

Santa Monica Daily Press

A newspaper with issues

DAILY LOTTERY

SUPER LOTTO

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Meganumber: 11

Jackpot: \$7 Million

FANTASY 5

7 11 17 20 28

DAILY 3

Daytime: 0 5 7

Evening: 7 6 9

DAILY DERBY

1st: 07 Eureka!

2nd: 12 Lucky Charms

3rd: 09 Winning Spirit

RACE TIME: 1:41.18

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NEWS OF THE WEIRD BY CHUCK SHEPARD

More Weird Mating Habits: The longest-lasting copulation, according to University of Arizona biologist John Alcock (interviewed for an August Knight Ridder story), is that of the lowly "stick insect" (of the phasmida family), which goes on for several months at a time, even though, he said, it is "not clear this is welcome to the female." The male attaches himself to the female's back, which allows her to continue with her daily routine during the mating, while also discouraging competitor males. According to other biologists, some ticks spend up to eight hours on what resembles foreplay, and butterflies, snakes and houseflies can also go on for hours.

TODAY IN HISTORY

Today is the 287th day of 2005.
There are 78 days left in the year.

On Oct. 14, 1947, Air Force test pilot Charles E. ("Chuck") Yeager broke the sound barrier as he flew the experimental Bell X-1 rocket plane over Edwards Air Force Base in California. In 1964, civil rights leader Martin Luther King Jr. was named winner of the Nobel Peace Prize.

QUOTE OF THE DAY

"To think is to speak low.
To speak is to think aloud."

F. MAX MUELLER
GERMAN PHILOLOGIST (1823-1900)

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Upon further review



Fabian Lewkowicz/Daily Press

Children on Thursday play with a 25-year-old quarter horse named "Chocolate" at Clover Park. The horse's appearance is part of City Hall's 'Fresh Art' program which will be displayed through Nov. 21, featuring the works of teams of artists. Since its inception in 2001, 'Fresh Art' has commissioned 14 Santa Monica artists to create temporary artworks for Clover Park. To learn more, log onto www.arts.santa-monica.org.

Taxman cometh: Deadline for late filers upon us

BY CAROLYN SACKARIASON

Daily Press Staff Writer

IRS HDQTRS. — Officials here expect about 1,000 tax returns from Santa Monicans by Monday — the absolute final deadline for the most serious of procrastinators who have waited until the 11th hour to file their 2004 returns.

Although most taxpayers have long since filed their 2004 federal income tax returns, the Internal Revenue Service said about 2 million people nationwide still face the Oct. 17 filing deadline.

"That number includes an estimated 300,000 Californians who still need to file their 2004 taxes," said Victor Omelczenko, IRS spokesman in Los Angeles. He added that about 2 percent of all Californians file extensions.

The IRS reminds taxpayers who received an additional extension in August that they should file their returns by Oct. 17 to avoid the late filing penalty, which is

generally 5 percent per month of any unpaid tax. Usually the extension deadline is Oct. 15. However, this year that date falls on a

Saturday so extension filers have until Monday to file their returns.

See **TAX DEADLINE**, page 8

Above his peers



Fabian Lewkowicz/Daily Press

A construction worker stands atop the roof of the new Santa Monica College 'Main Stage' theatre that is scheduled to be completed in the spring of 2006.

Whoa! Vendors hit bump in road

BY RYAN HYATT

Daily Press Staff Writer

CITY HALL — The Promenade's new vending cart program has hit a serious bump in the road, as elected officials have determined that allegations of abuse by its operator are worthy of an investigation.

Meanwhile, current vending cart operators have been granted a request to extend their business on the Promenade for the next few weeks until the new program operator, Provenzano Resources, Inc. (PRI), takes over management duties on Nov. 21.

For more than an hour, the Santa Monica City Council questioned PRI staff and listened to vending cart operators — represented by an attorney — who alleged the management company is overcharging for use of the Promenade and retaliating against those who've expressed their concern at City Hall.

As a result of the testimony, the five members of the City Council present after 1 a.m. on Tuesday requested staff to investigate PRI's practices before PRI takes over next month.

"I'm supporting an extension for the current cart operators, as well as suggesting we launch an investigation into what's going on," said Councilman Kevin McKeown, whose motion was unanimously approved (5-0). "If what's been going on is true, it reflects badly on us as the city of Santa Monica."

In June, PRI was awarded a minimal 10-year contract to replace Promenade Services Inc., the group that had managed the Promenade's mobile cart operations since 1989. City officials and the Bayside District Corp. — a nonprofit group of business lead-

See **PROMENADE**, page 5

Jacquie Banks
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Pull the shades, Sag

Santa Monica Daily Press

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

ARIES (March 21-April 19)
 ★★★ You might wake up tired, as you have had an active dream life. If you can, try to remember what you thought about. A friend surprises you with a sudden reversal. It's not your job to curb knee-jerk reactions. Tonight: Get some extra zzz's.

TAURUS (April 20-May 20)
 ★★★★★ Impulsiveness might point you in a new direction. Certainly, if following your whim, you'll make many new friends or network into a new group. Don't count on getting any quiet work done. Take a late lunch and start the weekend early. Tonight: Pal around with a friend.

GEMINI (May 21-June 20)
 ★★★ It seems as if everyone wants something from you. This hectic pace might get to you, but you have little choice. You end up tying up loose ends and finishing what others haven't. Tonight: Ask a co-worker to join you for a late dinner. Together you unwind.

CANCER (June 21-July 22)
 ★★★★★ You might wake up with a whole new set of ideas. You also might be inclined to follow through on some of them. Changes vitalize your life, if you can break past your present mold of thinking. Tonight: Different works.

LEO (July 23-Aug. 22)
 ★★★ Though you like being top dog, someone else wants to and will dominate right now. Know that this person needs to take the lead; let him or her. Ultimately, it will be easier and more pleasant. Work with this person. Tonight: Be a duo.

VIRGO (Aug. 23-Sept. 22)
 ★★★★★ You might have many good ideas, but sharing them could be close to impossible. How you see others could change considerably. Others could be pushy and demanding. Understand your limits at the present moment. Tonight: Be easygoing.

LIBRA (Sept. 23-Oct. 22)
 ★★★ You have a list of errands, calls and other must-do's in mind. Others could be distracting. Complete what you must so you can relax. Don't worry about a child's or friend's uproar. This, too, will pass. Tonight: Your night off.

SCORPIO (Oct. 23-Nov. 21)
 ★★★★★ You might want to enjoy yourself more. Why not bring this attitude into work? You don't always have to be oh so serious. Let your imagination flow into all the different facets of your life. Tonight: Don't allow yourself to be held back.

SAGITTARIUS (Nov. 22-Dec. 21)
 ★★★ Tension builds, and though you might want to play ostrich, it won't work. Deal with others as well as you can. Work on being open and not defensive. Solutions come your way. Tonight: Home. Pull the shades. Screen calls.

CAPRICORN (Dec. 22-Jan. 19)
 ★★★★★ You might be overwhelmed by what everyone has to say and share. Certainly you might feel like a Telstar satellite with all of the many calls, messages and communications in general. Look at this flourish of activity as popularity. Tonight: Dinner at a quiet restaurant.

AQUARIUS (Jan. 20-Feb. 18)
 ★★★★★ Money is not the only asset one has. Your personality, intellect and creativity are certainly part of you. You have much more to offer than you are aware of. Give up jealousy — OK? Tonight: Shop for a new item or buy a gift for someone.

PISCES (Feb. 19-March 20)
 ★★★★★ You might not be able to cover all the bases, but you certainly give it a try. A partner or someone you deal with financially could startle you. Look to positive changes, which you bring on. Claim your power. Tonight: Tap into your magnetism.

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LOCAL



COMMUNITY BRIEFS

Reliving the relief effort

By Daily Press staff



Photo courtesy

Brant Looney (center), a systems administrator at SMC, worked 32 days in New Orleans. He was in the first National Guard unit to be deployed to the Hurricane Katrina-ravaged city.

Brant Looney is still absorbing it.

Less than a week after returning from Hurricane Katrina-ravaged New Orleans, having served a 32-day stint as a member of the first National Guard unit deployed to the disaster area, Looney has memories to sort out.

"The smell was the worst — you just wanted to gag," said Looney, a systems administrator at Santa Monica College. Dead bodies and animals, raw sewage, chemicals from vehicles, and food left to rot all combined to form, "a gumbo."

Looney was deployed to New Orleans on Aug. 29, just days after Katrina struck, as part of the National Guard's 18th Cavalry. His unit of approximately 500 guardsmen and women was the first to be sent to the area, and their job was security.

Duties included security patrols, checkpoints, assessments of downed power lines as well as checks on gas and water lines, animal rescues, and damage assessment. Headquartered at a middle school at the edge of the floodwaters with no power and water, the guardsmen worked 16 hours a day, every day, for 32 days.

"Between the humidity and heat, there were a lot of sleepless nights, but we were so busy we didn't even have time to think about it," Looney said.

Working in a 50-square-mile area, Looney and his fellow guardsmen would patrol in boats and on foot. Among other duties, they helped the New Orleans police officers — stretched thin — to stop looting and crime.

Looney said he saw a few floating bodies, but federal authorities had ordered that bodies be left where they were, tied to a tree or some stationery object so they could be recovered by the local coroner's office after the flood waters receded.

Looney, who has worked at SMC's Academy of Entertainment & Technology for eight years, is a corporal in the National Guard, having served about half of his six-year stint. This was the first time he was called up to active duty.

