

Santa Monica Daily Press

A newspaper with issues

New law will have little impact on mentally ill

The bill might have passed, but funding isn't there for treatment

BY JASON AUSLANDER
Special to the Daily Press

A newly-created state law that allows authorities to treat some of Santa Monica's mentally ill homeless against their will probably won't make a difference on the streets because there's no money to fund it, an official said Tuesday.

"Unfortunately, I'm afraid it's not going to do much," said Joel Schwartz, Santa Monica's homeless services coordinator. "Mental health services are shrinking, not growing."

Assembly Bill 1421, which was signed into law nearly two weeks ago by Gov. Gray Davis, is designed to treat patients with a history of mental illness who cannot survive without supervision. Previously, only people who presented a danger to themselves or others were allowed to be treated against their will, a criteria that remains in the new law.

The new law establishes a process in which a judge would determine a patient's situation in a court hearing. The patient would be represented by a private lawyer or public defender. The court hearing also will allow family members to have more of a say in the future of a mentally ill loved one than the law previously allowed.

It is in this area where the new law may make its most positive impact, said Tod Lipka, CEO of Step Up on Second, an organization that treats homeless and mentally ill people in Santa Monica.

"Sometimes the mental health system can really chew you up," he said, especially when families first attempt to help a loved one showing signs of mental illness.

The new law will make it easier for families in that position to initially diagnose and treat mental illness, Lipka said.

"Unfortunately, I'm afraid it's not going to do much. Mental health services are shrinking, not growing."

— JOEL SCHWARTZ
Homeless services coordinator

However, while authorities can force a person to start treatment, they can't force them to continue it, he said. Furthermore, forced treatment could backfire and drive a person away from such helpful measures.

Dr. Kita Curry, CEO of Didi Hirsch Community Mental Health Center, agreed with Lipka on that point. However, she said the new law can only be implemented by the county if it doesn't take away services from those who voluntarily seek treatment for mental illness.

"We don't have enough resources to serve everyone who wants services now," she said, adding that she thinks very few people would be ordered into involuntary treatment anyway.

"People who are scared of the seriously mentally ill feel that laws like this are comforting because they think it will solve all the mental health problems that frighten them," Curry said. "If we fully funded mental health, we wouldn't need these mandatory programs."

See LAW, page 5

A power wash



Carolyn Sackariason/Daily Press

Linwood Fenderson on Tuesday morning washes away the night's dirt on Santa Monica Boulevard, which included feces left in the doorway of Jamba Juice near the Third Street Promenade.

Living wage gets backing from over 100 economists

BY CAROLYN SACKARIASON
Daily Press Staff Writer

Calling it a major milestone in their campaign, supporters of the living wage measure on the November ballot announced that 119 economists have endorsed the proposed ordinance.

The economists — who are all familiar with living wages and come from throughout the United States, Europe, Mexico and Canada — agree that the living wage ordinance would help lift low wage workers in Santa Monica out of poverty.

"As economists, we believe that living wage legislation is an important tool for improving the living standards of working Americans," the letter of endorsement states. "Research has shown that these laws can reduce poverty by providing higher pay to the working poor."

Voters will be asked on Nov. 5 to set an hourly minimum wage of \$10.50 with health benefits, or \$12.25 without health benefits, for employees of businesses that make more than \$5 million in revenue and are located in the coastal zone.

See LIVING WAGE, page 5

Local water board kills huge desert storage project

Santa Monica company's plan squashed by MWD

By staff and wire reports

LOS ANGELES — A controversial proposal by a Santa Monica-based company to store surplus Colorado River water beneath the Mojave Desert to use for Southern California was killed Tuesday by the Metropolitan Water District.

The MWD board voted by a slim margin to halt the project by agricultural company Cadiz Inc., which is located on the 16th floor of the 100 Wilshire building.

The project had been five years in the making. MWD and Cadiz would have jointly owned the project and split the \$150 million price tag. Cadiz stood to earn \$500 million to \$1 billion from the plan over 50 years.

An earlier motion to continue with the project failed.

"We're disappointed, obviously, the

project didn't go forward today," said Wendy Mitchell, director of external affairs for Cadiz. "We don't feel the public's interest has been served."

In a weighted vote, the measure not to proceed passed with 50.25 percent, or the bare minimum needed for approval.

"The Cadiz project at this point doesn't represent reliability," MWD board member Timothy Brick told his colleagues before the vote. "It represents just the opposite — risk."

Board member Wesley Bannister said

consumers will need water that the project could have provided.

"We may not need it now. We may not need it next year, but I guarantee you we will need it," Bannister said during the discussion. "To shut the door on it today is not the right way to go."

Opponents of the project, led by Sen. Dianne Feinstein, D-Calif., had mounted strong opposition, complaining it will

See WATER, page 6

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♈ ARIES (March 21-April 19)

★★★★ Pressure builds to a new level, reflecting in your communication. Others hear what they want to hear, thus frustrating you. You might decide that tomorrow is another day, or explore more effective ways of making your point. Tonight: Hop on the Net. Read a good book.

♉ TAURUS (April 20-May 20)

★★★★ Others disclose much more of what they think; however, you might have a difficult time agreeing to what is expected of you. If something doesn't work, just let others know rather than hemming and hawing. Tonight: Easy does it.

♊ GEMINI (May 21-June 20)

★★ Hold up a mirror. You, my dear Twin, are out of sorts. Even if others seek you out, you might not be the most pleasant person right now. A child or an intimate relationship has you sour or upset. Learn better ways of handling your multifaceted life. Tonight: Don't push yourself.

♋ CANCER (June 21-July 22)

★★★★ Fatigue could still be interfering with your performance at work. Know when to pull back and call it a day. Consider taking some time off, especially if you're feeling unusually drained. You might need to establish limits at home as well. Tonight: Close your door and veg out.

♌ LEO (July 23-Aug. 22)

★★★★ You will need your ingenuity during different points in the day. How you present your case might make all the difference. Recognize your limits with another at a distance. This person simply might not be prepared to hear what you share. Tonight: Let off steam.

♍ VIRGO (Aug. 23-Sept. 22)

★★★★ Reach out for more information early in the day. You might not be absolutely sure of where a boss is coming from, especially as he or she is withdrawn or most difficult. Don't become insecure. Know that you have your stuff together. Tonight: Race home.

♎ LIBRA (Sept. 23-Oct. 22)

★★★ Check out, with a loved one, how valid a premonition or dream might be. Let go of worry, and don't make problems where there might not be any. Misunderstandings seem to come with the day. They don't follow you! Be open to talking out problems. Tonight: At a favorite spot.

♏ SCORPIO (Oct. 23-Nov. 21)

★★★ Get an early start on your day. You don't want to push someone away from you, but clear your desk quickly. Questions about money mark your later day. You can be sure that someone else doesn't see a situation the same way you do. Tonight: Indulge a loved one.

♐ SAGITTARIUS (Nov. 22-Dec. 21)

★★★★ You might want to gain a perspective of where others are coming from. Certainly an associate is being most difficult right now. He or she seems bent on withholding information rather than sharing. A boss makes matters more confusing. Tonight: Do what makes you happy.

♑ CAPRICORN (Dec. 22-Jan. 19)

★★ Read Scorpio for a hint. You might not be exactly sure what will work with a loved one or a friend. Mixed messages come from someone you care about. Step back and let the day unravel. You don't need to be part of everything. Tonight: Get a good night's sleep.

♒ AQUARIUS (Jan. 20-Feb. 18)

★★★ You might be down on a loved one or child. Confusion surrounds your goals and perhaps several friends. Sorting through information, especially with the facts you have been given, might not be helpful. Relax with it all. Tonight: Where the crowds are.

♓ PISCES (Feb. 19-March 20)

★★★ No matter which way you turn, you hit an obstacle. If you keep changing your mind about what you want to do, you will get nothing accomplished. Hop over an obstacle. Clear out a problem. Pressure builds on the home front. Tonight: Say "yes."

QUOTE of the DAY

"A woman talks to one man, looks at a second, and thinks of a third."

— Bhartrihari, ca. 625

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LOCAL



COMMUNITY BRIEFS

New library plan to be examined

By Daily Press staff

The latest plan for the city's new library will be unveiled on Thursday.

Moore Ruble Yudell Architects will present the plan at 7 p.m. in the Santa Monica Public Library auditorium, 1343 Sixth Street, located at Sixth Street and Santa Monica Boulevard. The meeting is open to the public.

The Santa Monica City Council approved the conceptual design for the library in December and the schematics of the buildings in July. The plan and the model that architects will present incorporate comments and suggestions made by the City Council regarding the building's facade and main entrance on Santa Monica Boulevard. The library has design and construction updates for the Main and Branch Libraries on its web site at www.smpl.org/construction.

The Main Library is served by Big Blue Bus lines 1, 7, and 10. The auditorium is accessible for individuals with disabilities. For information or accommodation needs, the public can call (310) 458-8608, or (310) 395-8499.

NOMA to host candidates forum

By Daily Press staff

The North of Montana Association (NOMA) will host a forum featuring candidates running for Santa Monica City Council in the upcoming November election. The public forum will be held at Franklin Elementary School, 2400 Montana Ave. on Monday, Oct. 21, from 7-9 p.m. The forum will allow residents to learn about the qualifications and positions of each candidate with special emphasis on issues relevant to living north of Montana.

