids, according to Nielsen Co. statistics that do not include Wal-Mart sales.

Herrera, the Baltimore family doctor, said kids with colds usually get better in a few days. Coughs and sniffles can be distressing, but they are also a sign that the body is doing its work.

Parents may want to give Tylenol or Motrin if a child is running a fever of 101 degrees or higher, Herrera said. Sniffles can be cleaned up with tissues or gently suctioned if kids are too young to blow their noses. And children should be watched for any signs of trouble breathing, which could signal more serious problems.



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ECONOMY

Bernanke says more economic pain ahead

BY JEANNINE AVERSA
AP Economics Writer

WASHINGTON Federal Reserve Chairman Ben Bernanke warned Tuesday that the financial crisis has not only darkened the country's current economic performance but also could prolong the pain.

The Fed chief's more gloomy assessment appeared to open the door wider to an interest rate cut on or before Oct. 28-29, the central bank's next meeting, to brace the wobbly economy.

Bernanke said the Fed will "need to consider" whether its current stance of holding rates steady "remains appropriate" given the fallout from the worst financial crisis in decades.

If the Fed does lower its key rate from 2 percent it would mark an about-face. The Fed in June had halted an aggressive rate-cutting campaign to revive the economy out of fear those low rates would aggravate inflation. Since then, financial and economic conditions have deteriorated, while inflation pressures have calmed, giving the Fed more leeway to again cut rates.

Many believe the country is on the brink of, or already in, its first recession since 2001.

"The outlook for economic growth has worsened," Bernanke said in prepared remarks to the annual meeting here of the National Association for Business Economics.

All told, economic activity is likely to be "subdued" during the remainder of this year and into next year, Bernanke said. "The heightened financial turmoil that we have experienced of late may well lengthen the period of weak economic performance and further increase the risks to growth," he warned.

Consumers — major shapers of economic activity — have buckled under the weight of rising joblessness, shrinking paychecks, hard-to-get credit, declining net wealth and tanking home and stock values. All the strains are "now showing through more clearly to consumer spending," Bernanke said.

Meanwhile, worsening sales prospects and a heightened sense of uncertainty have begun to weigh more heavily on businesses, making them more cautious to hire and to invest in their companies, he said.

Employers cut jobs in September at the fastest pace in more than five years, the government reported last week. Payrolls were slashed by 159,000 last month alone. It was the ninth straight month of job losses. A staggering 760,000 jobs have disappeared so far this year.

The financial and credit crises, which took a turn for the worst in September and continue to stubbornly persist, are likely to "increase the restraint on economic activity in the period ahead," Bernanke said.

Even households with good credit histories are now facing difficulties obtaining mortgages or home equity lines of credit, he noted. Banks are also reducing credit card limits and denial rates on auto loan applications are rising, he said.

Banks, too, are feeling the strain of a lockup in lending, particularly in the market for commercial paper.

To that end, the Fed on Tuesday announced a radical plan to buy massive amounts of this short-term debt in an effort to break through a credit clog that is imperiling the economy.

"The expansion of Federal Reserve lending is helping financial firms cope with reduced access to their usual sources of funding," Bernanke explained.

Invoking Depression-era emergency powers, the Fed will begin buying commercial paper — short-term funding that many companies rely on to pay their workers and buy supplies.

Bernanke believed the Fed's bold actions — along with the $700 billion financial bailout signed into law by President Bush on Friday — will help restore confidence in financial markets and help them function more normally.

He also defended the timing of the actions by the Fed and the Bush administration. "We have learned from historical experience with severe financial crises that if government intervention comes only at a point at which many or most financial institutions are insolvent or nearly so, the costs of restoring the system are greatly increased. This is not the situation we face today," he said.

LIFESTYLE

Neiman Marcus offers volume of extravagant gifts

BY DAVID KOENIG
AP Business Writer

DALLAS With stock markets sinking and fear of recession rising, what's the affluent consumer to do? Neiman Marcus hopes a few of them will escape the grim headlines by splurging on diamonds, Dior and other diversions.

The luxury retailer unveiled its Christmas Book on Tuesday and made surprisingly few concessions to the financial crisis running from Wall Street to Main Street.

You can be the first on your block to own a limited-edition BMW sedan, a backyard golf course designed by Jack Nicklaus or a collection of every top 100 record from 1955 to 1990.

"I think we all need a break," said Ginger Reeder, a Neiman vice president. "These gifts are not meant to be anything more than something to make you smile, make you go 'Oh my gosh, who would have thought about that?'"

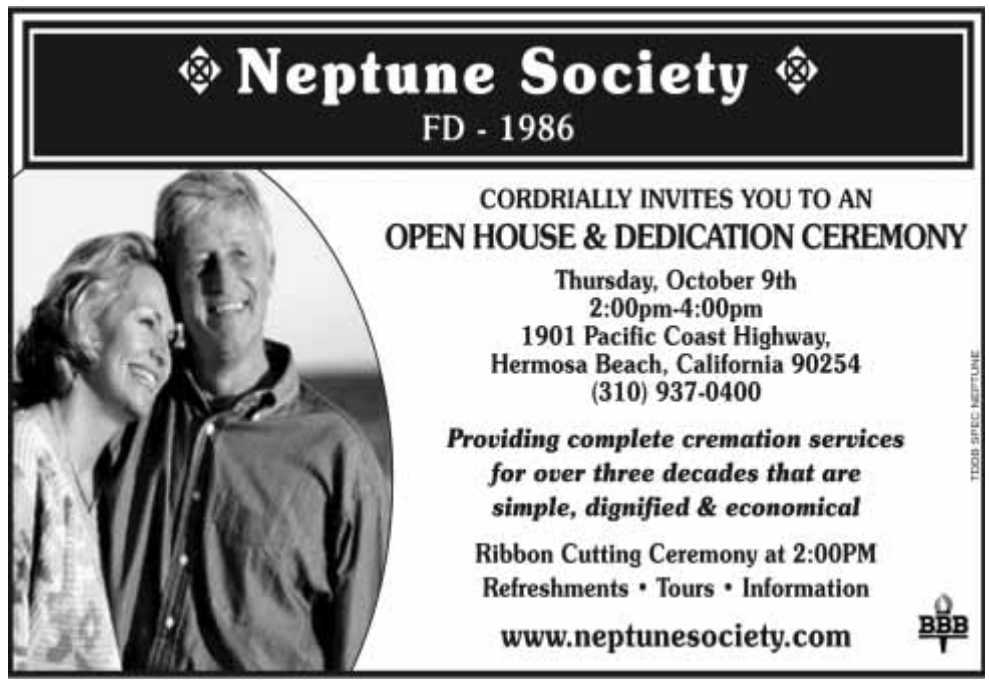
Reeder said Neiman's wealthy customers aren't much affected by the economy, but that so-called aspirational shoppers — more middle-income yet yearning for touches of luxury — may shop less often and buy fewer items.