In-depth hearing of the Beatles

By Daily Press staff

You may know the words to many of the Beatles' songs, but do you know what the violin plays in "Scrambled Eggs?"

Music director Steve Wight dissects the Beatles' music in the first of the 2005-2006 "Stevenings" series at 7 p.m. on Oct. 15. The Unitarian Universalist Community Church of Santa Monica (18th Street and Arizona Avenue) hosts the event titled "The Music and Recordings of the Beatles."

Wight has composed music for shows like Saturday Night Live and Cartoon Funhouse. Wight will discuss how tonic major/minor key changes are used in various Beatles' songs, among other topics. Admission is free.

CORRECTION — In the Oct. 10 edition, the name of community volunteer Viola White's business was wrong. The name of her flower shop is Voz.



SURF REPORT

Most south-facing breaks are seeing waist- to occasionally chest-high sets. West-facing breaks are running waist to chest. A tidal swing will cause abnormal highs during the early to mid morning hours now through the weekend from a Full Moon due on Monday. Friday into Saturday is when our next NW ground swell is due, with some waist- to possibly chest-high set at times can expected when the tide is right.

Today the water is:

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	LOW TIDES				HIGH TIDES			
	Morning	Height	Evening	Height	Morning	Height	Evening	Height
MONDAY	N/A	N/A	11:10	0.2	N/A	N/A	2:42	5.2
TUESDAY	10:35	3.4	12:09	-0.1	6:50	3.9	4:29	5.2
WEDNESDAY	12:09	-0.1	12:01	2.8	7:09	4.3	5:49	5.5
THURSDAY	12:55	-0.3	12:58	2.0	7:33	4.8	6:52	5.7
FRIDAY	1:34	-0.1	2:02	1.7	8:04	4.6	7:40	5.2

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The Q Line

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The City Council has initiated the process to fill the position of city manager, one of the most important jobs in Santa Monica. Thus far, much of the discussion in regard to the hiring process has been behind closed doors. City Hall has hired a headhunter to help in the search, and the City Council hopes to interview the candidates in coming weeks.

So this week, Q-Line wants to know, "What kind of qualities and abilities would you like to see in the person who runs Santa Monica?"

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LOCAL



CRIME WATCH
 By Daily Press staff

The fix was in for negligent mom

At 12:08 a.m. on Friday, Oct. 7, the Santa Monica police responded to the 2300 block of Ocean Park Boulevard regarding a suspicious vehicle haul. When officers arrived at the scene, they saw the vehicle, a 1978 white Ford, which contained two adults and one child. Officers conducted a preliminary investigation and determined the female was the mother of the child and had an outstanding warrant from Florida for drug trafficking and grand theft. It was also discovered she had been injecting morphine and methadone and breast feeding the child. Margaret Rachel Zes was booked for outstanding warrants and child endangerment. The other adult occupant, Norman Lovan Cole, was arrested for possession of drug paraphernalia and rock cocaine. The child was released to the department of Child Protective Services.

At 1:30 p.m. on Wednesday, Oct. 5, the Santa Monica police responded to the 500 block of Ocean Avenue, at the Pacific Sands Motel, regarding an identity theft investigation. When officers arrived at the scene, they spoke to the manager of the motel, who said a subject in a room was possibly using the identity of someone else. Officers went to the room, knocked on the door, and once opened, they discovered it was occupied by several subjects. As officers entered the room, they saw a large pipe that had a bulbous end next to one of the individuals. Officers believed the pipe was used to smoke methamphetamine and Michael Andre Papiz, 26, transient, was arrested for possession of drug paraphernalia. Bail was set at \$10,100. The allegation of identity theft was unfounded.

At 3:32 p.m. on Wednesday, Oct. 5, the Santa Monica police responded to Robinsons-May at Santa Monica Place mall regarding a theft suspect in custody. When officers arrived at the scene, they spoke to the security officer who said the suspect entered the store carrying an empty bag and walked through the store and placed clothes inside the bag and then left the store failing to pay for the merchandise, valued at \$610.96. Kapitolina Gaspar, 61, of West Hollywood, was arrested for grand theft and commercial burglary. Bail was set at \$20,000.

At 8:10 p.m. on Wednesday, Oct. 5, a Santa Monica police officer was flagged down by a resident in the 700 block of Lincoln Boulevard who said he had just been robbed and pointed at the suspects' vehicle as it drove off. Officers followed the vehicle and stopped it in the 500 block of Seventh Street. Jubril Temitayo Odusanya, 20, of Los Angeles and Jasan Lamar Givens, 19, transient, were booked for armed robbery. Bail was set at \$105,000. The victims' property was recovered.

At 1:56 p.m. on Thursday, Oct. 6, the Santa Monica police responded to the 300 block of Lincoln Boulevard regarding a burglary suspect in custody. When officers arrived at the scene, they spoke to the victim, who said she walked into her residence and the suspect was standing in the living room. He was detained until police arrived. Trevor Wayne Bertran, 27, transient, was booked for burglary and parole violation. No bail was set.

At 5:51 p.m. on Thursday, Oct. 6, the Santa Monica police responded to the 1500 block of Ninth Street regarding an assault investigation. When officers arrived at the scene, they spoke to the victim, who said he was in an argument with three suspects over the purchase of beer. During the argument, the suspects attacked the victim, kicking and punching. Olvin Perez Santana, 30, transient; Guillermo Valencia, 32, of Hollywood; and Ricardo Urbina, 31, transient, were arrested for assault. Santana also had previous parole violations and bail was set at \$1,000,365. Valencia and Urbina's bail was set at \$30,000 apiece.

At 4 a.m. on Friday, Oct. 7, Santa Monica police officers were on patrol in Palisades Park when they saw four individuals in violation of the municipal code. Justin Parpinian, 30, transient, had methamphetamine and was booked for possession of a controlled substance. Bail was set at \$10,000. Iman Shak, 70, transient and James Anthony Humphrey, 45, transient, were arrested for municipal code violations.

This police report was prepared by Daily Press staff writer Ryan Hyatt.



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Cart operators wary they're being 'churned'

PROMENADE, from page 1

ers who help manage downtown along with City Hall — felt it was time to explore new vendors who could present better concepts or approaches that would make it more profitable for the Promenade.

The agreement calls for PRI to provide 17 retail carts, five food carts, a cart for concierge services, and three carts for artists. The new operators are expected to begin hawking their new wares on Nov. 21, according to a Sept. 22 staff report. PRI, which owns the carts, has the discretion to choose which operators it will use, according to Miriam Mack, the city's economic development manager. PRI has offered eight of 16 current cart operators a chance to sign on, two of whom have rejected the offer, the staff report said. All of the slots have been filled.

Daniel Ganon, who runs three carts on the Promenade, said on Tuesday he was allowed to continue in the new program and was later denied a place after he and others took their concerns to City Hall in September.

"I sent a FedEx (with my check) and (PRI) told me, 'I'm tired of you going behind my back to the City Council,'" Ganon said.

Prior to Tuesday's meeting, current vending cart operators were expected to be finished by Oct. 15 so PRI can refurbish the cart storage facilities for its new program. As PRI does so, city officials decided on Tuesday it will find a temporary space where the carts, set to be sold, can be used so current operators may have a few more weeks of business.

Ross Provenzano, who co-owns PRI along with his wife Deborah S. Kravitz, said he is a former cart operator himself with 39 years of experience in the business. Provenzano told the council he embraces a philosophy that supports small business owners and feels his program is set to achieve those expectations City Hall had when it signed up his company to bolster the consumer experience on Third Street.

In the past, merchants complained because an operator could have multiple carts on the Promenade. Under the new system, operators will only be allowed to have one cart, so "everyone can have a piece of the pie," said Kravitz, who didn't attend Tuesday's meeting.

The carts are intended to be a more attractive addition to the Promenade, Kravitz said. PRI also has hired a merchandising expert who will see to it the wares for sale at each cart are distinct from one another and nearby shops.

Such moves will likely increase revenue for the cart operators, Kravitz said.

In the past, cart operators were charged a total rent of between \$2,000 and \$2,300 per month. According to the staff report, PRI negotiates the cart operators' rent based on their understanding of the product, the profit margin, plus 15 percent of revenue generated above the "break point."

As a result, the staff report said negotiated base fees averaged \$2,461 per month.

Some people at Tuesday's meeting said PRI pays City Hall \$600 to \$700 for vending cart space it manages on the Promenade.

One of the requirements is that PRI retain a visual merchandiser to be responsible for the overall image of the cart displays. The one-time costs of the merchandiser is passed on to the cart operator, the staff report said.

Four levels of improvements are offered to new cart operators, ranging in cost from \$1,800 to \$6,000. Of the 13 contracts signed by Sept. 20, nearly half are paying the middle upgrade of \$3,750. Two are paying the full \$6,000, and only one is paying the base \$1,800. The staff report said none of the new cart operators claimed to need financial assistance, as suggested in recent news reports.

The total start-up fees for a new cart operator varies between \$6,300 and \$12,900, depending on product and cart placement, the staff report said.

The contract is good for six months.

Another accusation that concerned councilmembers on Tuesday is that PRI might be preparing, based on its program's conditions, to "churn" vending cart operators to maximize profits at their expense.

PRI insists the cart operators under its program will generate an average revenue of \$16,000 per month and will be able to afford the thousands of dollars buy-in to secure a contract.