Candidates only will answer written questions submitted at or prior to the event. Questions can be submitted by e-mail to smnoma@aol.com or by mail to 1007 Montana Ave., PMB #516, Santa Monica, CA 90403.

A members-only reception with refreshments will precede the forum, beginning at 6 p.m. New members may join at the door. For additional information, contact Sherrill Kushner at (310) 394-4835 or check NOMA's Web site at www.smnoma.

NOMA is a volunteer, nonpartisan, nonprofit neighborhood organization of residents living north of Montana Avenue, working to improve the quality of life in Santa Monica and the north of Montana neighborhood.



Information compiled by Jesse Haley

A combination of small southwest swell and northwest windswell mix and build today, setting up a minor pulse of surf.

Size should climb back into the knee- to waist-range at most breaks. Less exposed spots see surf around 1-2 feet.

Expect extremely high tides in the afternoon.

Beach advisories look good, with a few exceptions. Locals should avoid Venice Pier where bacteria levels are high.

Thursday promises improvement, a little more size and consistency as we start to see some small but fun sets.



Today's Tides:

Low-	5:27 a.m.	1.53'
High-	11:35 a.m.	6.05'
Low-	6:47 p.m.	-0.23'

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

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The QLine

Santa Monica certainly isn't without its challenges and controversies. And while there is frequently a lot of negativity highlighted in the local news and public debate, there must be some things that are positive about this place.

Even though there are a lot of homeless people messing up the place, and the cost of living is really expensive, we all have chosen to live here for a reason. We want to know why. Consider this week's question a

challenge to come up with something positive about Santa Monica and we'll be happy to print it.

This week's Q-line question is:

"What's so great about living in Santa Monica?"

Call (310) 285-8106 with your response before Thursday at 5 p.m. We'll print them in Friday's paper. Please limit your comments to a minute or less; it might help to think first about the wording of your response.

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OPINION

LETTERS

Veritas is a bogus measure

Editor:

Proposition HH, misnamed VERITAS, is a Christmas tree hung with so many decorations it should topple under its own weight. Or maybe its sponsors hope we will not see the tree under all the pretty decorations.

This proposition has so many parts, all important, that it is hard to discuss them all and still keep the readers' attention and understanding. Therefore, I will discuss one: Term limits.

The League of Women Voters at all levels from our national board to local boards opposes term limits. This is not a new position; it was adopted in 1991 and affirmed at our national convention in 1992. We strongly believe that the best term limits are imposed by the ballot box. Anything else deprives the voters from free choice as to who will represent them.

The need for term limits in Santa Monica has not been demonstrated. Very few council members in the past 30 years that I have been watching have served more than three terms. Most have served for one or two. It is interesting to note that the only council member supporting this initiative is also the only one running for a fourth term!

We have only to look to Sacramento to see how term limits can wreck havoc. With at least one third of the Assembly totally new every two years, the lack of experience is very visible. The lucky ones are able to hire experienced staff from those who have been "termed out."

But all are considered "fair game" to experienced lobbyists who have been around for 20 to 30 years. No matter how honest and dedicated they may be, they still have a learning curve.

A legislative crisis can occur early in the session as readily as it can late. When these happen, it is reassuring to both the newly elected officials and the voting public to have experienced leadership in place.

There are serious issues to be considered in this measure. It would radically change the way the city government works. This makes changes both in the city charter and the municipal code. The League of Women Voters of Santa Monica thinks each of these measures is important enough to be considered and voted on as an individual measure. We urge the voting public to vote NO unless they fully understand all of the different parts and fully agree with all of them.

Vote NO on HH!

Joanne Leavitt

League of Women Voters of Santa Monica

It's all crap

Editor:

There are still aspects of the homeless issues and the living wage arguments which have not been aired, and I am writing now as a homeless person on some of them. My intention is to inform, and to point out certain existing conditions of ignorance, discrimination, and prejudice. Perhaps to the level of actual persecution towards most homeless individuals. To begin with, few if any of those in the homeless community

enjoy going to the bathroom outdoors. Especially so in inclement weather. Given the access to decent facilities, we will use them. Whomever it was who "made the call" on closing the restrooms in the parking structures, simply because those who were responsible for cleaning and maintaining them weren't doing their jobs properly or at all, was simply wrong thinking. If that person envisioned doing so would help the situation, then that same person probably still believes in a flat earth ... It's on them. But much worse than this now exacerbated situation, i.e. the occasional (now forced) nature call outdoors by any particular homeless person, is the larger overall problem that this is related to. And that is the obvious "in your face" pollution if you will, created by dog owners. Yes, those who willfully, daily, (for how long now? Decades?) trash all of the beachfront from at least Santa Monica to Venice, (evidenced by all of the dwarfed and dying majestic palm trees for prime example) public "persons only" use areas, such as picnic grassed areas and children's playgrounds, as well as the sand we all walk in and play on, and further ... All up and down Main Street the dogs don't miss a single telephone pole, fire hydrant, tree, bush, or flowerbed with their hundreds of daily doses of feces and urine, on everyone's property but their own! In a word, it smells. With hundreds of dogs defecating and urinating all over these areas and more, this is a real health issue, and a major problem. It is not as low impact as an occasional squirt here and there discretely by a homeless person who has been denied a place to go.

It may be argued that dog owners routinely pick up after their pets dumping. Owners who regularly walk their pets so that they always dump on other people's property, or anywhere they please all over the city, and not their own ... How nice of them! But realistically, there are a number of inconsiderates among them who do not do so, defy all reasonable rules, and insist that their animals run "off leash" anywhere they please. Their "gifts" deposited everywhere most likely are interpreted by the untrained eye to be (Yes! You got it!) homeless droppings. And most important, none of them seemingly responsible or not, can claim that hundreds of doses a day of dog urine that is whizzed on the cities trees, private trees, the beach areas, and on private lawns, is not causing great damage. There has been little or no rainfall, there is no washing it all away from all the various places it is deposited. The trees are remarkably dwarfed compared to trees further inland which see little of the dense impact near the beaches. They are it appears in various stages of dying thanks to the dog owners. Nobody has done anything to clean up and prevent further such mass pollution to these areas, the sands of the beaches we and children enjoy and play in, or compel the dog owners to gather together, and collectively rent or buy their own parcels of land away from the beaches and Main Street, fully maintained at their own expense, for the purpose of exercising and providing a place for their animals to relieve themselves.

Perhaps if the city raised the dog license fees substantially as well, it could offset the tremendous cost of cleaning up after those who engage in such irresponsible behaviors. Finally, the living wage does nothing for the homeless. It helps only those few workers in industries and businesses that prejudicially, discriminate, and do not hire any blacks, whites, few Asians, and perhaps no Indians. Just look around at all the car washes, hotels, restaurants, fast food stands, and the city.

Thom Trybus
Santa Monica

Ashcroft to terrorists: 'This looks like a job for me'

EDGE of the WEST

By Ron Scott Smith



Like the cunning Inspector Porfiry, hot on the trail of a thousand Raskolnikovs, or Lieutenant Gerard in dogged pursuit of as many Richard Kimbles, John Ashcroft is a man on a mission. He's hunting down domestic terrorists and he's not stopping until he gets them. Good.

Give the ultra-conservative Attorney General his due on this one. He's relentless, if not downright obsessed, in his operation to root out those living right here amongst us who are avowed to dish out death and damage in whatever ways they can — so great is their hatred for America, so true are they to their jihad. How would you like to look behind you and see Ashcroft gaining on you? Besides, it keeps him too busy to pursue his own brand of fundamentalist social engineering, where things like taking away a woman's right to choose, were at the top of what used to be his "things-I-need-to-do-today" list. But

now he's got bigger fish to fry.

"Today is a defining day in America's war against terrorism," Ashcroft said at a news conference Friday, where he announced the indictment of six more U.S. citizens affiliated with Al Qaeda, living in Portland and Detroit this time, for conspiracy to commit war against the United States. On the same day, Richard Reid, the thwarted "Leaving On A Jet Plane" shoe-bomber, pleaded guilty to trying to blow up a trans-Atlantic airliner full of Americans, saying, "I am an enemy of your country ... in a war between Islam and democracy." Richard, meet John. Richard, you lose.

Also losing is the so-called American Taliban, John Walker Lindh, as he was sentenced that same day to 20 years in prison for serving as a foot soldier for the Al Qaeda in Afghanistan while fully aware of their bad intentions for America. A harsh sentence for a confused young idealist, but what was he thinking? Why was he embracing and willing to fight for the absolutist, sado-misogynist Taliban, against his own homeland?

Many of us are critical of this country, of this administration, of the ongoing and escalating war fever. And many on the other side of the political spectrum are just as critical of us. Just listen to AM "right" radio for five minutes any time, any day. But ain't that America? We struggle for our side, for our principles, like they do. We debate,

we shout, we vote them out or in, we protest. Witness any of the huge peace rallies held all over the U.S. last weekend, before a first bomb has even been dropped.

The bottom line is ... this country self-corrects. It may take generations, or it may take only until the next election, but we self-correct. We need no help from foreign or homebred zealots so certain they have found the Truth and the Way that they will kill to spread it. Anti-war-protesting, anti-establishment, left-wing, vegan, hippie radicals ... OK. War-mongering, super-patriotic, money-grubbing, right-wing, meat-eating, three-piece-suited radicals ... OK. Shoe-bombers and suicide pilots who learn to fly jets without learning to land because they're turning them into missiles aimed at Americans ... not OK.