That contrasts with what Saks Inc. has been saying. The operator of Saks Fifth Avenue said in August that its high-end customers — not just the aspirational shoppers — were pulling back, and it gave a gloomy forecast for the second half of the year.

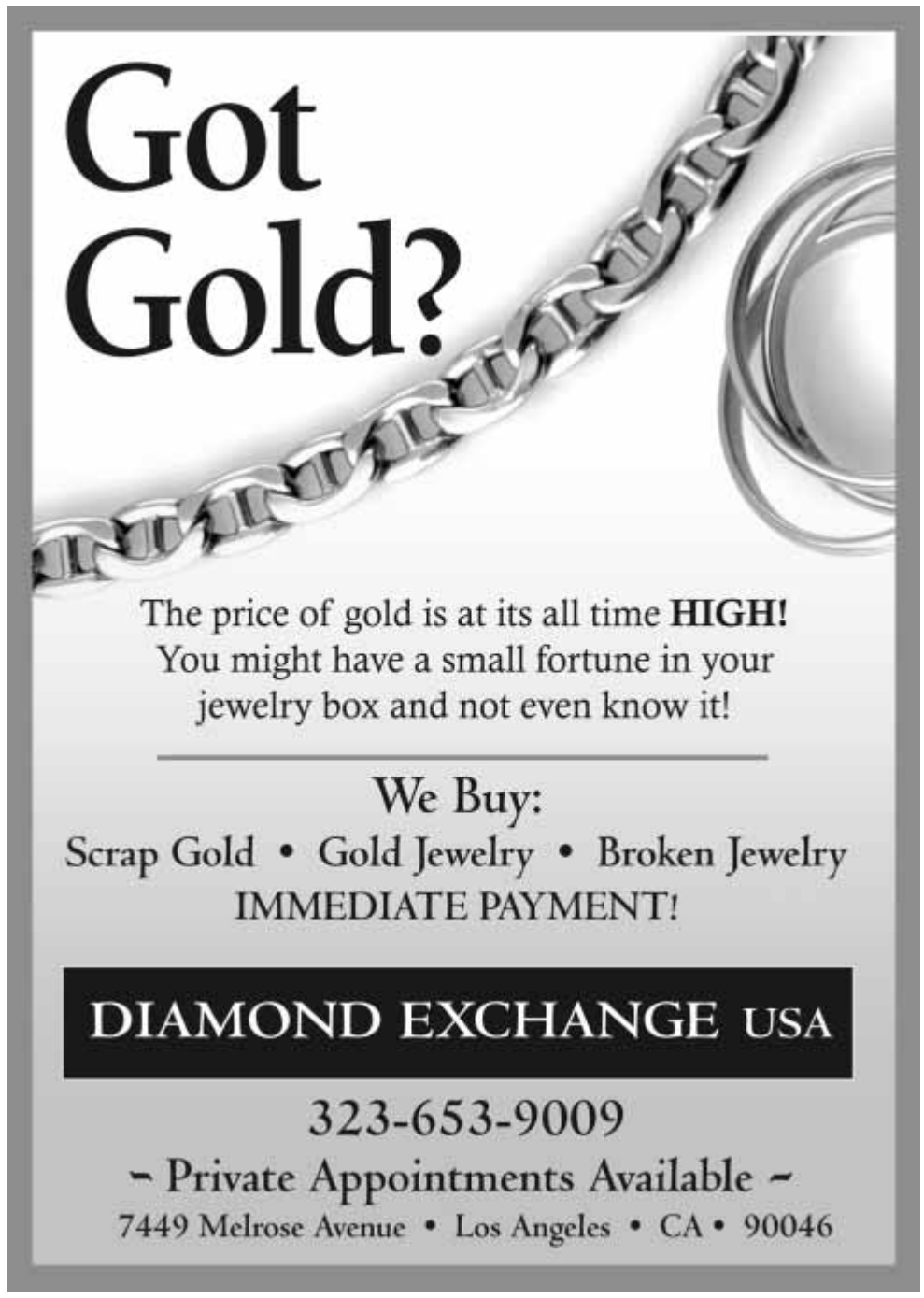
Analysts have warned that the stock market decline has damaged the confidence of luxury shoppers and that job losses and smaller Wall Street bonuses could also hurt.

Neiman plans the holiday book more than a year in advance. Reeder said the only change this year is that Neiman also will send out a smaller catalog featuring gifts under $300. The privately held chain doesn't discuss sales from the Christmas Book, first published in 1926.





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Candidates discuss possibility of closing airport

FROM **FORUM** PAGE 1

been given to the idea of closing the airport," Mann said.

The topic came up during a question about whether the candidates would support holding a town hall forum on the future of the airport, leading the majority to say that one would be necessary to discuss whether SMO should remain in operation.

Mayor Herb Katz pointed out that there needs to be not one meeting, but several, adding that the discussion would include residents from not only Santa Monica, but Los Angeles since the issue is a regional one.

"If we have to close in 2015, then so be it," he said.

While the pollution problem is a regional one, three of the council candidates did say they would not support having a Los Angeles resident serve on the Santa Monica Airport Commission, responding to a question about adding an Angeleno to the advisory board.

Councilmember Ken Genser, who has served since 1988, said the city charter does not allow a non-resident to join the commission.

Genser added he would support a change once a Santa Monica resident is allowed to serve on the Los Angeles Planning Commission, pointing out the effect that transportation and development issues have on the neighboring cities.

The inclusion of a Los Angeles resident was embraced by the newcomers in attendance, including Susan Hartley, the former vice chairman of the Airport Commission. Hartley, who lives in Sunset Park, added she would like to see both Los Angeles city and county officials join in on the legal battle against the FAA.

The east end of the airport is technically in the city of Los Angeles.

Among the biggest concerns for residents to the east of the airport is jet pollution.

The issue led Assemblymember Ted Lieu (D-Torrance) to introduce legislation last year that would require the formation of a technical advisory committee that would analyze studies on air quality impacts from the airport. The bill died in the state Senate Appropriations Committee a few months after it was introduced.