Councilmembers agreed part of the reason why it was difficult to gauge the reality of PRI's revenue projections — and therefore determine its fairness — is because the prior program operator didn't keep exact accounts of cart sales. Nonetheless, councilmembers wanted staff to gather as much financial information as possible as it also explores other alleged abuses during its investigation.

"I have heard a lot of allegations tonight, a lot of which is really up in the air," Bloom said. "Still, I have some concerns and think this will be a good exercise for PRI to have a good understanding what is expected of businesses in Santa Monica."



John McGrail, C.Ht.

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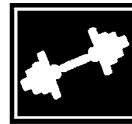


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Check Out the Question of the Week on Page 3 and let us hear what you have to say

The QLine[™]



EDITORIAL

In lieu of better ideas? City needs some brainstorming



The Santa Monica City Council has decided that it's the developers who should foot the bill for providing the city with more affordable housing. A majority of councilmembers voted this week to quadruple the fees on individuals who develop properties within the city, no matter how big or small the project.

However, Council doesn't know how much money it'll generate by charging apartment building developers up to \$26.08 per square foot and condo developers \$22.23 per square foot. That's because there hasn't been an economic analysis performed to see how much the increase will bring in, or how it will impact the housing market. Three City Councilmen — Bob Holbrook, Bobby Shriver and Herb Katz — pushed for an analysis, which would have taken about 60 days. But the majority — the remaining four councilmembers — voted against it, saying more affordable housing is needed now and an analysis would cause further delay.

What's more, developer "in lieu" fees are just a small portion of what the city spends on its affordable housing program — about \$500,000 of \$12 million went to the fund in 2004. The rest comes from redevelopment taxes distributed by Los Angeles County, over which City Hall has no direct control. It doesn't take an in-depth economic analysis to know that developers will likely pass the costs down to the buyer, and subsequently the renter. That is the likely scenario for a property owner who just wants to build a five-unit condominium project to get a return on his or her investment. Now, with the fee increase, that property owner will have to pay \$200,000 — \$40,000 for each unit — into an affordable housing fund. The little guy loses once again.

If City Hall wants to adequately pay for a successful and equitable affordable housing program, it's going to have to create more revenue streams. Perhaps city officials should look to other affluent cities to see how they provide for their residents. After all, some of the best ideas are ones that are taken and applied elsewhere.

In Aspen, Colo., where the average single-family home price is about \$3 million, the city and county governments have created thousands of rental and homeownership units — all under their control and exclusively set aside for residents. Waiting lists are long for rental units, but well worth it if a person plans on staying in the community. Ownership units, which are capped at a 3-percent appreciation rate, are available through a lottery system where residents' applications are literally drawn out of a hat each week for condos up for sale in the affordable housing inventory.

The program, funded by a half-cent sales tax, developer "in lieu" fees and local government funding, is categorized by income brackets so individuals making under \$30,000 can afford a place to live, while at the same time, a person who makes more than \$60,000 can also be a homeowner.

The local government has complete control of the housing stock — residents are required to live in the county for at least nine months a year and are not allowed to own any other property anywhere else. And with a handful of new developments, a few units are set aside and given priority to emergency response workers, like paramedics, cops and firefighters.

One of the biggest flaws in Santa Monica's affordable housing program is that it allows people who live in rent-controlled units to own property elsewhere. Another flaw is that there is no income cap on people who live in rent-controlled apartments. Santa Monica also collects about \$9 million in state and federal funding, so City Hall can't discriminate and only allow Santa Monica residents to live in affordable housing.

If the goal is to create a community where people can actually live and work in the same city, the priority has to be given to Santa Monica residents. The program should be controlled by the local government and paid for by what drives the economy — tourism and commerce.

Elected officials last year didn't have a problem passing a tax increase on hotel room stays so they could beef up the city's tourism and marketing budget. Now it's time to increase the sales tax so the residents don't go broke trying to live here and then realize two years later that they have to move.

What makes a community strong is that those who actually run it — the workers — feel connected to it and are invested in it. Santa Monica should be a place where its firefighters, city employees and general office managers can live without throwing more than 50 percent of their paychecks toward rent. The current system needs to be overhauled. And if City Hall can't come up with anything better than quadrupling developer fees, it should look somewhere else for realistic and effective models.

Don't let sun go down on me, my neighbors



OUR TOWN

BY TED WINTERER

It used to be that one of the great pleasures of living in our town was to load up the kids and a picnic dinner, and drive to the Ocean Park beach on an early summer evening. Parking in the beach lots was free, as the city had made enough money from day trippers and sent the lot attendants home.

Thus I was dismayed to discover this past summer that City Hall had decided to charge the full daily rate in the beach lots until 7 p.m. Sure, one can park in the short-term lots for \$1 an hour, but the pre-paid parking kiosks only dispense vouchers good until 7 p.m., which isn't much help during the long days of summer, and past that time you can get a parking citation.

In a nutshell, City Hall, driven by its rapacious appetite for new revenues, decided that if you want to park at the beach to watch a summer sunset, it now costs you six bucks when it used to be free.

If I'm upset about this, what can I do? For starters, I can lament the many ways in which our local government is run like an insular big business, out of touch with the reasons we live here, when it should operate more like a not-for-profit conservator of our quality of life. I do this daily.

Then I can complain to my City Council. Maybe they can do something. Or maybe not.

So I contact my councilman with my beef. He often heeds residents, so long as their ambitions don't conflict with the aspirations of Santa Monicans For Renters' Rights, the police union, the Chamber of Commerce, and other power brokers which pay for the campaign flyers that keep him in office.

Now if the councilman and his council colleagues decide sunsets should be free, they can require the appropriate department head at City Hall to roll back the hours when fees are charged at the beach lot, right? Not so fast. The City Charter prohibits the City Council from giving orders to any subordinate of the City Manager, who is the de facto mayor of Santa Monica.

The City Council can direct the City Manager to make sunsets free, but if he or she really wants sunsets to cost six bucks the council's instructions can be stonewalled or ignored. This happens all

the time. For instance, the City Council told our City Manager 20 months ago to hire a noise enforcement officer and the position is still vacant.

The City Council's only recourse if its will is disregarded is to fire the City Manager, an unlikely turn of events as the charter requires five of seven councilmembers to vote to do so. In 1946, when the charter was written and city operations were modest in size, the idea was to prevent the City Council from politicizing municipal management. Now that our city government has grown so ponderous and often unresponsive, perhaps the balance of power has tipped to the City Manager. However, it's unlikely we'll see a ballot initiative to allow dismissal of the manager by a simple majority of four votes any time soon.

So much for government by the people and for the people. If we want free sunsets and City Hall doesn't, you'd better start reaching for your wallet.

Fortunately, the City Council is on the cusp of hiring a new City Manager. You can e-mail councilmembers at council@smgov.net with your thoughts about what traits should be sought in our new head of City Hall.

And perhaps in this civic dialogue there's the chance for more modest reforms which would preclude the City Manager from operating with such impunity and make our government more responsive to the voters. These measures might include:

- A contract with a fixed term, rather than one which runs indefinitely until the manager decides to move on.

- Publicly discussed and disclosed performance, and bonus criteria and public input into the manager's annual review.

- A government oversight commission, akin to Congress's GAO, to hear citizens' concerns and recommend to the City Council ways to make City Hall more effective and responsive.

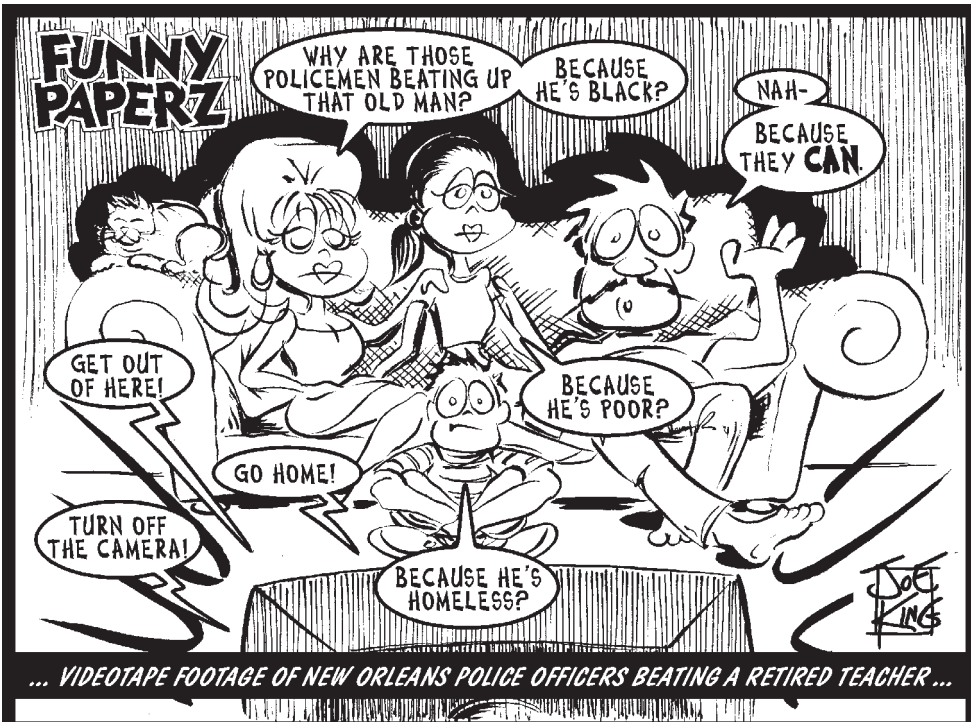
Finally, we need a manager who will climb down from the ivory tower of City Hall, go out into the community and meet with the people. It's critical that our new manager understands our concerns and priorities, and assures they are implemented in city operations.