And if that's what you have in mind, I'd seriously think about getting out of here while the getting's good. Ashcroft and his posse are coming to get you and they are in a bad mood. Killer martyrs are not welcome here, in the name of God or in the name of anything else either.

As the drums of this next war on the list pound louder and the resistance to it grows stronger every day, we can't ignore the reality of that ill-intentioned Al Qaeda bunch, spread throughout this country, plotting more death and destruction. We can't lose that focus even

though Bush, one-track mind firmly on his duel to the death with Saddam, apparently has. Enter Ashcroft doing his best Andy Kaufman: "Here I come to save the day."

Let him be obsessed with his hunt, as long as he's restrained from resorting to draconian search techniques. No getting into my library records, or my e-mail. And he is restrained. The public he works for will not allow further deterioration of civil liberties in fighting this battle. That's been made clear, hasn't it? If it hasn't, then we'd best stay alert. He must be the good cop — tough as it may be in his passionate pursuit — staying within the guidelines that make this country what it is.

Being locked into this huge new mission is probably good for his health, too. He no longer has time to stress over or fixate on degenerate stuff like the "Spirit of Justice," the semi-nude female statue that stands in the Great Hall at the Department of Justice, for which he bought \$8,000 worth of drapes to cover her offending body parts. But that was before his job responsibilities so drastically changed last September, along with just about everything else.

One thing that didn't change — that American self-correction thing. It's maybe only an election away.

(To reach Ron Scott Smith, e-mail him at edgeofthewest@aol.com.)

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

LOCAL



Majority of Santa Monica's homeless are mentally ill

LAW, from page 1

Curry, Lipka and Schwartz all said that many of the country's problems with mentally ill street people can be traced back about 30 years, when many hospitals were de-institutionalized in favor of so-called community-based treatment. However, many states, including California, failed to budget adequate funds for treatment and a majority of the former patients ended up on the streets of America's cities, they said.

"What we need is a comprehensive mental health system," Curry said.

But because most mental healthcare programs in California are state-funded, that isn't likely to happen anytime soon, said David Meyer, chief deputy director of the Los Angeles County Department of Mental Health. The state is facing a \$24 billion budget shortfall this year.

"It would astound me if the state budget situation is anything but worse next year," he said. "What we are facing is a very bleak future. There are a lot of people who will suffer."

Schwartz said currently in Santa Monica, all places that treat the mentally ill — which make up an estimated 63 percent of the city's homeless population — are full. In addition, many programs that used to serve the mentally ill have been scrapped, including those at St. John's Health Center and Daniel Freeman Marina Hospital in Marina del Rey.

Schwartz characterized the current situation for the homeless mentally ill in Santa Monica as "a revolving door."

For example, if a mentally ill person is suffering a medical emergency, they are now taken to UCLA-Santa Monica Hospital and treated. After that, they are taken to UCLA's Neuropsychiatric Institute in Westwood, where they are usually released within 24 hours even if they are deemed dangerous, Schwartz said.

Often, if mentally ill patients are taken to UCLA-Harbor General Hospital in Torrance, they are back in Santa Monica before the police officers who dropped them off, he said.

"It sounds pretty bleak, huh?" Schwartz said.

Economists agree living wage won't have negative effects

LIVING WAGE, from page 1

Opponents say the economists failed to look at the intricacies of Santa Monica's ordinance, which is much different than the 80 or so other living wages that have been instituted throughout the country.

"None of them really looked at what Santa Monica's law is really about," said Tom Larmore, who opposes the measure and is speaking on behalf of the Chamber of Commerce, which also opposes the living wage. "It's an entirely different kind of law."

Santa Monica's living wage differs from many minimum wages set in cities throughout the country because it targets specific businesses that are not funded by government, and includes tipped employees at hotels and restaurants, critics say. They also say it's a bad measure because it will cost the city of Santa Monica \$3 million the first year because it is an employer that will have to pay its employees the living wage, if approved.

"No economist would put their reputation on the line without looking at all the pros and cons," countered Danny Feingold, spokesman for the Los Angeles Alliance for a New Economy, which is campaigning for the measure.

Economists said they read the ordinance in full, as well as a study commissioned by the city. The study was conducted by University of Massachusetts Amherst Professor Robert Pollin and his colleague Professor Mark Brenner. The study found that the living wage ordinance would help lift low wage workers out of poverty, and that affected businesses, primarily luxury beach hotels, could afford to pay a higher wage.

Pollin's study was reviewed by Harvard University Professor Richard Freeman, who is considered one of the top labor economists in the world. He affirmed all of the study's major findings.

"They put a lot of stock in Professor Freeman's study," Feingold said. "We sent them all of the actual provisions of the law along with the study of Professor Pollin. They saw both sides."

However, Former Michigan University Economics Professor David Neumark, who was paid by the city to review Pollin's study, said there are risks involved in the proposed living wage ordinance that the other economists might have missed.

"Most living wage laws apply to businesses that get funding from the government," he said. "This is a minimum wage to target big business."

"None of them really looked at what Santa Monica's law is really about. It's an entirely different kind of law."

— TOM LARMORE
Living wage opponent

Ron Baiman, a professor at the University of Chicago Illinois, said the evidence proves that the living wage would not have a devastating effect on the city, or the businesses targeted, as critics suggest.

"I've looked at this stuff in some detail because it is a path breaking ordinance," he said. "The study goes to great lengths to consider all possibilities and effects."

Carol Zabin, the chairperson of the Center for Labor, Research and Education at the University of California Berkeley, said she thinks Pollin's study was careful and Freeman's review of it was judicious.

Zabin, who grew up in Santa Monica, said the city's financial contributions to the downtown and beach areas has benefited luxury hotels significantly, which justifies the coastal zone provision in the living wage law. She argues that the hotels should pay their employees a decent wage not only because their success has partly hinged on taxpayers' contribution but also because the beach is a public asset and the hotels benefit from being located on it.



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NOTICE OF AVAILABILITY CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT FOR 2001 PROGRAM YEAR

Notice is hereby given that the City of Santa Monica has developed the Consolidated Annual Performance and Evaluation Report (CAPER) for the 2001 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 the report are now available to the public for a 15-day community review period ending October 11, 2002. To obtain a copy of the report, please contact Human Services Division, located at 1685 Main Street, Room 212, Santa Monica, CA 90401, at (310) 458-8701. Please send your written comments to Susan Lai at the above address by October 11, 2002.

F:\HSD\HAREC\DBG HUD\Wdwd\Wd NCA FY 2001-02 CAPER.doc.

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LOCAL □ STATE

SoCal will have to get its water somewhere else

WATER, from page 1

damage the fragile desert environment.

"This is the right decision," Feinstein said in a prepared statement. "The Cadiz project may have harmed the desert and was not in the best interest of the MWD or the state of California."

Environmentalists also hailed the move by the MWD, which serves 17 million people.

"It represents a really sound public policy decision," said Simeon Herskovits, senior staff attorney with the Western Environmental Law Center, which represents various groups opposed to the project.

The project had been cited as a key part of California's plan to cut its overuse of Colorado River water by 2015. For that plan to go forward, California must begin transferring water now used by farmers in the Imperial Valley to urban users in San Diego by Dec. 31.

Cadiz touted the plan as a way to offset the threatened reduction. It called for piping river water in wet years to the desert aquifer near Joshua Tree and storing it there. The water would then be pumped out to Southern California when needed.

The MWD would also have had the right to buy from Cadiz naturally occurring groundwater from the aquifer. Monitoring systems would have been installed to keep the water level from dropping too low to support the environment.

The Department of the Interior approved the proposal last month, stating environmental damage could be prevented with the

extensive monitoring system.

Founded in 1983, Cadiz Inc. is a publicly held water resource management and agricultural firm. With its subsidiary, Sun World International, Inc., Cadiz is one of the largest agricultural companies in the state. The company owns significant land holdings with substantial water resources throughout California.

"The Cadiz project may have harmed the desert and was not in the best interest of the MWD or the state of California."

— DIANNE FEINSTEIN
Senator, D-Calif.

The aquifer in the Mojave Desert is roughly the size of Rhode Island. Cadiz officials have argued their proposal has received the blessing of several federal agencies since it began the federal review process in August 1998. The U.S. Fish and Wildlife Service concluded Cadiz's proposal would have no negative impacts on the Mojave's plants or wildlife. The Environmental Protection Agency has ruled the project wouldn't cause air pollution.

Ovitz sued by top executive for wrongful termination

By The Associated Press

LOS ANGELES — Another top executive of Artists Television Group has filed a lawsuit against company founder Michael Ovitz.

Cathy Schulman, the former president of the company's film production division, filed the suit Monday in Los Angeles Superior Court, alleging she was fired for telling auditors that executives may have mismanaged company funds. She has asked for \$4 million in damages for wrongful termination and breach of contract.

The action comes after another former president at ATG, Eric Tannenbaum, filed a lawsuit against Ovitz in April claiming fraud, deceit and defamation.

Ovitz has since filed a countersuit, accusing him of fiscal irresponsibility. Both cases were pending.

Ovitz, once considered one of the most powerful men in Hollywood, co-founded Creative Artists Management before leaving to become president of The Walt Disney Co. in 1995. He left that position in a highly publicized fallout that garnered him \$38 million in cash and roughly

ly \$100 million in Disney shares.