"Although Santa Monica is not in my district, the pollution blows right into my constituents," Lieu said during a brief appearance at the forum.

Residents have been calling on City Hall to conduct its own air quality study.

"Immediately funding a study makes sense," Michael Kovac, a candidate who lives in Sunset Park, said, adding he can see black particles on his car in the morning.

Ted Winterer, a recreation and parks commissioner, said that as a father of two children, he's sensitive to the issues related to pollution. He also voiced his support for a fee that would make the biggest polluters pay, using the revenue to fund a complete study on air quality impacts. Several of the candidates said that while they support a study, they would like to find out the costs of conducting an assessment before committing, adding that it would be smart to wait until related reports by larger agencies are concluded.

One way to reduce pollution would be to disengage LAX flight patterns from SMO so that jets won't have to idle on the runway waiting for planes to take off from Los Angeles, Linda M. Piera-Ávila said.

Mayor Pro Tem Richard Bloom, who lives in Sunset Park, stressed that the fight over the airport isn't just one battle.

"Our opponents — those who are fighting on the other side of the issue we care about — are well funded," Bloom said. "We don't shy away from battle when the battle is the right one to engage in."

melodyh@smdp.com

Local group has reservations about incumbents

FROM **EDUCATION** PAGE 3

The eight-year board member said that the board is committed to addressing special education and improving the program. Leon-Vazquez did not return a request seeking comment and has a policy of not speaking to the press.

Mulvaney said while the group had concerns about some of the past issues, they were happy with the way in which the district was heading, starting with the appointment last summer of Tim Cuneo as the interim superintendent.

Cuneo replaced former Superintendent Dianne Talarico, who left at the beginning of the summer to serve in a similar capacity at the Burlingame School District, departing after less than two years on the job.

"Mr. Cuneo clearly has a different style of leadership, understands the issue we're facing and isn't afraid to tackle it in a much more proactive way," Mulvaney said.

The group decided to endorse Allen, who served as a University of California regent, because of his experience in the district and familiarity with its issues. Allen currently serves on the district's Financial Oversight Committee.

"He made an effort to reach out to the education community and familiarize with the issues that had faced the district and will face this district," Mulvaney said.

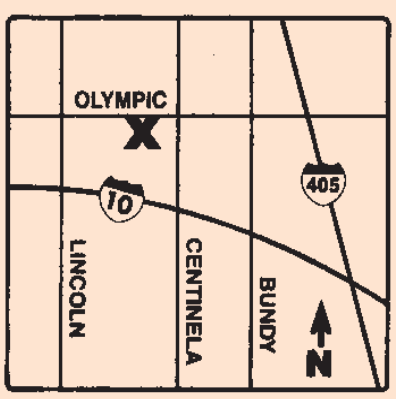
She added that a fresh perspective could be good for the district. Allen agreed.

"We've got some good people on the board, but there is always room for a new perspective," Allen said.

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Sobering warning highlights dangers of microwaving

BY JOSH FUNK
AP Business Writer

OMAHA, Neb. Zapping frozen meals in the microwave may be fast and easy, but it also can make you sick if it's not done properly.

That message has been slow to catch on, despite a spate of illnesses last year from improperly microwaved frozen foods. On Sunday, the government issued a new warning urging consumers to thoroughly cook frozen chicken dinners after 32 people in 12 states were sickened with salmonella poisoning.

"Given how people use microwaves, it's great for reheating, but maybe not so good for cooking," said Doug Powell, scientific director of the International Food Safety Network based at Kansas State University.

The problem is that microwaves heat unevenly, and can leave cold spots in the food that harbor dangerous bacteria, such as E. coli, salmonella or listeria. So microwaving anything that includes raw meat, whether it's frozen or thawed, can cause problems.

"I think most food-safety experts probably would have said it's not a good idea to microwave anything that's from a raw state," said Michael Davidson, a University of Tennessee food microbiologist.

Many people wrongly assume all frozen meals are precooked and only need to be warmed. It's a misconception fostered in part by foods prepared to appear cooked, such as chicken that has been breaded or pre-browned.

"I haven't worried about the safety of frozen food. Maybe I should," Kathy Tewhill said while perusing the frozen food aisle of a Hy-Vee grocery store.

In reality, even some meals designed to be microwaved can be unsafe if they are not heated thoroughly enough, or are cooked using directions meant for a microwave with different voltage.

The government doesn't track microwave-related food-borne illnesses, but every year more than 325,000 people are hospitalized for food-related illnesses. Last fall, hundreds became ill when Banquet pot pies made by ConAgra Foods were linked to a salmonella outbreak and frozen pizzas made by General Mills were tied to an E. coli outbreak. Both products were recalled.

Since then, food companies have revamped the cooking instructions on their frozen foods to ensure they are sufficient for killing off any dangerous bacteria, says Leslie Sarasin, head of the American Frozen Food Institute trade group. ConAgra and Nestle Prepared Foods, two of the largest frozen foods producers, have rolled out revised instructions on many of their brands which include Stouffer's, Lean Cuisine, Banquet and Healthy Choice.

But preparing frozen foods safely may require a change in consumers' microwave habits, too. In the latest outbreak, some of the meals were microwaved even though the products weren't intended to be.

Microwaves produce short radio waves that penetrate food about 1 inch and excite water, fat and sugar molecules to produce heat. Food safety experts say that method poses more risk than a stove or oven because it heats food unevenly.

To be safe, they suggest getting a food thermometer and using it to check the temperature of microwaved food in several places, especially if the product includes raw ingredients.

> "GIVEN HOW PEOPLE USE MICROWAVES, IT'S GREAT FOR REHEATING, BUT MAYBE NOT SO GOOD FOR COOKING."
>
> Doug Powell
> Scientific director of the International Food Safety Network

"If you were going to make one of these things for a kid, you'd definitely want to be checking the temperatures on the things or using your (conventional) oven," Davidson said.

But spotting raw ingredient isn't always easy because the only clue most companies offer is the two words "COOK THOROUGHLY" on the front of the package.

Consumers also need to become better acquainted with the technical specifications of their microwaves. The unit's wattage — how powerful it is — influences how well it heats food, and cooking instructions are written for specific wattages.

But microwaves lose power over time, and some smaller microwaves may not produce enough power to safely cook some products. Banquet pot pies, for example, now include a warning that the product shouldn't be cooked in microwaves with less than 1,100 watts output.

Kathy Barges, another Hy-Vee shopper, says she tries to follow the directions on her Lean Cuisine meals exactly, but hadn't noticed the package's warning to adjust cooking time if she doesn't have an 1,100-watt microwave.