Someone suggested to me, only half in jest, that the new manager ought to be a surfer, someone who will nurture our beach town ambiance. It's not such a crazy idea: A surfer would never charge for sunsets.

(Ted Winterer is a writer who lives in Ocean Park. He can be reached at ourtownsmdp@aol.com.)



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LETTERS TO THE EDITOR

Fluoridated to death?

Editor:

The below article was found by the writer in a health magazine recently:

"Fluoride in drinking water, long touted as a panacea for tooth decay, has now been linked to greater cancer risk. The new findings have motivated about 7,000 workers at the U.S. Environmental Protection Agency, representing 11 unions, to push the EPA to halt water fluoridation programs nationwide."

Doesn't our City Council get it? The City Council has been given volumes of information on this toxic chemical by many citizens of our city, as well as the environmental task force and, yet, in their "infinite all knowing wisdom," continue their pursuit to fluoridate our Santa Monica water. From the volumes I've read, the risks far outweigh any possible health benefits.

Joyce Martino
Santa Monica

Fluoride has its risks

Editor:

Aside from the obvious wisdom of not using public drinking water as a vehicle to deliver highly cumulative people-treatment substances, consider the following:

1) 90 percent of tooth decay occurs where fluoridation was never claimed to be effective; the pits and fissures of teeth, i.e., the chewing surfaces of the molars. This is why dentists have been applying plastic sealants to these surfaces for decades. A 1929 study by McKay showed that 95 percent of tooth decay occurred in the pits and fissures of molars.

2) In 1993, the Journal of Public Health Dentistry reported, "50 percent of U.S. Head Start children have had baby bottle tooth decay." Fluoridation does not work here either. And nowadays the sippy cup is extending this devastating decay of poor children to epidemic levels. The Denver Post, April 13, 2004, illustrates this point; Denver has been fluoridated since 1954 and one dentist reports 300 cases a year of this rampant decay. See www.Keepers-of-the-Well.org.

3) Fluoride's effect is now claimed to be strictly topical (such as toothpaste) rather than by ingestion: "Fluoride incorporated during tooth development is insufficient to play a significant role in (cavities) protection." J Am. Dent. Assoc.. July 2000. The CDC concurs: see MMWR Oct. 1999.

4) In establishing the lethal dose for test animals (LD50), it takes 20 times more natural-occurring calcium fluoride to kill adult guinea pigs than it takes for any of the three water fluoridation chemicals.

5) The Journal of the American Medical Association, Utah hip fracture study shows that hip fractures were doubled for women at age 75 if they drank fluoridated tap water for a 20-year span prior to their menopause when bone turnover is still rapidly depositing the embrittling fluoride into new bone. The men's increase in hip fracture was 41 percent. These figures only reflect the 50 percent accumulation into adult bone. Imagine what this figure would have been had these women been raised on fluoridated water since infancy wherein fluoride accumulation is 87 percent.

A book published in 2004, "The Fluoride Deception," reveals the details of this 1950's public health blunder. www.fluoridealert.org posts over a dozen reviews of this long-overdue investigative report. Also, clicking "Take Action" will bring up the on-line petition in support of the eleven EPA unions who are calling for a nationwide moratorium on fluoridation.

Maureen Jones
Citizens for Safe Drinking Water
San Jose, Calif.

GUEST COMMENTARY BY JOHN W. WHITEHEAD

St. Patrick's Four: It's time to fight the real enemy

Hurricanes are battering our southern coasts. Thousands of families have been uprooted and remain homeless, with little relief in sight. Investigations are underway to determine why our government was not prepared for such disasters. Across the sea, the number of American soldiers who have been killed in the line of duty in Iraq and Afghanistan is approaching the 2,000 mark. At home, terrorists may be moving over our porous borders. Yet with the country in peril and turmoil, our government is focusing its efforts on severely prosecuting four peaceful American anti-war protesters who engaged in a minor act of vandalism.

On St. Patrick's Day, March 17, 2003, the four protesters, all parents of young children, gathered at a military recruiting center near Ithaca, N.Y. In an effort to "symbolize the violence of war and the sanctity of life," the protesters, dubbed the St. Patrick's Four, poured small amounts of their own blood on the walls and the American flag. They then prayed together and waited for arrest. It was not long in coming.

Upon arrest, the St. Patrick's Four, who stated that they were alone in the building and did not prevent anyone from entering or leaving the center, were charged with misdemeanors for criminal mischief. The ensuing local trial at Tompkins County Courthouse resulted in a hung jury when nine jurors voted for acquittal. Understandably, the prosecuting attorney opted not to retry the case.

The U.S. Department of Justice, in a break with its own policy of discouraging federal prosecution if a state court decides the case, ruled that there was "substantial federal interest" to pursue a federal prosecution of the Four. And to the astonishment of many, the Justice Department upped the misdemeanor charges to felony criminal charges involving a conspiracy to impede an officer of the United States. Daniel Burns, age 45, Clare Grady, 46, Teresa Grady, 40, and Peter DeMott, 58, are now being made to stand trial in federal court on charges of federal conspiracy. They could face up to eight years in prison and \$360,000 in fines if convicted for engaging in nonviolent protests over the war in Iraq.

Clearly, the St. Patrick's Four are being made examples of, and the message is coming across loud and clear: this is what happens to people who dare to voice their disapproval of the Bush Administration's war in Iraq. By its actions, our government is attempting to criminalize dissent and establish a judi-

cial precedent for intimidating and prosecuting anti-war dissidents. As law professor Bill Quigley, who is defending the Four, stated, "This is the first federal felony criminal conspiracy trial that has been brought against non-violent, anti-war protesters as far as we can tell ... It may go back to the Vietnam War era."

Likening themselves to a historic line of protesters that includes such figures as suffragette Susan B. Anthony, civil rights activists Rosa Parks and Martin Luther King, Jr., and the American revolutionaries who took part in the Boston Tea Party, the four Catholic protesters consider themselves morally bound to protest what they describe as the needless deaths of American soldiers and Iraqi civilians. As Daniel Burns remarked, "I think about my 3-year-old daughter and know that she's got a counterpart in Iraq who is dead."

Attempting to explain their actions, they quote Martin Luther King: "We are called to speak for the weak, for the voiceless, for victims of our nation, for those it calls enemy, for no document from human hands can make (them) any less our brothers."

These are not violent criminals. They are simply people with a conscience who feel morally obligated to speak out against the loss of human life in Iraq. And they are willing to pay the price, even if the government has its way and they are separated from their families. As one of the protesters commented, "Even if they take away my house, they can't take away my belief that we've done what is right, which is to resist what is evil."

It's time for our government to get its priorities straight. Unfortunately, this is yet another example of the war being waged against the American people, rather than the perpetrators of terrorism. The Bush Administration is fighting too many battles on too many fronts, and it's the American people who are the losers. It's time for our government to fight the real enemy. And if public opinion is anything to go by, the St. Patrick's Four just don't make the list. Indeed, with the president's disapproval rate rising above 57 percent, it's time for the government to assume its original purpose: to serve the best interests of the people.

(Constitutional attorney and author John W. Whitehead is founder and president of The Rutherford Institute and author of the award-winning *Grasping for the Wind*. He can be contacted at johnw@rutherford.org.)

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LOCAL

Hurricane survivors get a filing extension

TAX DEADLINE, from page 1

“Taxpayers may still file returns electronically until Oct. 17, and some may even be able to file for free through the Free File program available at the irs.gov Web site,” Omelczenko said.

Taxpayers may use tax software on their own computers or e-file through an authorized provider. Those options offer taxpayers security and accuracy in filing their returns, as well as faster refunds. So

far this year, about 8.3 million California taxpayers have filed electronically, representing more than half of the estimated 16.5 million individual returns in the state.

Those taxpayers from presidentially declared disaster areas, as a result of Hurricanes Katrina and Rita, have been granted additional time — until Feb. 28, 2006 — to file their tax returns. According to recent FEMA data, about 11,000 hurricane evacuees are now in California.

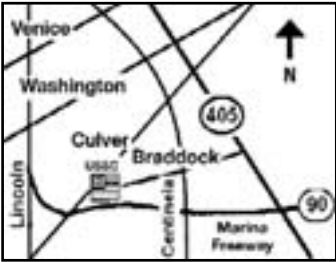
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STATE



Both sides mobilizing for November election

BY TOM CHORNEAU

Associated Press Writer

SACRAMENTO — Despite raising tens of millions of dollars in campaign donations, Gov. Arnold Schwarzenegger and his opponents will likely be preaching to selective audiences as they try to mobilize voters for the November special election.

The 2003 recall that swept Schwarzenegger into office drew a turnout of greater than 60 percent, but the percentage of voters heading to the polls on Nov. 8 is expected to be far lower, perhaps by more than 20 percentage points.

That prospect has left both sides focusing on their core supporters, hoping targeted campaign pitches will motivate enough of them to the polls to sway the election in their favor.

“Both sides believe that their supporters are more motivated,” Republican strategist Dan Schnur said. “It’s impossible to guess who is right, but we’ll know on election day.”

Schwarzenegger’s special election has failed to catch on with most California voters. A Public Policy Institute of California poll released late last month found that a third of voters are not following news of the election, which is expected to cost the state \$52 million to \$55 million. About 53 percent of voters disapprove of it, especially when told of the cost.