He began Artists Management Group three years ago, brokering film and television deals with its own roster of stars.

Despite sporadic success, the group never reached critical mass. Over the past few years, Ovitz folded his television production company and, earlier this year, his film unit suffered a serious blow when it lost its financial backer, Vivendi Universal's StudioCanal USA.

According to court documents, Schulman was interviewed by a Vivendi auditor and disclosed she and other employees were using StudioCanal fund "developing projects in which StudioCanal had no interest."

She also relayed suspicions that the company "was improperly allocating and billing these non-venture related time and expenditures to StudioCanal," the documents said.

When Ovitz learned what Schulman had told auditors, he immediately fired her and she was escorted out of the building on Feb. 14, according to the lawsuit.

Representatives of Ovitz and Vivendi declined requests to comment, saying they had not seen the lawsuit.

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Santa Monica Daily Press

STATE



False accusations against police may be a crime

BY DAVID KRAVETS

Associated Press Writer

FRESNO — The California Supreme Court on Tuesday began reviewing a state law that makes it a crime to knowingly make false accusations against police officers.

The justices, hearing oral arguments in Fresno for the first time, grappled with a state appeals court ruling declaring that the 1995 law violates the First Amendment right of free speech.

At issue is a ruling from the 2nd District Court of Appeal in Ventura that overturned the 1998 misdemeanor convictions of Oxnard couple Shaun Stanistreet and Barbara Atkinson. The pair accused an Oxnard police officer of exposing himself to about 50 at-risk teenagers at an awards banquet run by the department's Activities League.

Some justices suggested they may uphold the law and reinstate the convictions.

"It would appear to me in a situation such as this, there is no constitutional infirmity," Justice Joyce Kennard said, echoing similar sentiments from other panelists.

The Oxnard Police Department said it investigated the couple's allegations and could not corroborate them. The Ventura County district attorney charged the two for allegedly filing a false complaint.

The two were convicted in 1998 of a law that carries a one-year term. They served 30 days in jail and appealed, maintaining the allegations were true and being covered up.

The justices accepted as true that the couple made up the story and focused its argument on whether filing a false police report should subject one to criminal prosecution.

Ventura County prosecutor Michael Schwartz told the justices that the law, enacted in response to a slew of complaints against officers following the 1991 Rodney King beating, was designed to protect police officers' reputations.

"We do want to protect peace officers from false complaints," Schwartz said.

Justice Marvin Baxter agreed. "That career is entitled to protection," he said.

The appeals court, in overturning the convictions, acknowledged that law enforcement officers "confront the worst that society has to offer" and "risk their lives to provide citizens a safer and better place to live." But the panel concluded that was not justification for limiting free expression.

The appeals panel noted the state law

made it a crime to make untrue complaints about peace officers, but it was not criminally unlawful to make such allegations against firefighters, elected officials or anybody else.

The American Civil Liberties Union said criminalizing speech against police officers but not other public officials was unconstitutional because it singled out speech directed at police officers. The ACLU also argued that the law may keep people from making legitimate complaints out of fear they, too, may be prosecuted.

Justice Kathryn Mickle Werdegard suggested that police complaint forms and their "bold" letters stating people could be prosecuted might "be intimidating."

"We do want to protect peace officers from false complaints."

— MICHAEL SCHWARTZ
Ventura county prosecutor

Daniel Tokaji, the ACLU's attorney, said the law needs to be eliminated to "retain an open channel of communication" between the public and law enforcement.

In court briefs, the National Association for Citizen Oversight of Law Enforcement urged the court to vacate the Oxnard couple's conviction. But a group representing 45,000 California peace officers said in court briefs that officers' reputation outweighs claims of free speech.

"Defamation receives no First Amendment protection," Rockne Lucia Jr. wrote the court on behalf of the Peace Officers Research Association.

In a related case last year, a Solano County judge dismissed charges against two women who complained about a California Highway Patrol officer. The women were driving to Reno, Nev., and stopped by an officer for speeding.

Kimberly Joan Reed and Rita Lena Jamerson later complained the officer was discourteous. After reviewing a tape recording of the stop, the CHP said the officer had acted professionally and it deemed the complaint false. Criminal charges were brought, but a judge ruled them unconstitutional.

House blows after workers 'thermagate' for termites

By The Associated Press

SANTA CRUZ — Charles Savoca was looking forward to ridding his house of termites, but he didn't realize the whole house would be gone as well.

Exterminators accidentally blew up Savoca's house Monday while using "thermigation" — an alternative to fumigation — to get rid of termites and ants.

For whole-house thermigation, a tarp is draped around the home. Propane heaters set up outside the house generate heat on the exterior walls and on the inside through portable duct systems. The temperature inside the house reach-

es 140 degrees to 150 degrees and the bugs are cooked to death.

It's typically an effective way to rid a house of bugs. But in Savoca's case something went wrong. First one, and then four or five other propane tanks blew up from the heat.

A raging inferno took five air tankers, three helicopters and dozens of firefighters two hours to control and decimated Savoca's home, leaving only a blackened, cement slab.

"I hired them thinking they had the expertise to do this without burning my house down," Savoca said. "They sure exterminated my house."

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NATIONAL

Barbie dolls, auto parts, farm produce mount up

BY MARTIN CRUTSINGER

AP Economics Writer

WASHINGTON — Thousands of Ken and Barbie dolls held captive in container ships unable to dock. Automakers chartering expensive cargo planes to airlift parts to stalled assembly lines. Millions of dollars worth of U.S. crops, meat and poultry in danger of spoiling on the docks or in trucks and railroad cars idled across the country.

Those wide-ranging impacts in just the first 10 days of the West Coast dock shutdown left President Bush little choice, analysts said Tuesday, but to seek a court injunction to keep the work stoppage from derailing the entire economy.

"If this work stoppage lasted another two weeks, the disruptions could be enough to push us back into recession," said Mark Zandi, chief economist at Economy.com.

Bush announced Tuesday that he would seek a court injunction to force the reopening of the docks for 80 days under the Taft-Hartley Act.

"The work stoppage is hurting our entire economy," said Bush, who is facing a barrage of Democratic complaints in the month before the congressional elections about the so-far lackluster recovery from last year's recession.

The fast-spreading fallout from this work stoppage underscored just how enmeshed the U.S. economy has become in the world economy in the three decades since an American president last intervened to halt a coast-wide dock dispute.

In 1971, President Nixon waited three months before obtaining a Taft-Hartley injunction to get West Coast ports reopened. But that was in the era before the popularity of huge container ships revolutionized global trade, turning what was then a trickle of imports and exports into a flood.

The U.S. trade deficit for merchandise stood at \$2.26 billion in 1971. Last year, that deficit had swelled to \$427 billion with three-times as much of the U.S. economy now tied up in trade as was the case in 1971.

"The 1971 strike was before the era of globalization, before the global economy really mattered," said Stephen Cohen, a professor of regional economics at the University of California at Berkeley. "Now we have a global supply chain."

The current port shutdown occurred in a critical month, October, when imports are generally at their highest as American retailers rush to obtain deliveries for the all-important Christmas sales season. The October-December period normally accounts for 40 percent of retailers' annual sales.

More and more, the consumer goods Americans crave, from toys to clothing, come from overseas. Ninety percent of all toys and shoes sold in the United States are now foreign-made.

Retailers, worried about possible supply disruptions, ordered earlier this year, pushing the country's trade deficit to an all-time high of \$37.7 billion in May. But even with that speedup, retailers are likely to still be caught without enough inventory to meet demand because of the work stoppage and the bottlenecks in the supply chain that could take a month to unwind.

"I think you will still see shortages in coming weeks of popular goods whether

they be toys, consumer electronics, shoes, clothing," said Eric Autor, vice president of the National Retail Federation. "This could not have come at a worse time for us."

The West Coast ports, which handle more than \$300 billion in trade annually, account for more than half of all containerized cargo moving in and out of the country, reflecting the burgeoning trade with Pacific Rim countries.

America's biggest trade deficit is now with China, thanks to more than \$100 billion in imports from that country annually — everything from Christmas tree lights and sneakers to sophisticated computers and electronic gear.

The giant West Coast dock facilities were built to handle a flood of trade from China, Japan and other Asian nations, which gets loaded onto trucks and rail cars for movement throughout the country since the current generation of container ships is too large to squeeze through the Panama Canal.

"If this work stoppage lasted another two weeks, the disruption could be enough to push us back into recession."

— MARK ZANDI

Chief economist at Economy.com

And it's not just U.S. consumers who are dependent on foreign products. U.S. manufacturers of everything from cars to computers also depend on foreign-made parts to keep their assembly lines running.

A joint venture of General Motors and Toyota in Fremont, Calif., was forced to suspend production because of parts shortages. To reopen, the factory chartered two 747 cargo planes to deliver auto transmissions and other parts.

American farmers producing a wide variety of crops from wheat to apples to California almonds have seen their perishable goods stack up on loading docks. Labor Secretary Elaine Chao warned that millions if not billions of dollars worth of produce, meat and poultry was in danger of spoiling unless the ports reopened.

The most often cited study puts total harm to the economy at between \$1 billion and \$2 billion a day. That study, by Martin Associates of Lancaster, Pa., was prepared for the Pacific Maritime Association, the group that represents West Coast terminal operators and shipping companies.