"I'm not sure what mine is," Barges said. "It's an expensive microwave, so I assume it's got the most wattage on it."

And if most people don't know the wattage of their home microwaves, forget the ones they might use to nuke their lunch at work. "Who's got a thermometer in their desk drawer?" Davidson said.

College student Jordan Sullivan said he regularly eats frozen pizza and pizza rolls, but never has given much thought to the safety of it.

"I just toss them in and wait till they look good," Sullivan said of the rolls, which do include raw ingredients.

While following directions helps, experts say the bottom line is that cooking raw food is still a job best left to stovetops, grills and ovens.

ON THE NET

- FDA: www.fda.gov
- USDA Food Safety and Inspection Service: www.fsis.usda.gov
- Grocery Manufacturers' Association: www.gmabrands.com
- American Frozen Foods Institute: www.affi.com

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Get moving: Guidelines set healthy activity levels

BY LAURAN NEERGAARD
AP Medical Writer

WASHINGTON New exercise guidelines released Tuesday set a minimum sweat allotment for good health. For most adults, that's two hours a week.

How much physical activity you need depends largely on age and level of fitness.

Moderate exercise adds up for sluggish adults. Rake leaves, take a quick walk around the block or suit up for the neighborhood softball game. More fit adults could pack in their week's requirement in 75 minutes with vigorous exercise, such as jogging, hiking uphill, a bike race or speedy laps in the pool.

Children and teens need more brisk activities for at least an hour a day, the guidelines conclude.

Consider it the exercise version of the food pyramid. The guidelines, from the Health and Human Services Department, aim to end years of confusion about how much physical activity is enough, while making clear that there are lots of ways to achieve it.

"The easy message is get active, whatever your way is. Get active your way," HHS Secretary Michael Leavitt told The Associated Press.

It's OK to start slowly.

"For a total couch potato who does zero, zip, nada, getting up and walking 10 minutes a day is a great start," said Rear Adm. Penelope Royall, deputy assistant secretary for disease prevention.

But people need to work toward eventually hitting that weekly minimum, she added. "Some is better than nothing, and more is better."

The guidelines come as scientists are trying to spread the word to a nation of couch potatoes that how active you are may be the most important indicator of good health. Yet a quarter of U.S. adults aren't active at all in their leisure time, government research concludes. More than half don't get enough of the kind of physical activity that actually helps health walking fast enough to raise your heart rate, not just meandering, for instance. More than 60 million adults are obese.

Worse, the nation is raising a generation of children who may be less healthy than their parents. About a third are overweight and 16 percent are obese. And while young children are naturally active given the chance, schools are decreasing the amount of recess and gym time. By high school, a recent study found, fewer than a third of teens are getting an hour of activity a day.

To put science behind the how-much-is-enough debate, HHS gathered an expert panel to review all the data. The panel found that regular physical activity can cut the risk of heart attacks and stroke by at least 20 percent, reduce chances of early death, and help people avoid high blood pressure, type 2 diabetes, colon and breast cancer, fractures from age-weakening bones and depression.

WHAT'S THE RIGHT KIND OF EXERCISE?

- You don't have get all the activity at once. A walk for an hour three days a week works as well as, say, a 30-minute exercise class on weekdays or saving most of the activity for a two-hour Saturday bike ride.
- For aerobic activities, go at least 10 minutes at a time to build heart rate enough to count.
- You should be able to talk while doing moderate activities but not catch enough breath to sing. With vigorous activities, you can say only a few words without stopping to catch a breath.
- Children's daily hour should consist of mostly moderate or vigorous aerobic activity, such as skateboarding, bike riding, soccer, simple running.
- Three times a week, children and teens must include muscle-strengthening activities, sit-ups, tug-of-war and bone-strengthening activities such as jumping rope or skipping.
- Adults should do muscle-strengthening activities push-ups, weight training, carrying heavy loads or heavy gardening at least two days a week.
- Older adults who are still physically able to follow the guidelines should do so, with an emphasis on activities that maintain or improve balance.

Simpson's future now hangs on armed robbery appeal

BY LINDA DEUTSCH
AP Special Correspondent

LAS VEGAS O.J. Simpson's attorneys in his armed robbery case could be fighting long odds to convince an appeals court that he was a victim of racial prejudice and payback for his murder acquittal, legal experts say, but there may be other grounds for a new trial.

The 61-year-old Simpson's future depends, in part, on how successfully his lawyers argue that his 1995 acquittal was allowed to intrude in a Las Vegas courtroom.

Las Vegas defense attorney Al Lasso said that while the former football star's acquittal was the "elephant in the room everyone was trying to ignore," there were other errors that could bring a reversal of his conviction.

"This court would not hesitate to reverse if they saw cumulative errors that had the effect of prejudicing a defendant," Lasso said. "But then again it's O.J. Simpson, and he's unlike any other defendant."

Lasso, who watched the trial, said he was shocked at the jury's decision to convict Simpson and co-defendant Clarence "C.J." Stewart of kidnapping, armed robbery and 10 other charges related to a hotel confrontation Sept. 13, 2007, with two sports memorabilia dealers. The two face up to life in prison.

The day after the verdict, Simpson lawyer Yale Galanter said the jury was "on an agenda" to make up for Simpson's acquittal.

"This was just payback," Galanter said.

Lasso agreed, saying the conviction "feels like revenge justice."

The defense also will claim Judge Jackie Glass put such tough limits on defense questions that lying witnesses were shielded from exposure in court.

But the race issue will be the most difficult to prove, according to Sam Sommers, a Tufts University psychology professor whose area of expertise is race and the justice system.

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Surf Conditions **Water Temp:** 65°

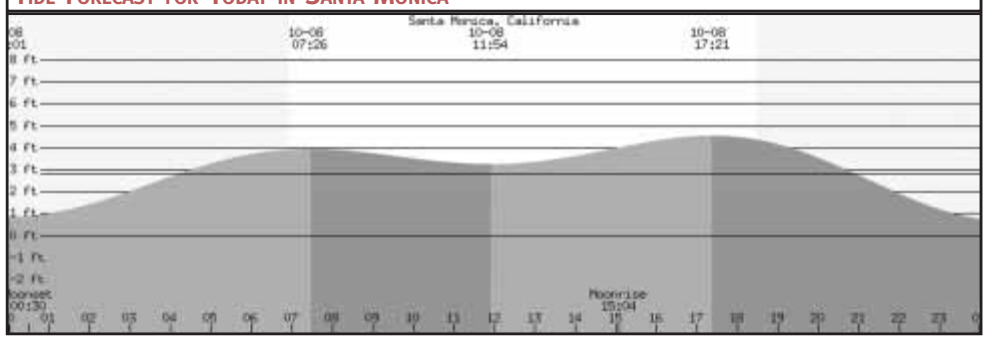
Swell Forecast (1-2 FT)

The southern hemi swell backs off as the NW continues its descent. Most all breaks are looking at west to chest high surf with the best size around south facing breaks where some pluses can be expected.