The Republican governor called the special election in June to place three measures before voters: a state spending cap that also would give the governor the authority to make midyear cuts; a chance to redraw the districts of state lawmakers and congressional representatives; and a longer probationary period for teachers.

He since has endorsed another initiative that seeks to limit the amount of money unions can use for political purposes. Four other measures on the ballot seek to restrict abortions among minors, reregulate the energy market and lower prescription drug prices.

The centerpiece of Schwarzenegger’s get-out-the-vote effort is a sophisticated marketing program that targets millions of California voters. Based on a survey of 12,000 voters — about 10 times the average poll sample — the governor’s team expects to isolate small groups of voters they believe will be receptive to specific messages.

The survey results will become the focus of more than 10 million targeted mailing pieces, as well as phone calls and efforts to talk with voters in person.

Schwarzenegger’s agenda has inflamed Democrats and public employee unions,

who view it as a Republican power grab and threat to their political influence.

Those groups have been busy with their own grassroots campaign, walking precincts in an effort to stir interest. They have sent hundreds of representatives to knock on doors.

The street-level campaign against Schwarzenegger’s proposals is important but is being supplemented by direct mail and television and radio commercials, said Gale Kaufman, chief strategist for Assembly Democrats and the California Teachers Association.

“You think about who are the voters who always come out and vote,” she said. “You make sure you’ve communicated with them in some fashion. You hear a lot about the swing votes and people on the margin. We just try to do the best job we can to make sure we are talking to people who most likely will vote.”

California has had four statewide special elections since 1910. In only one — the 2003 recall of former Gov. Gray Davis — did more than 50 percent of voters go to the polls.

Turnout in that election was 61 percent, but many political experts consider interest in the recall election a one-time event. It played on widespread discontent with California politics and featured a cast of potential replacements that included Schwarzenegger, political commentator Arianna Huffington, actor Gary Coleman and a porn actress.

More likely barometers for this year are the turnouts during special elections of the distant past: 1993, 36 percent; 1979, 37 percent; and 1973, 47 percent.

“Based on what people have been telling us, I expect a low turnout,” said Mark Baldassare, poll director for the Public Policy Institute of California. “By historical standards, that’s somewhere below 40 percent.”

The Secretary of State’s office has yet to provide an official estimate. Several factors make such a prediction difficult this year.

One is the increasing number of California voters who opt to cast absentee ballots. The ballot also contains a pair of highly polarizing initiatives: one restricting minors’ access to abortions is expected to motivate conservative voters, while the one restricting the use of union dues for political purposes is expected to mobilize union members.

“The truth is that everyone in political consulting has an opinion on this, and no one really knows,” said Mike Murphy, chief strategist for Schwarzenegger’s California Recovery Team. “Anyone who says they know is either lying or is crazy.”



FOOD FOR THOUGHT

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BENIHANA-For more than 40 years Benihana chefs have been cooking up a feast on the hibachi grill. Steak, chicken, seafood and vegetables are all prepared teppan-style "right before your eyes". Start your meal with a sushi appetizer, then relax and enjoy the show while sipping exotic cocktails served in collectible ceramic mugs. Open every day for lunch and dinner, valet parking nightly at the corner of 4th and Broadway. 1447 4th St., between Broadway and Santa Monica Blvd. (310) 260-1423.

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BUCCA di BEPPO-gets to the heart of Southern Italian cooking with authentic, family-style recipes like Chicken Parmigiana, Shrimp Scampi, and Tortelloni. Dishes are available in Buca Small portions for 2 or more people, and Buca Large for 4 or more. The full menu is available for curb-side take out; we'll deliver your order right to your car! Located one block off the Promenade at 1422 2nd St, Santa Monica. Call 310-587-EATS for reservations and take out.

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OVERUNDER SPORTS GRILL-Located on the corner of 14th Street and Santa Monica Blvd., OVERUNDER features 12 draft beers and a fine selection of wine making it a great place to watch any and all of your favorite teams. The house specialty is the Philadelphia cheese steak. OVERUNDER also offers great burgers, salads, Mexican food and more. OVERUNDER is the viewing home for the Cleveland Browns and strongly supports the Lakers, Clippers, Dodgers, and Kings. Frequent food and beer specials are also offered at OVERUNDER Sports Grill. All football, baseball, and basketball games are televised via satellite for every team. 1348 14th Street, Santa Monica. (310) 576-9913.

PANINI GARDEN-This authentic European eatery serves traditional Italian and French style food. Panin style sandwiches grilled on a cast-iron panini grill that seals all the savory flavors inside a bread envelope of your choice, from very soft and thin like the tramezzini, soft and crispy for the al forno and crusty for the rustico. A large selection of meats and cheeses, organic produce, fresh and healthy combinations of menu items to enjoy everyday have made PANINI GARDEN the local's favorite. In addition, delicious crepes are served all day, for breakfast or just dessert, it is always a treat. The setting is quiet in the lavender garden with the bubbling fountain. Hours: 8am-9pm Sunday-Thursday, 8am-10:30pm Friday and Saturday. 2715 Main Street, Santa Monica. (310) 399-9939.

THE GALLEY-Rediscover Service - Rediscover The Galley. Visit Captain Ron at what Zagat Guide refers to as the place to go for "marvelous" steaks and "stiff drinks". NOW OPEN FOR LUNCH ON THE WEEKENDS AT NOON featuring 1/4 lb. Kosher hot dogs with fries served at the bar for \$2.00 until July 31st. GREAT PATIO DINING. All fresh fish from Santa Monica Seafood and the best tuna salad sandwiches you will ever get at any restaurant! Capt. Ron will walk the plank if you don't agree! Hours: 5pm-until Capt. Ron gets tired Monday-Friday, noon until the party stops Saturday and Sunday. 2442 Main Street, Santa Monica. (310) 452-1934.

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THE SLICE-A true neighborhood pizzeria serving authentic New York pizza & buffalo wings. We also offer a selection of hot & cold subs, pastas and salads. You can also create your own calzone. Eat in, take out, or delivery. Catering is available. Hours: open daily 11am-9pm. Visit one of our three locations: 915 Wilshire Blvd., Santa Monica (310) 451-7542, 1622 Ocean Park Blvd., Santa Monica (310) 399-4060, 13151 Fountain Park Drive, Playa Vista (310) 437-7499.

VIOLET-At Violet restaurant the atmosphere is casual, comfortable, and, like its cuisine, is uncluttered. Chef Jared Simons' flavorful small plate fare has something to suit everyone, from light eaters to those with a taste for a more robust fare. The Braised Short Ribs with Shallot Potatoes (\$14.50) melt apart while the Multi-Colored Beet Salad with Eel delights with Kumquat and Ginger Vinaigrette (\$9) and the favorite among the regulars is the Baked Macaroni and Gruyere Cheese with Serrano Ham (\$7.50). Unique selection of new and old world wines by the bottle, glass or flight as well as an impressive list of domestic & imported artisan beers. Hours: Lunch: Tuesday-Friday, 11:30am-2pm. Dinner: Tuesday-Friday, 6pm-10pm & Saturday and Sunday, 5:30pm-10pm. 3221 Pico Blvd., Santa Monica. www.violetrestaurant.com (310) 453-9113.

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The Q Line™

Entertainment

Little to Crowe about: Director's latest effort suffers by comparison

BY DAN DUNN
Special to the Daily Press

A few years ago, Cameron Crowe was on tour with his rocker wife Nancy Wilson of Heart when he became enchanted by the “electric blue hillsides” and “in-betweeness” of Kentucky and decided to set his next film there. In it, cinematographer John Toll does



a fine job conjuring the bucolic splendor of the Bluegrass State, but Crowe's story exists somewhere else — somewhere very close to “Garden State.” There are many similarities between “Elizabethtown” and Zach Braff's recent hit — the plight of the spiritually indigent, Gen-Y male leads,

the miraculous rejuvenative powers of their nymphal love interests, roots-rock soundtracks — but Crowe's film, while fitfully sweet and humorous, is manifestly contrived. There's a difference between trying to direct an audience to feel something, and allowing it to happen organically. Several scenes in this movie were clearly designed to drain our tear ducts, but they hardly succeed because Crowe neglected to fill ‘em up first with genuine empathy.

Like Jerry Maguire did before him, hotshot Drew Baylor (Orlando Bloom) suffers a precipitous fall from the top of the career ladder when his futuristic sneaker design flops so badly that his boss (a very effective Alec Baldwin) concedes it “may cause an entire generation to return to bare feet.”

Having lost the company \$1 billion, a suddenly unemployed Drew is about to do himself in when he gets a call from his sister (Judy Greer) with news his father has died. The film's most improbable plot point has Hollie Baylor (Susan Sarandon) going on a hobby-binge in the immediate aftermath of her hubby's demise, so a reluctant Drew is dispatched to the film's titular town to handle funeral arrangements.

On an empty red-eye flight, Drew makes nice with Claire Colburn (Kirsten Dunst), an inordinately upbeat and kooky flight attendant who discerns a mesmeric quality in him that might not be so readily apparent to others, save the “Teen Beat” set. Drew is, quite frankly, a bit of a bore, and both Bloom and Crowe are to blame. Dunst, on the other hand, exudes oodles of charisma while wooing her lost boy in a lovely performance that in many ways redeems “Elizabethtown.”

It's important to note that this is not a bad motion picture, it's just not a great one — certainly not on the level of what we've come to expect from Crowe.