The Martin study estimated the cost of a work stoppage lasting five days at \$4.7 billion and one lasting 10 days at \$19 billion — giving the \$1 billion to \$2 billion daily damage estimate.

Study author John Martin said those figures could be on the low side because plant shutdowns were occurring more quickly than his computer model estimated.

NATIONAL



Survey suggests people are fatter than they say they are

BY LINDSEY TANNER
AP Medical Writer

CHICAGO — Americans are even fatter than they think they are, with nearly a third of all adults — almost 59 million people — rated obese in a disturbing new government survey based on actual body measurements.

One in five Americans, or 19.8 percent, had considered themselves obese in a 2000 survey based on people's own assessments of their girth.

The new 1999-2000 survey puts the real number at 31 percent — a doubling over the past two decades. The new number is considered more reliable since people consistently underestimate their weight.

"The problem keeps getting worse," said Health and Human Services Secretary Tommy Thompson. "This has profound health implications."

In addition, a measurement-based sur-

vey of young people found that 15 percent of youngsters ages 6 to 19 were seriously overweight. That is nearly 9 million youths and triple the number in a similar assessment from 1980.

"One of the most significant concerns from a public health perspective is that we know a lot of children who are overweight grow up to be overweight or obese adults, and thus at greater risk for some major health problems such as heart disease and diabetes," said Dr. Julie Gerberding, director of the Centers for Disease Control and Prevention.

The findings appear in Wednesday's Journal of the American Medical Association.

They come from nationally representative surveys of 4,115 adults ages 20 through 74 and 4,722 children from birth through age 19.

The National Health and Nutrition

Examination Surveys have been conducted periodically for several years. Twenty-three percent of adults were obese in 1994 and 15 percent in 1980.

Obesity increases the risk for a number of serious ailments, including diabetes, heart disease, strokes, high blood pressure and some types of cancer.

Obesity is defined as having a body-mass index of 30 or above. The index is a measure of weight relative to height.

The latest survey also found that nearly two-thirds of U.S. adults were overweight, or had a body-mass index of between 25 and 30.

In the youth survey, even toddlers were affected, with more than 10 percent of children ages 2 through 5 seriously overweight, compared with 7.2 percent in 1994.

"The numbers are pretty shocking," said Margo Wootan, director of nutrition policy at the Center for Science in the

Public Interest.

She said talk from the Bush administration about encouraging Americans to eat more healthfully and be more active is "too low a dose of treatment to try and cure this health problem."

"They need to put into place real policy," such as offering more healthful foods in government meal programs and requiring fast-food restaurants to list calories on menus, she said.

The trend has paradoxically occurred while health clubs, home exercise equipment and heavily promoted diet plans have proliferated.

In an accompanying editorial, Dr. Phil Fontanarosa, JAMA's executive deputy director, questioned whether dietary guidelines are adequate and whether doctors have been ineffective in counseling overweight patients.

American Jewish population declining, aging since 1990

BY RACHEL ZOLL
AP Religion Writer

NEW YORK — A once-a-decade report that shapes how American Jews work to keep their religion vital found the population has declined and grown older since 1990, according to statistics released Tuesday.

The 2000-2001 National Jewish Population Survey found 5.2 million Jews live in the United States, compared to 5.5 million a decade ago. Their median age rose from 37 to 41 in the same period, fueling concern that the faith is not being passed down to a younger generation.

The study sponsored by United Jewish Communities, an international social service federation based in New York, is being released in two stages, with figures on the rate of intermarriage between Jews and non-Jews to be presented sometime next month.

Among the most complex issues the researchers faced was defining who is a Jew for the purposes of the study. The survey included people who identified themselves as Jewish, were raised Jewish, or had a Jewish parent and did not convert to another religion. Using a broader definition that includes anyone with a Jewish background would increase the total population figure to 6.9 million, the survey's authors said.

Researchers found Jews are having fewer children

than needed to keep the population stable. Half of Jewish women age 30-34 have no children, compared to 27 percent of all American women. Nearly half of American Jews are age 45 or older.

"I don't think you can underestimate the cultural impact of the 1990 study."

— STEVEN BAYME

American Jewish Committee, national director

The report is among the most influential studies of U.S. Jews.

Its 1990 finding that 52 percent of American Jews marry outside the faith has transformed Jewish community work in this country, redirecting tens of millions of dollars and other resources to programs that build Jewish identity, including religious day schools and trips to Israel.

The report also intensified a debate that continues today, over whether the best way to preserve Judaism in America is to reach out to Jews on the fringes of religious

life or strengthen links with those already active.

"I don't think you can underestimate the cultural impact of the 1990 study," said Steven Bayme, national director for Jewish communal life at the American Jewish Committee, an advocacy and social service group. "It was a wake-up call to Jewish leaders telling them that their most critical challenge was encouraging Jews to lead a Jewish life."

According to the 2000 study, Jews remain concentrated in the Northeast, with 43 percent living in the region. The Midwest has the smallest share, 13 percent, while the South and West have 22 percent each.

The survey also found that more than half of Jews have earned a bachelor's degree, compared with 28 percent of non-Jews, and 24 percent of Jews have earned a graduate degree. The median household income for Jews is about \$50,000, compared with \$42,000 for all U.S. households.

About 4,500 Jews were interviewed between August 2000 and August 2001 as part of the research.

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NATIONAL

Lie detectors too inaccurate for national security use

BY RANDOLPH E. SCHMID
Associated Press Writer

WASHINGTON — Lie detectors are not accurate enough to screen government workers for potential security risks, the National Research Council said Tuesday.

"Almost a century of research in scientific psychology and physiology provides little basis for the expectation that a polygraph test could have extremely high accuracy," the council said in a report.

"National security is too important to be left to such a blunt instrument," said Stephen E. Fienberg of Carnegie Mellon University, chairman of the committee that prepared the report.

"The belief in its accuracy goes beyond what the evidence suggests," Fienberg said at a news conference, warning that could create a false sense of security.

"Overconfidence may lead, in turn, to the neglect of other methods of ensuring safety, such as periodic security reviews," Fienberg said.

The research council, an arm of the National Academy of Sciences, prepared the study at the request of the Energy Department. Under the law, workers in sensitive positions in department labs are subject to polygraph screening.

The study, "The Polygraph and Lie Detection," concludes when it comes to screening large numbers of people for potential spies or security risks, "polygraph testing (is) intrinsically susceptible to producing erroneous results."

The Energy Department said it would carefully review the report on what it called a "very complex subject."

The FBI increased the use of polygraphs on its agents as a result of the Robert Hanssen spy case. The agency also has been administering lie detection tests at Fort Detrick, Md., and Dugway Proving Ground in Utah, bases with stores of anthrax. Nuclear plant workers also are getting the tests in greater numbers since Sept. 11.

Frank Horvath, a professor of criminal justice at Michigan State University, said, "If what they're saying is that polygraph testing is not a useful tool in screening because it makes errors, I wouldn't necessarily agree with them."

"I would have to ask what tool they have in mind to replace polygraph screening,"

Horvath said. "If we wanted to catch a spy or an applicant bent on spying, what would we do, what technique would we use to do that. There is no alternative right now to polygraph testing and that's why it is used in spite of its shortcomings."

Lie detectors measure heartbeat, blood pressure and other factors that are known to change when people are under stress, such as when they lie.

People can learn to control those responses, allowing them to "beat" a lie detector, the report said.

Most uses of lie detectors involve examining individuals about a specific crime and in those cases the machines can tell the difference between lies and truth "at rates well above chance, though well below perfection," the panel concluded.

Those cases involve a specific crime or incident where questions can be focused and answers more easily evaluated.

Using lie detectors to screen workers forces examiners to ask more generic questions or propose hypothetical situations. They do not know what plans a spy may be harboring, nor do they know what minor infraction a good worker may have done in the past that causes stress during the test.

Thus, screening is likely to produce large numbers of false positives without catching all potential security risks, the report said.

In screening a population of 10,000 workers that included 10 potential spies, if the exam is set at a level designed to catch 80 percent of the spies, an estimated 1,606 non-spies would also fail the test while eight of 10 spies would be caught, the report said.

On the other hand, if the test was set to reduce false positives, only two spies would be detected and there still would be 39 honest workers who failed.

The committee noted that there is a widespread belief among the public that lie detectors are accurate and that may discourage some potential security risks from applying for jobs where they know they will have to pass such a test.

The committee also expressed concern that while polygraphs are widely used there has been little research on them.

The committee called for a research program to look into not only lie detectors but other methods for detecting and preventing security violations.

Study finds melanoma deaths decline in 20- to 44-year-olds

By The Associated Press

CHICAGO — U.S. melanoma deaths dropped significantly in people ages 20 to 44 years over the past three decades, thanks in part to educational campaigns about the dangers of too much sun, researchers say.

The decline among young adults in deaths from melanoma — the most severe form of skin cancer — occurred from 1969 to 1999.

Overall melanoma death rates actually increased during that period from 2 per 100,000 people to 3 per 100,000, because of a rise among other age groups, especially the 45-and-older set.

But among young adults, death rates fell 39 percent in women and 29 percent in men, the researchers found in an analysis of national health data on whites. Light-skinned people are most vulnerable to melanoma.

"Positive effects of public education"

emphasizing the dangers of too much sun probably contributed to the declines, the researchers said.