Long Range Synopsis

Friday the 10th the NW wind swell may increase to head high.

Tide Forecast for Today in Santa Monica



BEACH REPORT CARD

NORTH LOS ANGELES COUNTY

Grades for this report are based on monitoring data from the previous four weeks up to the ending date of **September 30, 2008**

HEAL THE BAY - 1444 9th Street, Santa Monica, CA 90401 - www.healthebay.org - brc@healthebay.org - 800 HEAL BAY

QUICK STATS (for the last 28 days)

- Number of sewage spills -- 1
- Number of beach closures due to a sewage spill -- 0
- Number of wet days -- 8
- Number of A grades for dry/wet weather -- 40 / ns
- Number of (C,D,F) grades for dry/wet weather -- 7 / ns

The Beach Report Card is made possible by simplehuman, The Goldhirsh Foundation, the James Irvine Foundation, Ford

Heal the Bay reminds you not to swim or surf within 100 yards of any flowing storm drain or for 3 days after a rainstorm. After a rain, indicator bacteria counts at beaches throughout California usually far exceed health criteria in the state's Beach Closure and Health Warning Protocol.

LOCATION	DRY	WET
Leo Carrillo Beach, at Arroyo Sequit Creek mouth	A+	ns
Nicholas Beach at San Nicholas Canyon Creek mouth	A+	ns
El Pescador State Beach, between Lechusa and Las Aliso creeks	A+	ns
Encinal Canyon at El Matador State Beach	A+	ns
Broad Beach at Trancas Creek mouth	A	ns
Zuma Beach at Zuma Creek mouth	A+	ns
Walnut Creek, projection of Wildlife Rd. (private)	A+	ns
Paradise Cove Pier at Ramirez Canyon Creek mouth	A	ns
Escondido Creek, just east of Escondido State Beach	A+	ns
Latigo Canyon Creek mouth	A+	ns
Solstice Canyon at Dan Blocker County Beach	D	ns
Pearce State Beach at creek mouth	C	ns
Marie Canyon storm drain at Pearce Beach, at 24572 Malibu Rd.	A+	ns
Surfrider Beach at Malibu Colony fence	A+	ns
Surfrider Beach (breach location)- daily	A	ns
Malibu Pier - 50 yards east	C	ns
Carbon Beach at Sweetwater Canyon	A+	ns
Las Flores State Beach at Las Flores Creek (point zero)	A+	ns
Big Rock Beach at 19948 PCH stairs	A+	ns
Pena Creek at Las Tunas County Beach	A+	ns
Tuna Canyon	A+	ns
Topanga State Beach at creek mouth	A	ns
Castlerock Storm Drain at Castle Rock Beach	A	ns
Santa Ynez Storm Drain at Castle Rock Beach	A	ns
Will Rogers State Beach at 17200 PCH (1/4 mile east of Sunset drain)	A+	ns

LOCATION	DRY	WET
Will Rogers State Beach at Bel Air Bay Club drain near fence	A+	ns
Will Rogers State Beach at Pulga Canyon storm drain	A+	ns
Will Rogers State Beach at Temescal Canyon drain	A	ns
Will Rogers State Beach at Santa Monica Canyon drain (Chautauqua)	A	ns
Santa Monica Beach at Montana Ave. drain	C	ns
Santa Monica Beach at Wilshire Blvd. drain	F	ns
Santa Monica Municipal Pier	C	ns
Santa Monica Beach at Pico/Kenter storm drain	A+	ns
Santa Monica Beach at Strand St. (in front of the restrooms)	A	ns
Ocean Park Beach at Ashland Ave. drain	A+	ns
Venice City Beach, at the Rose Ave. storm drain	A+	ns
Venice Beach at Brooks Ave. drain	A+	ns
Venice Beach at Windward Ave. drain	A+	ns
Venice Fishing Pier - 50 yards south	A+	ns
Venice Beach- projection of Topsail St.	B	ns
Marina del Rey, Mothers' Beach- lifeguard tower	A	ns
Dockweiler State Beach at Ballona Creek mouth	C	ns
Dockweiler State Beach at Culver Blvd. drain	A+	ns
North Westchester Storm Drain at Dockweiler State Beach	A+	ns
Dockweiler State Beach at World Way (south of D&W jetty)	A+	ns
Dockweiler State Beach at Imperial Hwy drain	A+	ns
Dockweiler Beach- opposite Hyperion Treatment Plant	A+	ns
Dockweiler State Beach at Grand Ave. drain	A+	ns

LEGEND

DRY -- each location is graded on an A – F scale based on bacterial pollution levels present in the surf zone
WET -- grades for days of recorded rainfall and the following 3 days
ns -- no sample taken

Heal the Bay is a non-profit environmental organization dedicated to making Santa Monica Bay and Southern California coastal waters safe and healthy for people and marine life.

Heal the Bay

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Heal the Bay's Beach Report Card® is based on weekly water quality monitoring data provided by the City of Los Angeles' Environmental Monitoring Division and the Los Angeles County Department of Health Services. Data is analyzed as soon as it is made available to us by the public agencies. Beaches are graded on an A–F scale based on the risk of ocean users becoming ill. Samples are analyzed for bacteria—enterococcus, total and fecal coliforms—that indicate biological pollution. A fact sheet detailing the exact methodology used in determining grades for each location is available from the office or on our web site. The report is not designed to measure the amount of trash or toxins found at local beaches.

The Beach Report Card is an indication of past water quality and is not a warranty of the current safety of those areas surveyed. Our lawyers are happy.

MLB

L.A. City Council wants to create 'Dodgertown'

THE ASSOCIATED PRESS

LOS ANGELES The area around Dodger Stadium would be renamed "Dodgertown" pending federal legislation that would redraw a zip code boundary.

The Los Angeles City Council unanimously approved the resolution Tuesday and it hopes that a local congressional representative will agree to carry such a bill.