(Rated PG-13 for language and some sexual references. Running time: 123 minutes)



‘Loggerheads’ slow, steady

BY DAN DUNN
Special to the Daily Press

Like the ancient sea turtles for which it's named, this sophisticated tear-jerker from writer/director Tim Kirkman moves very slowly. But those who are patient shall be rewarded by a true story that is both poignant and heart-breaking, performed by a pitch-perfect cast.

“Loggerheads” is a delicate examination of lives torn apart by shame, and the ways in which that shameful emotion can ultimately bring about renewal.

It's also an indictment of draconian adoption laws (in this case, North Carolina's) that make it nearly impossible for biological parents and their adult children to find one another, even when both parties have consented to release their identities.

Tess Harper (“Tender Mercies,” “Crimes of the Heart”) is outstanding as a prim small-town North

Carolina preacher's wife who, at her husband's behest, has been estranged from her adopted son Mark (Kip Pardue) since discovering he was gay years earlier. Bonnie Hunt is equally impressive in a difficult role as Mark's birth mother, who is haunted by the memory of the child she too was forced to abandon.

Mark, 26, is a drifter who survives by “bartering” with other men, but thankfully he's no Gus Van Sant caricature. On the contrary, Mark is an intelligent and gentle soul who harbors a fascination with loggerhead turtles (and yes, there's plenty of symbolism attached to that preoccupation).

When he least expects it, Mark is rescued from loneliness and homelessness by an innkeeper (Michael Kelly) at a tiny coastal resort.

(Not rated. Running time: 95 minutes)

‘Voices’ sounds too familiar

BY DAN DUNN
Special to the Daily Press

An 11-year-old boy's harrowing experiences in war-torn 1980s El Salvador is the subject of director Luis Mandoki's (“When a Man Loves a Woman”) intense drama, which is based on the real-life childhood of scripter Oscar Torres. “Innocent Voices” endeavors to depict the tragedy of war through the eyes of ordinary people caught in the crossfire, and the filmmakers have found a highly-effective medium in mesmeric young star Carlos Padilla Leñero as the intrepid Chava. There are a few problems with this film, foremost among them being an overly melodramatic (and extended) third act, but Leñero's revelatory performance atones for the missteps. The gorgeous Leonor Varela, who played the title role in ABC's “Cleopatra” mini-series, also impresses as the single mother trying to protect her brood from the danger

that constantly surrounds them.

When his father abandons the family in the midst of El Salvador's brutal civil war, the diminutive Chava assumes the role of man of the house. In that capacity he literally shields his younger brother and sister from the gunfire that explodes nightly around their cardboard home in the impoverished village of Cuscatzingo, and spends his days hustling to find work to help his seamstress mother feed the family. But Chava's 12th birthday is fast approaching and with it a forced conscription into the government's army. After a surprise visit from his Uncle Beto (Jose Maria Yazpik), a member of the rebel resistance, Chava arrives at a crossroads where he must choose sides in a battle he doesn't want nor understand. It's here that this grim tale of innocence lost unfortunately begins lumbering toward a formulaic ending. What will linger, however, is Leñero's performance.

(Not rated. Running time: 120 minutes)

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THE IMBIBER

BY DAN DUNN

Grapes of wrath: Wine reviews are in

Once every six weeks or so we host "Oenophilapalooza" here at Imbiber Headquarters, and for those of you who dig wine it's time to throw your hands in the air like you just don't care. Now let's get down to brass tacks — or, more accurately, smushed grapes — with a pair of exceptional values I've recently discovered, followed by an exclusive pick from our "Official Sommelier," André Compeyre, who moonlights as the chef sommelier at Alain Ducasse at the Essex House in New York City.

First up is a 2004 Malbec from Terrazas de Los Andes that retails for just \$10. Plums, raisins, coconut and toasted vanilla — you get all those flavors and a bag of chips with this stellar red wine (chips not included). Since moving to LA I've given up eating solid food in order to fit in, but sources on your side of the country tell me the Terrazas goes great with everything from fish to red meat. On a lighter note, Casa Lapostolle's 2005 Sauvignon Blanc (\$9) is a melon-tinged treat from Chile with just a hint of oak in the finish — a neat trick considering the wine was fermented in 100 percent stainless steel vats. How'd they do it? I dunno. Maybe they threw some old wooden desks in there — you know how resourceful Chileans are. And that brings us to Andre's Pick ... 2004 Lieb Family Cellars, Pinot Blanc (\$17) from the North Fork of Long Island.

Tasting notes from Andre: "A bright wine with a pale straw hue. An enjoyable floral character unfolds, with notes of grapefruit and pineapple. The palate is vibrant, elegant and balanced with a medium intensity."

(Thirsty for more Imbiber? See www.TheImbiber.com)

A painful entry at 'ER'

BY EMILY CHRISTIANSON

Special to the Daily Press



Paging Dr. Clemente. Emmy Award winner John Leguizamo joins the cast of ER this season for 12 episodes as Dr. Victor Clemente, a dynamic supervising physician at County General who shakes things up with his unconventional ideas and cutting-edge technology. Leguizamo's debut episode airs on NBC at 10 p.m. on Thursday, Oct. 20.

Were you a fan of ER before this?

"I was a viewer. I wasn't a fanatic ... I did enjoy what I saw and there were some great episodes last season that I felt were better than most movies out there. The Ray Liotta one and the red buttons just rocked my world."

Tell us about your character, Dr. Victor Clemente.

"I am bringing a lot of gadgets in (and) new procedures. I'm stepping on a lot of toes to light a fire under everybody's butt. I'm a genius doctor, really bright, really ambitious and a little self-serving."

What has it been like working with the cast of ER?

"The first day I had a lot of stuff to do, like four or five scenes to do and they were really long with a lot of dialogue. True to the "ER" myth, people were playing practical jokes, except I wasn't laughing I was kind of upset. I was like, 'dude this is too hard I'm too confused.' "Somebody tied my surgical gloves so when I finally

got the scene right and I pulled my hands out and they were all knotted so I look like a clown. When I get to episode 12 I will be the funniest prankster. I will be Ashton Kutcher, but right now I need to be left alone. I never thought I would be saying those words."

If you had to go to the real emergency room would you want someone like Dr. Clemente caring for you?

"Now you are getting into my own personal POV of things. I'm very anti-medicine. I'm much more of a hippy, granola, homeopathic type of dude. Let your body play it out. My kids were home births. I'm very kind of anti-medicine until you need it. If I'm in crazy pain then cut me up and do whatever and if I'm near my end then do whatever ... I want the coolest gadgets, I want the craziest procedures. At that point go for it and if that doesn't work then please pull the plug."

Does your wife agree with that philosophy?

"She does. She wasn't so crazy about the home birth part of it. It's easy for a guy to say let's do it at home without any medicine, let's do it without drugs. My wife said 'This is the wrong time for me to quit drugs John.'"

Have you spent any time in a real emergency room?

"Yeah, I've spent time in the ER. I was doing King of the Jungle and the stunt was going well, but then I got carried away full of adrenaline and I banged my head against this iron fence and I split my skull and I was bleeding, but the true actor that I was, I walked right to camera so they could see the real blood. I went to an ER in Manhattan and they took me right in and gave me microsurgery."

Do you go home from work talking like a doctor?

"Actually I come home with a lot of fake blood on me."

Bacon cooks up another memorable performance in 'Truth'

BY EMILY CHRISTIANSON

Special to the Daily Press

Kevin Bacon's tombstone might read something like this: "No Oscars, but at least I have a game named after me." That's according to the Philadelphia native who still has a sense of humor about the Six Degrees of Kevin Bacon game.

Just don't ask him about "Footloose."

"It makes me sad when somebody says, 'Hey! "Footloose," and they sing the song or something,' he told Interview Magazine. "The movie was fantastically helpful to me and changed my life. But I've probably done 20 films since then. So it's like, 'Thanks a lot.'"

Bacon's latest film, "Where the Truth Lies", places the 47-year-old actor in a new entanglement — a ménage-a-trois with costars Colin Firth and Rachel Blanchard. The steamy scene even received an NC-17 rating from the Motion Picture Association of America — although the film is now considered unrated.

"I didn't really get (the rating)," Bacon admits. "I think that people will be disappointed if they're going looking for some soft core porn and other people will be disappointed if they stay away because of the sex. They would really be staying away for the wrong reasons because it is really a murder mystery."

The film, opening Oct. 14, follows 1950s entertainers Lanny (Bacon) and Vince (Firth) as the duo enjoys the power, wealth and women of showbiz. The team is torn apart when a dead beauty (Blanchard) turns up in their hotel suite. Questions about the girl's death remain unan-



swered for years until a young reporter (Alison Lohman) decides to turn this cold case into her next big story.

Like his character, Bacon also is an entertainer. Bacon and his older brother Michael perform and record a mix of folk, rock, soul and country music as The Bacon Brothers.

"The first time I went on-stage with Michael, I was more scared than I've ever been in my life," he told E! Online. "I was terrified. My knees were actually shaking. I believe you need a little fear in your creative life. I think it inspires you. I love making movies, but it's comfortable for me — it's like being in my living room. When I get on-stage, it's like that old rock 'n roll drug; you can just feel the adrenaline flowing."

Bacon, the youngest student to attend Circle in the Square Theater in New York, made his film debut 27

years ago as Chip Diller in "Animal House" and shot to stardom with "Footloose," but the star admits that at one point he was just a regular Joe.