The study was done by Boston University researcher Alan Geller and colleagues. Their findings appear in Wednesday's Journal of the American Medical Association.

In younger women, deaths declined from 1.3 per 100,000 to 0.8 per 100,000. In men, they dropped from 1.7 deaths per 100,000 to 1.2 per 100,000.

The American Cancer Society estimates that melanoma will be diagnosed in more than 53,000 people this year and will kill about 7,400.

During the study period, melanoma death rates overall climbed 66 percent in men ages 45 to 64, rising to 6.3 per 100,000. They increased 19 percent in women of the same age, climbing to 3.1 per 100,000.

INTERNATIONAL



Bush speech wins cautious international welcome

BY DEBORAH SEWARD
Associated Press Writer

MOSCOW — President Bush's call for greater pressure on Iraq won guarded support in Asia and Australia on Tuesday, but his threats failed to overcome widespread skepticism in Europe, where most nations are deeply concerned by the prospects of war.

Iraq said Bush's address Monday night aimed to justify an "illegitimate" attack on it. Iraqis and other Arabs said the speech showed Washington's determination for war, but the Egyptian and Jordanian governments said they were pleased by Bush's statement that war was not "imminent or unavoidable."

Britain was the exception in Europe to the prevailing lack of enthusiasm for Bush's tough line. Prime Minister Tony Blair said he shared "the same analysis" of the threat posed by Iraq and that both countries wanted the United Nations to make clear its determination to disarm Iraq.

Bush's speech Monday night rounded up much of the administration's case for an assault on Iraq, with Bush calling Iraqi leader Saddam Hussein a "murderous tyrant." He said Saddam may be planning to attack the United States with biological or chemical weapons and could have a nuclear bomb in less than a year.

Bush said he would "act with the full power of the United States military" against Saddam unless declare and destroy all of its weapons of mass destruction, end support for terrorism and cease persecution of its civilians.

The speech was seen in part as an attempt to rally reluctant allies abroad. Russia and France, which like the United States hold veto powers on the U.N. Security Council, underlined that they still oppose Washington's efforts for a U.N. resolution imposing strict demands on Baghdad for weapons inspectors and threatening use of force against Iraq.

In Russia, Deputy Foreign Ministry Yuri Fedotov, although not reacting directly to Bush's speech, told the Interfax

news agency that the resolution proposed by the United States was disingenuous and contained demands that Washington was "well aware" could not be met.

Fedotov said Russia supported France, which has proposed a two-step solution that would give Baghdad the opportunity to comply with U.N. resolutions on destroying its weapons of mass destruction before the world body met to decide on approving a possible military strike.

Foreign Minister Igor Ivanov said Russia would support any United Nations resolution aimed at increasing the effectiveness of weapons inspectors.

In Germany, Foreign Minister Joschka Fischer said armed confrontation with Iraq would be a "great tragedy." However, he added that Baghdad would have to "fulfill its obligation without exception."

French Prime Minister Jean-Pierre Raffarin called Saddam Hussein a "potential menace" to the Middle East, but said Tuesday war with Baghdad should be a last resort. He told parliament the international community must unite in pressuring Baghdad to disarm.

"Military action against Iraq that is perceived as illegitimate ... would reinforce the feeling of injustice that prevails in the Arab world today," Raffarin said.

The foreign ministers of Jordan and Egypt chose to focus on Bush's statement that war could be avoided.

"We still believe that a military operation isn't imminent and that there's a chance for diplomatic moves to try to avert the dangers of such a war," Jordan's Marwan Muasher told reporters in Amman.

Many Arabs saw Bush as determined to attack.

"The speech contained misleading information through which Bush is trying to justify an illogical and illegitimate attack on Iraq," said Iraqi Foreign Minister Naji Sabri. Iraqi media kept to their regular programming Tuesday, so ordinary Iraqis relied on radios to hear the speech.

Ahmed Taha, an Iraqi university student, said he wished Bush had used "new

Iraq on their minds



Bassem Tellawi/Associated Press

Britain lawmaker George Galloway, right and Iraqi Deputy Prime Minister Tariq Aziz, attend the opening session of a two-day Arab National Conference of Arab Committees on Iraq in Damascus on Tuesday.

words like dialogue and peace rather than his old words like war and accusations."

In Baghdad, secondary school teacher Dia'a al-Na'eimy, 55, joined dozens of others at a blood bank. "Our presence here today is a response to Bush's speech and it is a strong and decisive response. We will protect our leader with our blood," she said.

In Afghanistan, U.S. troops at the Bagram Air Base who watched Bush's speech said they were ready for another war, but had doubts about doing it without world support.

"I agree with the president that something has to be done," said Senior Airman George Bonney, 27, of Portsmouth, Va. "But I don't like going it alone. I don't think that's a good idea at all."

Thousands of U.S. troops are stationed here to help search for remnants of the al-Qaida terrorism network, which Bush tried to link with Iraq in his speech.

In the Ukrainian on Tuesday, President Leonid Kuchma denied he ordered the sale of a sophisticated radar system to Iraq. Kuchma also called for exhausting all possible measures to avoid war with Iraq.

The U.S. State Department said last month that it had verified the authenticity of a July 2000 recording in which Kuchma is allegedly heard giving his approval to the sale of a Kolchuh radar system to Iraq, in violation of U.N. sanctions.

Bush had more luck in Asia, where initial reaction from Australia and Japan was supportive.

"We think the speech is a very measured and considered speech. It puts the pressure in this debate very much on the shoulders of Saddam Hussein," Australian Foreign Minister Alexander Downer said. Australia has been one of Washington's staunchest allies in the campaign against Saddam.

Taped interview claims to be of bin Laden's top deputy

BY AUDREY WOODS
Associated Press Writer

LONDON — In a taped interview, a speaker purported to be Osama bin Laden's top deputy, Ayman al-Zawahri, threatens new attacks on the United States, its allies and its economy.

The authenticity of the audiotape, obtained by Associated Press Television News on Tuesday, could not be independently confirmed. It was not known when the tape was made — though it includes references to the United States' recent standoff with Iraq and a July 1 U.S. bombing in Afghanistan.

The speaker said to be al-Zawahri accuses the United States of trying, through its campaign against Iraq, to subjugate the Arab world on behalf of Israel.

Al-Zawahri, an Egyptian who is regarded as a primary strategist of the al-Qaida terrorists and was with bin Laden in Afghanistan, disappeared soon after Sept. 11 but is widely thought to have survived U.S. bombing there. U.S. officials say they don't know whether he or bin Laden are alive.

Al-Zawahri was also said to be alive in a satellite telephone conversation reportedly intercepted over the weekend by U.S. and Afghan intelligence. The conversation was between fugitive Taliban leader Mullah Mohammed Omar and his former deputy prime minister, Maulvi Abdul Kabir, an Afghan intelligence official told

The Associated Press. The report could not be confirmed by U.S. officials.

The audio interview attributed to al-Zawahri was obtained by APTN in the form of a video compact disc. On the disc, the interview is played against a video backdrop with English subtitles of the conversation, along with scenes from the Sept. 11 attacks and other news footage.

A title in the video identifies the speaker as al-Zawahri and says the video is a production of the As-Sahaab Foundation for Islamic Media. The foundation is credited with earlier al-Qaida statements that appeared on Web sites and with the so-called farewell video of Ahmed Ibrahim A. Alhaznawi, a Sept. 11 hijacker.

APTN on Tuesday played the tape to Abdel-Bari Atwan, editor of the London-based Arabic daily Al-Quds Al-Arabi, who has interviewed al-Zawahri.

"To my knowledge it does sound like the voice of Ayman al-Zawahri," Atwan said. "I don't have assurance that it is 100 percent his voice, but definitely it's the closest to his voice." He noted that the speaker has an Egyptian accent and uses language used by al-Zawahri in previous speeches.

Al-Zawahri, 50, is believed to be bin Laden's doctor and spiritual adviser, providing the ideology that drove al-Qaida. He was the head of Egyptian Islamic Jihad until he forged an alliance with bin Laden in 1998.

Al-Zawahri is on the U.S. most wanted list and the government is offering a reward of up to \$25 million for

information leading to his capture. Egypt sentenced him to death in absentia in 1999 for his role in the 1995 bombing of the Egyptian Embassy in Pakistan and for attempting to kill officials in Egypt. He has been indicted in the United States for his alleged role in the 1998 bombings of the U.S. embassies in Tanzania and Kenya.

In the recording, an unidentified person interviewed the speaker said to be al-Zawahri, who issued a warning to what he called "the deputies of America," to get out of the Muslim world, specifically Germany and France.

"The mujahid youth has already sent messages to Germany and France," the speaker said. "However, if these doses are not enough, we are prepared with the help of Allah, to inject further doses."

A May 8 attack on a bus in Pakistan killed 11 French engineers and an April 11 blast at a synagogue in Tunisia, a former French colony, killed 16 people, including 11 Germans. Both attacks have been linked to al-Qaida.

"As for America itself, it should expect to be treated the same way it has acted," the man on the tape says, pointing to suffering of Muslims in Afghanistan and in the Palestinian territories.

"It will have to pay the price. ... The settlement of this overburdened account will then indeed be heavy. We will also aim to continue, by permission of Allah, the destruction of the American economy."