The stadium, opened in 1962, is undergoing a $500 million renovation that is expected to be completed by opening day 2012.

Creating "Dodgertown" would "support the Dodgers and promote a sense of pride" in the community, according to a report prepared by the chief legislative analyst's office.

"This really is about celebrating and memorializing the great tradition that the Dodgers have brought to this town," said City Councilman Ed Reyes, who represents the area.

"This resolution will essentially identify the Dodger property only as Dodgertown. It will not impact surrounding communities, surrounding properties, so all the folks who live around Dodger Stadium need not to worry."

The Dodgers swept the Chicago Cubs in the NL division playoffs and open the NLCS against Philadelphia on Thursday.

Woman charged with stalking Lakers' Walton

THE ASSOCIATED PRESS

MANHATTAN BEACH A woman has been charged with stalking Los Angeles Lakers forward Luke Walton. Stacy Elizabeth Beshear of El Segundo was arrested Sept. 18 after she pulled up to his car and pretended to fire gunshots at him with her hand, police Sgt. Steve Tobias said.

The 34-year-old Beshear has pleaded not guilty to a misdemeanor count of stalking. A Nov. 6 trial date has been set in the case. She faces up to a year in county jail if convicted, district attorney spokeswoman Jane Robison said Tuesday. Walton said Beshear has been harassing him since late last year.



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Happy-Go-Lucky (R) 1hr 58min
7:30

AMC LOEWS BROADWAY 4
1441 Third Street Promenade
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Flash of Genius (PG-13) 1hr 59min
2:00, 4:45, 7:30, 10:15

Tropic Thunder (R) 1hr 47min
7:10, 9:45

Vicky Cristina Barcelona (PG-13) 1hr 36min
2:30, 4:50, 7:20, 9:35

An American Carol (PG-13) 1hr 23min
2:20, 4:35, 7:00, 9:00

Igor (PG) 1hr 26min
2:40, 4:40

AMC 7 SANTA MONICA
1310 Third St.
(310) 289-4262

Lakeview Terrace (PG-13) 1hr 50min
1:50, 4:30, 7:10, 9:45

Beverly Hills Chihuahua (PG) 1hr 25min Digital Presentation
2:15, 4:45, 7:15, 9:30

Beverly Hills Chihuahua (PG) 1hr 25min
1:30, 4:00, 6:30, 8:45

Miracle at St. Anna (R) 2hrs 46min
2:45, 6:15, 9:35

Appaloosa (R) 1hr 48min
1:35, 4:15, 7:00, 9:40

Ghost Town (PG-13) 1hr 42min
2:00, 4:50, 7:30, 9:55

Burn After Reading (R) 1hr 37min
2:30, 4:55, 7:35, 10:00

LAEMMLE'S MONICA FOURPLEX
1332 Second St.
(310) 394-9741

Choke (R) 1hr 29min
1:00, 3:10, 5:30, 7:50, 10:15

The Duchess (PG-13) 1hr 45min
1:40, 4:30, 7:20, 10:00

Religulous (R) 1hr 41min
1:30, 4:20, 7:10, 9:45

Blindness (R) 1hr 58min
1:10, 4:00, 7:00, 9:50

MANN'S CRITERION THEATRE
1313 Third St.
(310) 395-1599

How to Lose Friends & Alienate People (R) 1hr 50min
1:20, 4:10, 7:00, 9:30

Eagle Eye (PG-13) 1hr 58min
12:30, 1:30, 3:30, 4:40, 6:30, 7:30, 9:10, 10:10

Nick & Norah's Infinite Playlist (PG-13) 1hr 30min
11:40am, 12:40, 2:00, 3:00, 4:30, 5:30, 7:10, 8:00, 9:20, 10:20

Nights in Rodanthe (PG-13) 1hr 37min
12:00, 2:30, 4:50, 7:20, 10:00

For more information, e-mail news@smdp.com

Easy does it, Sagittarius

ARIES (March 21-April 19)
★★★★ Curbing another's enthusiasm could be a huge mistake, as resentment could start to build. Let someone do what he or she wants. This person will anyway. You might want to try a different approach with friends and associates. Tonight: Where your friends are.

TAURUS (April 20-May 20)
★★★ You have an appearance that you cannot skip or cancel. At the same time, you might be overwhelmed by what you are hearing. Your ability to brainstorm and let ingenuity float up could be significant. The unexpected occurs with a friend. Tonight: Where the action is.

GEMINI (May 21-June 20)
★★★★★ Be willing to adopt a long-term view and not let a detail stop you. You come from a basic point of view. Bosses seem to get into a bizarre or strange pattern. Tonight: Take in new vistas.

CANCER (June 21-July 22)
★★★★★ Deal with one issue at a time. Do not get scattered. Consider an option more carefully. You drive a hard bargain and come up with some interesting ideas. Work on a one-on-one level with a dear associate or friend this evening. Tonight: Let your hair down.

LEO (July 23-Aug. 22)
★★★★★ Investigate possibilities rather than eliminate them. Note that someone close is on the warpath. You could feel a lot of frustration or anger building within. Resist an urge to start a fight or make a major expenditure. Tonight: Easy does it.

VIRGO (Aug. 23-Sept. 22)
★★★ Easy does it, and you come out on top of your game. Notice what is worth having behind the scenes with a partner. You might need to do more than your share at work or at home. Know when you have had enough. Tonight: Squeeze in some exercise.

LIBRA (Sept. 23-Oct. 22)
★★★★ You could be more interested in making changes than in the past. Honor what is happening within a relationship. A risk might be worth it, if you are sure you also can handle a loss. Think carefully about financial ties. Tonight: Ever playful.

SCORPIO (Oct. 23-Nov. 21)
★★★★★ You could wonder what might be the best way to go on a key project. You are unusually energetic today, but that is no guarantee that you still will be in a few days. Be reasonable about what you accept. Tonight: Head on home.

SAGITTARIUS (Nov. 22-Dec. 21)
★★★★ Listen well to what someone is sharing. Otherwise you could jump to an incorrect conclusion, making it difficult to work well and communicate. If you're feeling angry or hurt, detach rather than react. Tonight: Easy does it.

CAPRICORN (Dec. 22-Jan. 19)
★★★★ Take your time, and do not jump to a conclusion. You might not understand what someone is saying or where you are coming from. Investigate and be in touch with your feelings. A friend, most likely male, is pushing you very hard. Tonight: Your treat.