"When I was growing up I was chubby and greasy and had long hair and bad skin," he told Interview Magazine. "I had a really hard time getting girls when I was a teenager. When I got to New York, it got a little bit easier because I lost weight and then they invented styling mousse. I had no career before styling mousse."

Of course that was before he met his wife Kyra Sedgewick almost 20 years ago.

"He put a ring in the toe of a stocking," Sedgewick told about.com of Bacon's proposal. "On Christmas Eve, we opened our stockings and it was there at the bottom of the toe. Then he got down on his knees and he was shaking. He said, 'Will you marry me?' I thought, 'What took you so long? We've been going out for 10 months already.' (laughing) He said I took a long time to say 'yes' but it couldn't have been more than 20 seconds."

The couple now makes their home in New York with their two kids Travis, 16 and Sosie, 13. Sedgewick recently became a full-time working mom as "The Closer" on TNT.

"It's funny because you know (Kyra) used to never put a hat on or put the sunglasses on or anything like that ... Now she is starting to feel like she has to, so things have changed in that way a little bit," he said of his wife's recent career move.

What about the kids?

"We don't live a sheltered kind of existence, we live out in the real world and they do as well," he said.



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NATIONAL

Chinese ownership of a U.S. company likely

BY GARY GENTILE
AP Business Writer

LOS ANGELES — It is only a matter of time before a Chinese company succeeds in buying an American one, even in the politically sensitive area of oil and gas, former Unocal Corp. chief executive Charles R. Williamson said Wednesday.

But several problems have to be solved, including the enforceability of contracts in China and concerns about the unfair advantage state-owned companies when bidding against public companies, he said.

Williamson said Unocal would have agreed to be acquired by Chinese oil and gas company CNOOC Ltd., despite fierce

political opposition, if the company had raised its bid in August.

"Our board wouldn't have backed away" from the deal, Williamson said at a meeting sponsored by the University of Southern California's Marshall School of Business.

In the end, CNOOC withdrew its offer and Unocal went ahead with an earlier stock and cash deal to be acquired by U.S.-based Chevron Corp. for the equivalent of \$66 per share.

Ultimately, it was a combination of uncertainty created by congressional opposition to the deal combined with bruised egos on the part of CNOOC that led to the collapse of talks between the two companies, Williamson said.

Unocal agreed to be acquired by Chevron in April, after CNOOC failed to submit a formal bid. In June, when CNOOC finally made an all-cash offer that topped Chevron's bid, Unocal imposed a series of difficult conditions before agreeing to talk to CNOOC.

"The first thing that worried us was the enforceability of the contract," Williamson said. "We didn't want them to be able to breach the contract. It scared us."

Unocal insisted that CNOOC, which had few U.S.-based assets, place \$2.5 billion in cash in an escrow account in a U.S. bank and agree to abide by Delaware law.

The trustworthiness of the Chinese legal system is a key factor to any future deals with companies based in China, he said.

"I wouldn't have risked arbitration in China because that was a black hole for us," Williamson said. "But that will change with time."

Unocal also insisted CNOOC agree to sell all its U.S. assets if needed for regulatory approvals.

Finally, Unocal made CNOOC agree to shoulder the \$500 million breakup fee Unocal would have to pay Chevron if that merger agreement was broken.

"CNOOC was insulted by this, I'll be honest," Williamson said, speaking about all the conditions Unocal imposed. "It did-

n't set well.

"They were also worried about precedent for the next U.S.-China transaction," Williamson said. "But they did it because they were very driven to get this deal done."

But neither side was prepared for the political firestorm that erupted over the deal.

A potential takeover of Unocal by CNOOC would have required approval by the Committee on Foreign Investments in the United States, a panel which reviews foreign investments in U.S. companies.

Williamson said he was not worried about getting the group's nod for the deal. But a last-minute amendment to the energy bill that tacked an additional 121 days on to the process increased the risk and, in effect, made CNOOC's \$67 per share bid less valuable.

"In many ways, we were just a pawn in that game," Williamson said.

Unocal asked both CNOOC and Chevron to increase their bids. Chevron did. CNOOC withdrew.

Williamson said he was "appalled" by some of the objections raised to the deal by politicians.

"They were worried about threats to national security, many congressmen spoke to this issue," Williamson said.

Politicians said they were worried about the Chinese acquiring Unocal's "submarine detection technology" or its "deep drilling cavitation technology," Williamson recalled.

"I used to be the head of technology and I never heard of this stuff," Williamson said.

One of the biggest issues that has to be resolved for a Chinese takeover of a U.S. company is the unlevel playing field that occurs when a state-owned company has access to funding and other resources not available to a privately owned firm.

"I think it's an issue not just for the Chinese, it's an issue that is going to face a lot of state-owned enterprises that want to invest here," he said. "I don't think you should try to address the issue in the middle of a transaction."

The ski season is adrift as Colorado resort opens run

By The Associated Press

GEORGETOWN, Colo. — Loveland Ski Area said Wednesday it will open a single run on Friday, becoming the first North American ski resort to launch its season.

The run will have 18 to 21 inches of snow, thanks to snowmaking machines and a strong storm that swept through the state Sunday and Monday, resort officials said.

Colorado Ski Country USA, an industry group, confirmed that Loveland would be the first North American resort to open for continuous business.

Silverton Mountain resort in southwestern Colorado allowed employees to ski on Sunday but did not stay open, Colorado Ski Country USA spokeswoman Ashley Boyden said.

Loveland said this is the sixth consecutive season it has opened first.

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DOE audit: Security upgrades lagging at federal nuclear sites

By The Associated Press

LAS VEGAS — Security upgrades ordered in 2003 are behind schedule at nuclear weapons installations, including the Nevada Test Site, the Energy Department's inspector general said.

Meanwhile, guards at National Nuclear Security Administration sites are working too much overtime, which can erode security effectiveness, inspector general auditors said in a new report.

The 18-page report made public Wednesday in Washington, D.C., said upgrading security is critical to protecting nuclear weapons and material that could be used to make them.

An official with the NNSA — the Energy Department branch that manages the nuclear weapons complex — said Thursday the agency already was addressing issues in the audit.

"The things that have been identified in the report with respect to the Nevada Test Site are nothing new to us," said Kevin Rhorer, an NNSA spokesman in North Las Vegas. "They have been reported before. We are taking steps to address and correct them."

Auditors found similar conditions between August 2004 and August 2005 at NNSA sites, including Sandia

National Laboratories in New Mexico, the Pantex Plant in Texas and the Y-12 National Security Complex in Tennessee, as well as the Office of Secure Transportation, which oversees nuclear materials shipping from Albuquerque, N.M.

Due to security concerns, the report did not link findings and sites, Inspector General Gregory Friedman said in his cover letter to Energy Secretary Samuel Bodman.

The report said about 87 percent of security plans due to be in place by next October have yet to be implemented, including the hiring of additional guards, new building designs and training.

It said systems including thermal imaging, laser detection, ground surveillance, Doppler radar, remote cameras and sensing equipment had not been procured.

Previous reports have described security lapses at the Nevada Test Site, including an inspector general report in February about two employees who brought unauthorized handguns onto the site, and earlier accounts of security guards performing poorly during a mock terrorist attack in August 2004.

The Energy Department is preparing to announce whether it will renew a five-year contract with Wackenhut Services Inc. for security at the vast test site, 65 miles northwest of Las Vegas. The current contract expires Dec. 31.

British playwright Harold Pinter wins 2005 Nobel Prize in literature

BY MATT MOORE

Associated Press Writer

STOCKHOLM, Sweden — British playwright Harold Pinter, who juxtaposed the brutal and the banal in such works as "The Caretaker" and "The Birthday Party" and made an art form out of spare language and unbearable silence, won the 2005 Nobel Prize in literature Thursday.

Pinter "in his plays uncovers the precipice under everyday prattle and forces entry into oppression's closed rooms," the Swedish Academy said. The chilling, understated style of his work even inspired an adjective all his own: Pinteresque.

"I feel quite overwhelmed," Pinter, 75, said outside his London home. "I had absolutely no idea."

He said he was "speechless" when told he had won, but added: "I have to stop being speechless when I get to Stockholm."

Starting with his breakthrough play, "The Caretaker," Pinter codified a style in the 1950s and '60s of verbal evasion and violence, menace both spoken and not. His influence has been felt throughout British literature, and across the ocean in the work of American playwrights Sam Shepard and David Mamet.

"Pinter restored theater to its basic elements: an enclosed space and unpredictable dialogue where people are at the mercy of each other and pretense crumbles," the academy said.

His other works include "The Room" and "The Dumb Waiter."

One of the most influential British playwrights of his generation, Pinter in recent years has turned his acerbic eye on the United States and the war in Iraq.

He has been an outspoken critic of British Prime Minister Tony Blair and vehemently opposed Britain's involvement in the war. He told the BBC in an interview in February that that he would continue writing poems but was taking a break from plays.

"I have written 29 plays and I think that's really enough. I think the world has had enough of my plays," he said Thursday.

In 2003, Pinter published a volume of anti-war poetry about the Iraq conflict, and in 2004 he joined a group of celebrity campaigners calling for Blair to be impeached.

Pinter has also written screenplays, including "The French Lieutenant's Woman" in 1981 from the John Fowles novel, as well as "The Accident," "The Servant" and "The Go-Between."

Pinter is the first Briton to win the literature award

since V.S. Naipaul won it in 2001.

The son of a Jewish dressmaker, Pinter was born in London on Oct. 10, 1930. Pinter has said his encounters with anti-Semitism in his youth influenced him in becoming a dramatist. The wartime bombing of London also affected him deeply, the academy said.