SPORTS

Minnesota Twins beat Anaheim Angels by one

BY RONALD BLUM

AP Sports Writer

MINNEAPOLIS — The Minnesota Twins just won't go away.

The team that wasn't supposed to make it to opening day isn't a surprise anymore.

Joe Mays shut down Anaheim for eight innings and Corey Koskie hit a go-ahead double Tuesday night, lifting the Twins over the Angels 2-1 in the opener of this improbable AL championship series.

Before 55,562 screaming, Homer Hanky-waving fans in the Metrodome, and with commissioner Bud Selig watching from a luxury suite behind home plate, the Twins signaled the time has come to forget the Yankees, Braves and other big spenders who have dominated the playoffs in recent years.

And they showed just how dominant they are in the Metrodome, improving to 13-2 there in postseason play. Game 2 in the dome Wednesday night, with Rick Reed pitching for the Twins against Ramon Ortiz.

The Metrodome was festive and loud for its biggest night since Oct. 27, 1991, when Jack Morris pitched a 10-inning

shutout against Atlanta to win Game 7 of the World Series 1-0.

This was another tense one, with the Twins getting just five hits and the Angels four. The crowd was on its feet shouting during the key points and throughout the ninth inning.

Baseball owners tried to fold the Twins along with the Montreal Expos last off-season, but were blocked by the Minnesota courts. Since then, the Twins have seemed intent on banging the gavel on all of baseball, wanting to force Selig to hand them the World Series trophy.

"Contract-ula-tions Twins for a superb season/All the way for Bud's sake" read one sign behind home plate.

"I think the place had a lot of electricity in it. Obviously, the fans were into it," Angels manager Mike Scioscia said. "They looked like they were reacting to every pitch. I thought it was a great atmosphere."

Anaheim, too, is a surprise to be here. The Angels are seeking their first World Series appearance since joining the major leagues in 1961.

Mays, hit hard by Oakland in Game 2 of the five-game division series, shut

down the high-flying Angels, who hit .376 in their four-game victory over the four-time defending AL champion Yankees — the highest average by a team in any postseason series.

"He had everything tonight," Twins manager Ron Gardenhire said. "He went right at the hitters and made them swing the bats."

Mays allowed only four hits and an unearned run caused by an error by shortstop Cristian Guzman. Mays, who threw 68 of 98 pitches for strikes, called it "the game of my career" and described the atmosphere as "overwhelming."

"There was just so much energy, so much enthusiasm in the crowd," he said. "To go out there and give them a good game to watch — I think that gives them the reward."

Mays, who struck out three and walked none, came out after the eighth inning. He tightened up a little after the eighth and told his manager he wouldn't mind if Eddie Guardado finished.

"I would have given him the ball. He had the option to go back out there in the ninth," Gardenhire said.

Guardado struck out Darin Erstad leading off the ninth, then walked Tim Salmon.

After Garret Anderson flied out, he threw a called third strike to Troy Glaus.

"We've always responded well to a tough loss," Scioscia said. The Angels lost the opener to the Yankees.

Anaheim's Kevin Appier, winless in four postseason appearances, pitched almost as well, giving up two runs and five hits in five innings, but it wasn't enough.

Minnesota went ahead in the second when Torii Hunter doubled, advanced on a wild pitch and came home on A.J. Pierzynski's sacrifice fly.

Anaheim tied it in the third on singles by Adam Kennedy and David Eckstein, and the error by Guzman on a grounder by Erstad that stayed down on the slick artificial surface. Minnesota had the fewest errors in the major leagues during the regular season (74) and Anaheim (87) was second in the AL.

Koskie drove in the go-ahead run in the fifth with a double just inside the right-field line after Luis Rivas walked and Guzman singled.

"This is a pretty big win," Koskie said. "But we've still got to win three more ballgames."

Colorado's football team on two-year NCAA probation

BY JOHN MOSSMAN

AP Sports Writer

BOULDER, Colo. — Colorado's football team was placed on two years' probation by the NCAA on Tuesday for recruiting violations, most of them occurring under former coach Rick Neuheisel.

The NCAA cut the school's football scholarships and accepted Colorado's self-imposed recruiting limits, including reducing the number of visits by recruits.

Neuheisel, now coaching at Washington, was barred from off-campus recruiting for the Huskies until May 31.

Colorado was not banned from TV or bowl appearances but must reduce the number of new scholarships it offers from 25 to 20 in either the 2003-04 or 2004-05 academic year.

NCAA institutions are allowed 56 expense-paid campus visits by recruits each academic year, but Colorado voluntarily reduced its number to 51 this year and will be limited to 51 next year.

In addition, the number of coaches who can recruit off campus at any one time must be reduced from seven to six through July 31.

The football program was accused of 53 violations, 51 of them when Neuheisel was Colorado's coach (1995-98). Many involved improper contacts with recruits.

"I want to stress that at no time did I intend to break NCAA regulations, and I never suggested to my staff we operate outside those rules," Neuheisel said in a statement. "I never deceived anyone, nor was I dishonest."

"While being creative in approach, I felt that I was operating within the letter of those rules. It was my mistake to make those judgments without consulting the proper sources at my disposal as a head coach."

"I want to stress that at no time did I intend to break NCAA regulations, and I never suggested to my staff we operate outside those rules."

— RICK NEUHEISEL
Former coach

The NCAA's infractions committee ruled Colorado didn't properly monitor its football staff.

"This was a serious case in which a football coaching staff, led by the former head football coach, in a calculated attempt to gain a recruiting advantage, pushed beyond the permissible bounds of legislation, resulting in a pattern of recruiting violations," the committee's ruling said.

During a hearing in August, Neuheisel told the committee he and his staff had accidental encounters with prospects on high school campuses but did not gain any recruiting advantage.

However, committee chairman Tom Yeager noted that of the 26 prospective athletes involved, seven eventually enrolled at Colorado.

"There was a recruiting advantage," Yeager said. "And in most instances, these seven athletes were among the top recruits in their respective classes. In the end, the institution benefited."

Other alleged violations included letting recruits keep apparel, improper use of private

aircraft and excessive compensation to recruits ranging from \$3.20 to \$36.76.

Neuheisel said he believed the NCAA used this case to send a message about so-called "bumps," or inadvertent contacts between coaches and recruits.

"The committee's obvious message is that these bumps should no longer be a part of the college football culture," he said.

Gary Barnett, Neuheisel's successor at Colorado, had told the committee that any penalties should follow Neuheisel.

The committee ruled that both Colorado and Neuheisel were at fault, but Yeager said Neuheisel's penalty was meaningful.

"When the head coach of any sport is restricted in the off-campus recruiting process, that is a significant restriction in recruiting," Yeager said.

Colorado athletic director Dick Tharp said the university accepts responsibility because it hired Neuheisel and his staff.

"I'm upset that Gary has to deal with it. But we will manage our way through it," Tharp said. "We will continue to upgrade our compliance efforts, and we will not have to deal with these issues in the future."

Colorado still can have the maximum 85 players on scholarship.

Barnett called the impact of the penalties minimal and said he was relieved it wasn't worse.

"If there is any damage, it's more or less a hardship on us as coaches, rather than any damage to the institution or to our program," he said.

Ex-judge agrees to mediate Bonds homer ball dispute

By The Associated Press

SAN FRANCISCO — A retired judge agreed Tuesday to mediate the dispute between the two men who claim to be the rightful owner of Barry Bonds' record-setting 73rd home run ball.

Lawyers for Alex Popov, the man who says he caught the ball, and Patrick Hayashi, the scrambling Giants fan who ended up with it, said retired Judge Coleman Fannin would oversee a settlement conference Wednesday.

So far, little has been settled, and the ball remains in a safety deposit box pursuant to a court order.

Hayashi said Monday the ball is his, and he'd like to sell it. Popov maintains he is the rightful owner and said he wants to keep it.

Martin Triano, Popov's lawyer, said if the issue is not resolved with Fannin's aid Wednesday, they'll head back to San Francisco Superior Court on Thursday to explain why to Judge Ronald Quidachay.

The case is Popov v. Hayashi, 400545.

Anaheim and Minneapolis mayors bet on league series

By The Associated Press

MINNEAPOLIS — When the Anaheim Angels meet the Minnesota Twins in the AL Championship Series, more will be at stake than just a trip to the World Series.

Somebody's going to be wearing a silly hat.

Anaheim Mayor Tom Daly and Minneapolis Mayor R.T. Rybak placed a bet Monday on the outcome of the series, which starts Tuesday in Minneapolis.

If the Twins win, Daly will have to wear a Minneapolis Police-issue wool hunting cap, similar to the one Elmer

Fudd and the police officers in the movie " Fargo " made famous. Daly will also have to wear a Twins jersey for a day at the office.

If the Angels win, Rybak will wear Mickey Mouse ears and an Angels jersey for a day.

Both mayors sounded confident they would be on the winning end when the bet was extended on Don Shelby's WCCO-AM talk show.

"If by some miracle the Twins didn't win, I'd wear the Mickey Mouse cap," Rybak said.

"I think Mayor Rybak will look real cute in those Mouse ears," Daly said.