AQUARIUS (Jan. 20-Feb. 18)
★★★★★ Your high energy, though it works for you, might not be the best for someone else. Think positively about a boss or someone you look up to. He or she might be angry or touchy right now, but that will pass in a few months. Tonight: A must appearance.

PISCES (Feb. 19-March 20)
★★★ Listen to your inner voice, and do not deal with a problem that you are very uncomfortable with. If it doesn't work for you, or if you do not want to touch it, don't. Follow your sixth sense. Tonight: Only what you want.

Happy birthday

JACQUELINE BIGAR'S STARS
The stars show the kind of day you'll have:
★★★★★Dynamic ★★ So-So
★★★★ Positive ★ Difficult
★★★ Average

You make the impossible possible this year — if you are willing to walk the untrodden path. You often are not sure about a risk, being somewhat of a cautious sign. Do remember, though, that if you don't risk, you will get nothing. If you are single, nobody will deny your appeal. You will get evidence to that fact, like it or not. If you are attached, the two of you start acting like old lovers once more. How wonderful! AQUARIUS knows how to pique your interest! Enjoy this person to the max.

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PREVIEWS

Sudoku

Fill in the blank cells using numbers 1 to 9. Each number can appear only once in each row, column, and 3x3 block. Use logic and process of elimination to solve the puzzle. The difficulty level ranges from ★ (easiest) to ★★★★★ (hardest).

Difficulty Level ★★★

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

King Features Syndicate

GETTING STARTED

There are many strategies to solving Sudoku. One way to begin is to examine each 3x3 grid and figure out which numbers are missing. Then, based on the other numbers in the row and column of each blank cell, find which of the missing numbers will work. Eliminating numbers will eventually lead you to the answer.

SOLUTIONS TO YESTERDAY'S PUZZLE

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

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The Meaning of Lila

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The Other Coast

By Adrian Raeside



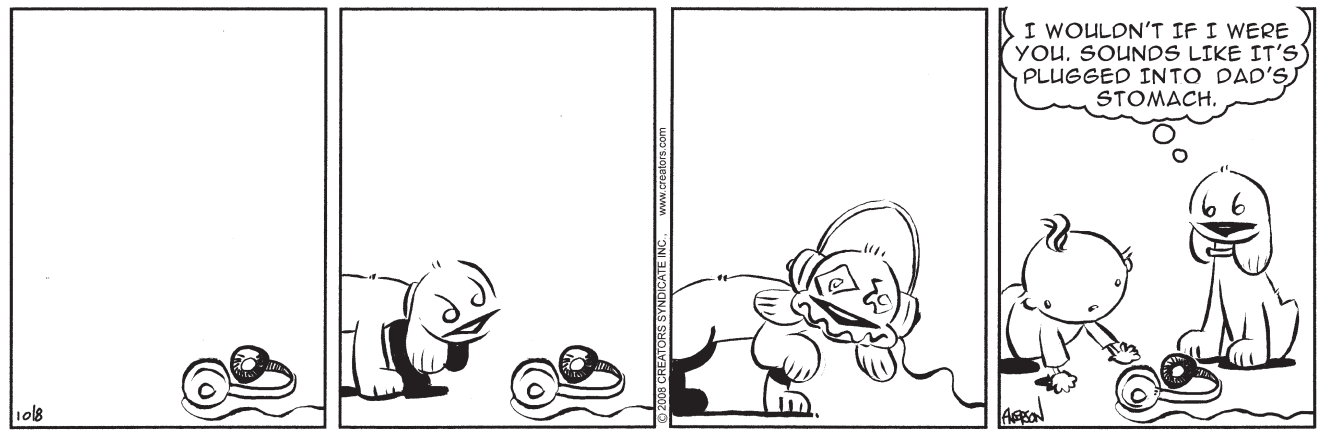
Garfield

By Jim Davis



Dog eat Doug

By Brian Anderson



The Dinette Set by Julie Larson



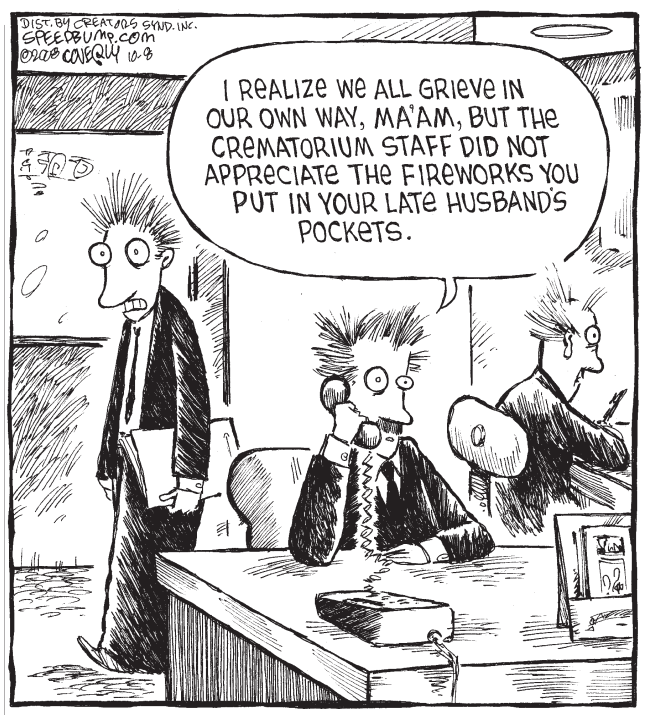
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Brandon Wise *brandonw@smdp.com*

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CROSSWORD

By THOMAS JOSEPH

ACROSS

1 Rotate
5 Finished
9 Having the advantage
11 Fence crossing
12 Pebbles's mom
13 Buenos —
14 Greek vowel
15 Inactive
17 Fine points
19 Permit
20 Marks for removal
21 Comfy room
22 Eat away
24 Prom rental
26 News summary
29 Cacophony
30 Suitcases
32 Minimal money
34 Steaming
35 Find charming
36 Old marketplace
38 Worker with a pick
39 Letter stroke
40 Freshly
41 Bit of foliage