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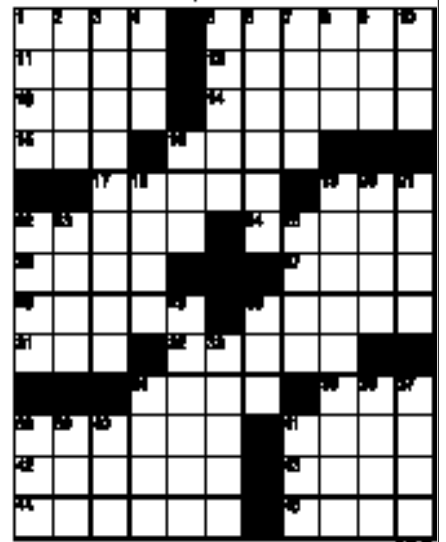
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 - Told tales
 - Guy's claim
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- Heap
 - "Exodus" author
 - Rubbing the right way
 - Hill worker
 - November alone
 - Thriller
 - Evening, in side
 - First lady
 - Light metal
 - Used a hawcock
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NEWS OF THE WEIRD by Chuck Shepard

Man reconstructs body for London television

England's Mentorn production company announced in September that it was finalizing a deal with Channel 4 TV in London for a series in which a terminally ill man would volunteer for what Mentorn called the "ultimate makeover" (the postmortem reconstruction of his body in "plastination," to demonstrate how changes could have improved the quality of his life). Among the possibilities: adding ribs, making knees back-bending, adding a back-up heart, and redoing the trachea to better keep food out. The show would be staged by artist Gunter von Hagens, whose Body Worlds exhibit consists of vivid dissections and reconstructions of body parts.





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Santa Monica Daily Press 310.458.7737

Calendar

Wednesday, October 9, 2002

Wednesday

Community

Senior Suppers - Discounted meals for people AGE 55 or older are served daily, from 3:30 p.m. To 7 p.m., in the cafeteria at Santa Monica-UCLA Medical Center, 1250 16th Street in Santa Monica. \$3.69 Info only: (310)319-4837.

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

Music / Entertainment

Poetry and Spoken Word. 8:00pm - Hosted By Tony Perez. UnUrban Coffee House. 3301 Pico Blvd., Santa Monica, (310)315-0056

LUSH 2020 Wilshire Blvd., Santa Monica. Three bars, plenty of booths, sofas, leopard-print carpet and a sunken dance floor. Mexican grill serves dinner after 5 p.m. Full bar. Over 21. Cover \$5 - Free. (310)829-1933.

Anastasia's Asylum, 1028 Wilshire Blvd., Santa Monica. Board games, cushiony sofas, a full veggie menu, juices, teas, and coffee that grows hair on your chest. No cover. (310)394-7113.

Rusty's Surf Ranch, 256 Santa Monica Pier. Walls and ceilings are lined with one of the area's largest collections of pre-1970's surfboards. Cover varies. Full bar. All ages. (310)393-7386.

Cara Rosellini hosts The Gaslit's Comic Review, followed by open-mic comedy karaoke, at The Gaslit, 2030 Wilshire Blvd. 7:30 p.m. FREE! (310)829-2382..

Thursday

movies

Loewes Broadway Cinema
1441 Third St. at Broadway
Welcome to Collinwood (R) 11:30, 12:45, 2:00, 3:15, 4:30, 5:45, 7:00, 8:15, 9:30, 10:45, 11:50, 12:20, 4:50, 5:30, 7:20, 8:00, 9:45, 10:20.
The Tuxedo (PG-13) 12:10, 2:40, 5:10, 7:40, 10:10.

Mann Criterion
1313 Third St.
Sweet Home Alabama (PG-13) 11:00, 11:30, 1:40, 2:15, 4:30, 5:00, 7:10, 7:50, 10:00, 10:30, 11:10, 1:50, 4:40, 7:15, 9:50. The Four Feathers (PG-13) 12:15, 3:30, 7:00, 10:15, My Big Fat Greek Wedding (PG) 11:40, 12:15, 2:10, 2:45, 4:50, 5:30, 7:20, 8:00, 9:45, 10:20.

AMC Theatre SM 7
1310 3rd Street
Red Dragon (R) 1:00,

1:40, 3:50, 4:30, 6:45, 7:25, 9:40, 10:15.
Ballistic: Ecks vs. Sever (R) 2:10, 4:35, 7:10, 9:25. Barbershop (PG-13) 2:00, 4:45, 7:10, 9:35. City by the Sea (R) 4:20, 7:00, Jonah: A Veggie Tales Movie (G) 1:05, 3:10, 5:15, 7:15, 9:15. Signs (PG-13) 1:20, 4:10, 7:30, 10:00, Trapped (R) 1:50, 9:30.

Landmark Nu-Wilshire
1314 Wilshire Blvd.
Moonlight Mile (PG-13) 10:30, 1:15, 4:00, 7:00, 10:00. Mostly Martha (PG)

1:30, 4:15, 7:15, 9:45.

Laemmle Monica
1332 2nd St.
Heaven (R) 12:30, 2:50, 5:10, 7:30, 9:50. The Man from Elysian Fields (R) 12:00, 2:30, 5:00, 7:40, 10:10, Secretary (R) 12:00, 2:30, 5:00, 7:35, 10:05. Spirited Away (PG) 1:00, 4:00, 7:00, 10:00.

Aero Theatre
1328 Montana Ave.
The Good Girl (R) 5:30, 7:30, 9:30.

Calendar items are printed free of charge as a service to our readers. Please submit your items to todaypaper@smdp.com for consideration. Calendar events are limited by space, and will be run at the discretion of the Calendar Editor. The Daily Press cannot be held responsible for errors.

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Fax all information to our Calendar Editor: Attention Angela @ 310.576.9913



BACK PAGE



Cops get no break

By The Associated Press

SURREY, British Columbia — The Mounties got their men. What they had trouble getting was a sandwich. Royal Canadian Mounted Police Constable Ed Boettcher and his partner decided to take a sandwich break Monday while on surveillance duty in an unmarked car.

At the restaurant, they checked the license plate on a car parked at a nearby pawn shop, found the car had been reported stolen, followed it and helped arrest the driver and passenger.

Back they went to the sandwich joint, only to find a well-known car thief getting out of a pickup truck. Sure enough, a check of the license showed the truck had been stolen and they arrested the driver.

On his third try, Boettcher finally got inside the sandwich shop, but his partner noticed two men carrying golf bags into the pawn shop. It turned out their car was also stolen and they were eventually arrested as well.

Disabled meeting gets bad PR

By The Associated Press

MIDDLETOWN, Conn. — Wesleyan University officials are wiping egg off their faces after scheduling a lecture concerning disabled people in a building that

wasn't handicapped accessible.

The situation came to light after Sharon Denson, a West Hartford resident with muscular dystrophy who uses an electric scooter, learned she would not be able to attend Thursday's lecture because of the lack of access.

"I really don't think there was any evil intent," Denson said. "But they just don't think. If you're able-bodied, you don't think about access. You just run up the steps."

Scheduling the lecture at Russell House last week was an error caused by a lack of foresight, Wesleyan spokesman Justin Harmon said.

"One might have anticipated the audience that a 'persons with disabilities' topic might have brought, but we didn't," Harmon said. "We weren't as pro-active as we should have been."

Harmon said the university is working on a plan to bring all its buildings into compliance with the Americans with Disabilities Act of 1990. He said it would be a number of years before it's complete.

Man sues Dole for spamming him

By The Associated Press

DURHAM, N.C. — A computer consultant has sued the Senate campaign of Elizabeth Dole for eight unsolicited e-mails he received.

His price to settle? \$80.

Ken Pugh, of Durham, filed the lawsuit in Salisbury based on a relatively new North Carolina law that allows people to collect \$10 for each unsolicited commercial item they receive by e-mail, or spam. A court date has been set for Nov. 18.

"It wouldn't have mattered if the spam mail came from the Republican, Democrat, Libertarian or Green Party," he said. "This is basically an anti-spam initiative on my part."

"To me, spam is an aggravation and a waste of my time. I am getting more spam mail than regular mail by

a far percentage. I am testing the viability of the law to see if it really works and if I can get my money back."

It is unclear whether Pugh's lawsuit is the first test of North Carolina's anti-spam statute. Pugh said such lawsuits are difficult to file because many senders of unsolicited e-mail are out of state and cannot be found.

In an Aug. 26 letter to Pugh, the Dole campaign said that its e-mails are not commercial and thus do not fall under the anti-spam law. But the letter said Dole's campaign respected Pugh's desire to receive no more unsolicited e-mails, he said.

NYC cabbies on their best behavior

By The Associated Press

NEW YORK — The sometimes fractious relationship between New York cabbies and their customers appears to be thawing.

Complaints against taxi drivers have dropped to their lowest level in a decade, New York City officials said Monday.

Passengers filed 10,183 complaints against cabbies during fiscal year 2002, which ended June 30, according to the Taxi and Limousine Commission. That's down from 12,903 in the prior year and 14,129 in fiscal year 2000.

"We're pleased," said TLC Commissioner Matthew Daus. "We're going to, of course, do even better than we've been doing. But we're on the right track."

Reports of service refusals and overcharges were also down. There were 3,184 complaints of service refusal in fiscal year 2001 but only 2,329 last year. Overcharges dropped from 1,656 in 2001 to 1,225 in 2002.

Daus attributed the drop in complaints against drivers to stricter penalties for bad behavior, positive reinforcement for good behavior and improved training for cabbies.

In 1998 the TLC instituted a mandatory four-hour course for drivers to improve customer relations.

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