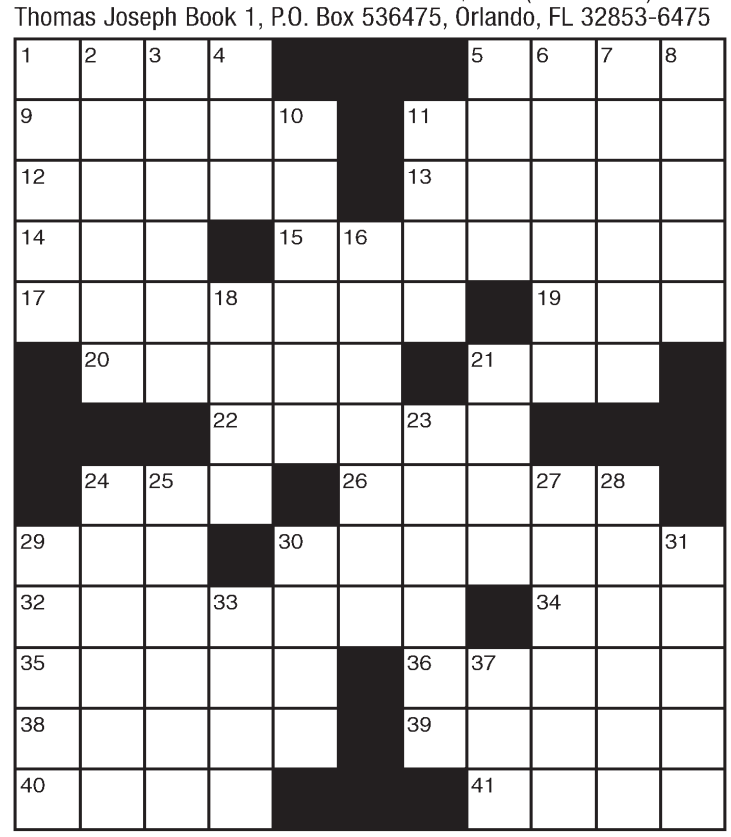
DOWN

1 Took to the lot
2 One
3 Tell
4 Book before Deut.
5 Singer Redding
6 Manly
7 Natural in craps
8 Stopwatch button
10 — mâché
11 Pert talk
16 Campaign loser
18 TV's Trebek
21 Tenth: Prefix
23 River parts
24 Coordinated
25 Destroyed
27 Onto the beach
28 Illinois city
29 O'Neill work
30 Turn suddenly
31 Work group
33 Work group
37 Hair goop

P	E	A	L	E	D	■	I	S	L	E
A	R	R	I	V	E	■	N	O	E	L
R	A	F	A	E	L	N	A	D	A	L
■	■	■	B	R	I	E	F	■	■	■
■	R	E	L	Y	■	W	I	S	H	■
C	O	R	E	■	S	E	X	P	O	T
A	B	A	■	S	I	R	■	O	W	E
P	I	S	T	O	N	■	S	K	I	N
■	N	E	I	N	■	S	M	E	E	■
■	■	■	D	A	L	A	I	■	■	■
A	N	D	Y	R	O	D	D	I	C	K
B	E	A	U	■	I	A	G	R	E	E
C	O	M	P	■	S	T	E	E	L	Y

Yesterday's answer

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Fantasy 5: 3 31 32 37 39

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MIDDAY: 2 2 0
EVENING: 3 1 8

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2nd: 12 Lucky Charms
3rd: 11 Money Bags
RACE TIME: 1.46.30

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NEWS OF THE WEIRD

BY CHUCK SHEPARD

■ Barbie's Not Just a Girls' Obsession: (1) Robert Martin, 47, was arrested in Cape May, N.J., in July after a State Police officer spotted an array of pornographic magazines in his car in a public parking lot, along with a serving platter resting on his dashboard, piled with women's underwear, and a collection of naked Barbie dolls lined up on the seat. (2) Christopher Sullivan, 43, was arrested in Oshkosh, Wis., in August as the person who allegedly sent his upstairs neighbors threatening packages, including a Polaroid photo of three naked Barbie dolls with their heads cut off. He told police he was angry that the couple were too loud when they had sex.

■ Least Competent Criminals: (1) Michael Mahoney, 25, is the most recent rapist (according to police in Somerville, Mass.) to believe he is such hot stuff that he gave his phone number to the victim, certain that he had charmed her into wanting to keep seeing him. Police quickly arrested him in July at home, where he lives with his parents. (2) In July, convicted sexual molester Donald Fox, 62, of Frederick, Md., became the most recent convict to challenge the unfairness of his sentence (40 years in prison) and then have the appeals court agree it was unfair, except because it was too short (he's now serving 80 years).

TODAY IN HISTORY

1956 Don Larsen pitched the only perfect game in a World Series to date as the New York Yankees beat the Brooklyn Dodgers in Game 5, 2-0.

1957 the Brooklyn Baseball Club announced it was accepting an offer to move the Dodgers from New York to Los Angeles.

1970 Soviet author Aleksander Solzhenitsyn was named winner of the Nobel Prize for literature.

1981 at the White House, President Reagan greeted former Presidents Carter, Ford and Nixon, who were preparing to travel to Egypt for the funeral of Anwar Sadat.

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CLASSIFIED ADVERTISING CONDITIONS: REGULAR RATE: $5.50 a day. Ads over 15 words add 20¢ per word per day. Ad must run a minimum of twelve consecutive days. PREMIUMS: First two words caps no charge. Bold words, italics, centered lines, etc. cost extra. Please call for rates. TYPOS: Check your ad the first day of publication. Sorry, we do not issue credit after an ad has run more than once. DEADLINES: 3:00 p.m. prior the day of publication except for Monday's paper when the deadline is Friday at 2:30 p.m. PAYMENT: All private party ads must be pre-paid. We accept checks, credit cards, and of course cash. CORRESPONDENCE: To place your ad call our offices 9 a.m. to 5 p.m., Monday through Friday, (310) 458-7737; send a check or money order with ad copy to The Santa Monica Daily Press, P.O. Box 1380, Santa Monica, CA 90406 or stop in at our office located at 410 Broadway, Suite B, Santa Monica. OTHER RATES: For information about the professional services directory or classified display ads, please call our office at (310) 458-7737.

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$2,449,000

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2 - 5 pm



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Contemporary Mediterranean
Easy to Show,
Call for an Appointment

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Average Price of ALL Santa Monica Properties Listed for Sale As of Early October 2008		
	Single Family Homes	Condos & Townhomes
Santa Monica Canyon	$ 3,219,667	$ 5,247,500
North of Montana	$ 3,798,120	$ 1,928,515
Between Wilshire & Montana	$ 3,187,818	$ 946,250
South of Wilshire	$ 1,413,800	$ 743,426
Sunset Park	$ 1,366,143	$ 612,908

Statistics Updated Every Monday



Kate Bransfield
Estates Director
Society of Excellence
Previews Properties Specialist
310.395.1133
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Santa Monica, CA

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