The academy's announcement came on Yom Kippur, Judaism's most important holiday.

Most prolific between 1957 and 1965, Pinter relished the juxtaposition of brutality and the banal and turned the conversational pause into an emotional minefield.

His characters' internal fears and longings, their guilt and difficult sexual drives are set against the neat lives they have constructed in order to try to survive.

Usually enclosed in one room, they organize their lives as a sort of grim game and their actions often contradict their words. Gradually, the layers are peeled back to reveal the characters' nakedness.

Some of Britain's leading playwrights praised the Swedish Academy's choice. Tom Stoppard said the award was "wholly deserved and I'm completely thrilled."

"As a writer, Harold has been unswerving for 50 years," said Stoppard, whose plays include "Rosencrantz and Guildenstern Are Dead" and "Jumpers." "With his earliest work, he stood alone in British theater up against the bewilderment and incomprehension of critics, the audience and writers too."

David Hare said the academy had made "a brilliant choice."

"Not only has Harold Pinter written some of the outstanding plays of his time, he has also blown fresh air into the musty attic of conventional English literature, by insisting that everything he does has a public and political dimension," said Hare, whose own politically charged dramas include "The Permanent Way" and the Iraq war drama "Stuff Happens."

Last year's winner was Austrian feminist Elfriede Jelinek. Her selection drew such ire that a member of the academy publicly blasted his colleagues for picking her. Knut Ahnland, 82, who has not played an active role in the academy since 1996, resigned Tuesday after he wrote in a signed newspaper article that picking Jelinek had caused "irreparable damage" to the award's reputation.

The academy, founded in 1786 by King Gustav III to advance the Swedish language and its literature, has handed out the literature prize since 1901. To date 102 men and women have received the prize, including France's Jean-Paul Sartre, who declined the 1964 prize.

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INTERNATIONAL

Security beefed up after constitution approved

BY THOMAS WAGNER
Associated Press Writer

BAGHDAD, Iraq — U.S. and Iraqi forces stepped up security across the country Thursday and prepared to impose an overnight curfew to try to reduce insurgent attacks aimed at wrecking this weekend’s constitutional referendum.



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One day after Iraqi lawmakers approved a set of last-minute amendments to the constitution without a vote, sealing a compromise designed to win minority Sunni Arab support for the charter, cities such as Baghdad were unusually quiet Thursday as a four-day national holiday began.

Government offices and schools were closed ahead of Saturday’s vote.
The government ordered a 10 p.m.-to-6 a.m. curfew to begin Thursday, and Iraq’s borders will be closed Friday and all travel among its provinces stopped.

President Bush sought to rally U.S. troops in Iraq ahead of the vote and to brace them for an expected surge in violence, saying “the enemy understands that a free Iraq would be a blow to their vision.”

“We’re never going to back down, we’re never going to give in, we’ll never accept anything less than total victory,” Bush said in a video conference with soldiers from the Army’s 42nd Infantry Division, based in Tikrit.

A U.S. soldier was killed Thursday when a roadside bomb hit his combat patrol near Dujail, 50 miles north of Baghdad, the military said. The death brought to 1,965 the number of U.S. service members killed since the beginning of the war in 2003, according to an Associated Press count.

Working under cover of darkness, U.S. and Iraqi forces raided suspected militant safe houses in cities such as Baghdad, and built 4-foot-tall concrete barriers topped with concertina wire in front of polling places such as schools. The walls are designed to protect the areas from bombing by insurgents.

Police went even further in Mosul, a city northwest of Baghdad that has suffered many militant attacks, imposing a ban on all civilian vehicles. A roadside bomb exploded near a U.S. military convoy there Thursday, killing two Iraqi civilians and wounding one, said police Brig. Gen. Saeed Ahmed al-Jibouri.

A car bomb also hit an Iraqi police patrol in the northern city of Kirkuk, killing two policemen and wounding two, said police Brig. Sarhad Qadir.

In the last 18 days, at least 443 people have been killed as the insurgents try to scare voters away from the polls. Most of the deaths have been caused by suicide car bombs, roadside bombs and drive-by shootings. The bodies of many other Iraqis who had been kidnapped and killed have been found in isolated areas.

“Our soldiers recognize that they are not here to influence the election, but they are here to allow the Iraqi people the opportunity to vote,” said U.S. Lt. Col. Jeff Edge, as his battalion delivered barriers to a volatile, mostly Sunni area of southwest Baghdad.

During the first three days this week, Iraqi and U.S. forces in the capital, backed by Black Hawk helicopters, reported capturing 75 suspected insurgents, seizing three large weapons caches and rescuing an Iraqi man who had been kidnapped by insurgents.

There are now 156,000 U.S. troops in Iraq, a total that has been rising in recent weeks as the 101st Airborne returns, along with lead elements of the 3rd Corps Support Command. Before that regularly scheduled rotation, the number was about 140,000, the military said.

Thousands of Iraqi detainees who have not been brought to trial were allowed to vote early in the constitutional referendum at U.S. prisons such as the notorious Abu Ghraib detention center.

It was not immediately known if the voters included Saddam Hussein. The Independent Electoral

Commission in Iraq had said the imprisoned former leader would be allowed to vote, but its general director, Adel Allami, said Thursday he did not know.

Saddam’s long-awaited trial begins Wednesday. He and seven of his regime’s henchmen are accused of ordering the 1982 massacre of 143 people in a mainly Shiite town north of Baghdad following a failed attack on Saddam’s life.

Iraqis watching state-owned Al-Iraqiya television on Wednesday night saw the National Assembly approve a set of last-minute amendments to the constitution without a vote, sealing a compromise designed to win Sunni support and to boost its chances in the referendum.

At least one major Sunni party, the Iraqi Islamic Party, said it will now support the draft at the polls. Some other Sunni parties rejected the amendments and said they would still campaign for a “no” vote.

Iraq’s most powerful Shiite cleric, Grand Ayatollah Ali al-Sistani, also weighed in, ordering Shiites to vote “yes” in the referendum, according to one of his aides, Faisal Thhub. It was the most direct show of support for the charter by al-Sistani, whose call brought out huge numbers of voters to back Shiite parties in January elections.

The influential Sunni Association of Muslim Scholars urged the Iraqi Islamic Party to withdraw its support for a constitution that would “fragment Iraq and destroy its identity.” In a statement, the association urged Sunnis to vote “no.”

The National Assembly’s most significant change is the introduction of a mechanism allowing Sunni Arabs to try to make more substantive changes in the constitution later, after a new parliament is elected in December.

Sunnis want to weaken the considerable autonomous powers the Shiite and Kurdish mini-states would have under the constitution. But there’s no guarantee they will succeed: They will still likely face strong opposition from majority Shiites and Kurds in the new parliament.

The amendments also made some key symbolic concessions to Sunnis, starting with the first article underlining that Iraq will be a single nation with its unity guaranteed.

The changes will likely split the Sunni vote enough to prevent them from defeating the draft constitution. It will be rejected if more than two-thirds of the voters oppose it in any three of Iraq’s 18 provinces, and Sunnis have the potential to do so in just four.

The charter’s passage is a key goal of the U.S., since failure would mean months more political instability and would delay U.S. plans to start pulling out troops.

Sunni Vice President Ghazi al-Yawer said the amendments meant Sunnis had to work harder in the December parliamentary elections to ensure a strong presence in the next parliament to try for future, deeper changes in the constitution.

They have only 17 lawmakers in the 275-member parliament after largely boycotting Jan. 30 elections.

Tuesday’s hour-long session, attended by 159 members — ended without a vote on the amendments, but Parliament Speaker Hajim al-Hassani said no actual vote was necessary and that the compromise was approved.

Another significant amendment assures Sunni Arabs that they will not be purged in Iraq’s de-Baathification program simply for belonging to Saddam’s ousted Baath Party. Many current Sunni Arab political leaders were Baath members and insist only those who actually committed crimes should be prosecuted.



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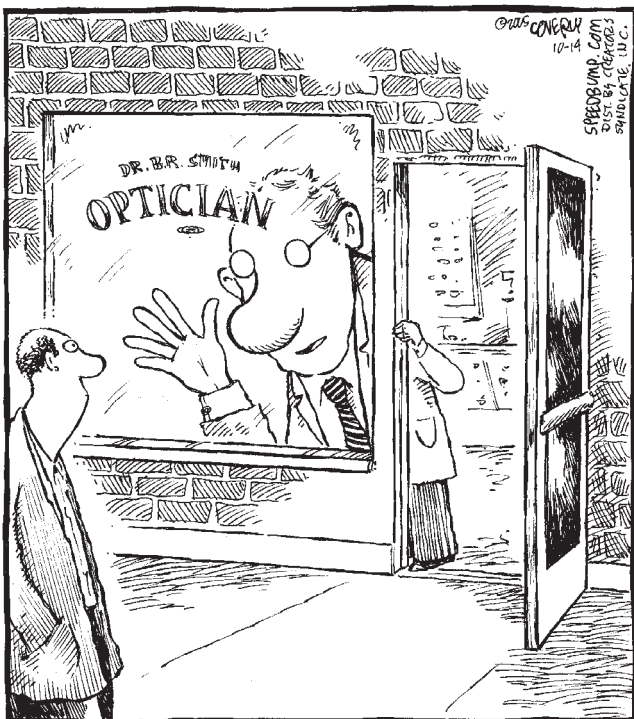


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13 Mariner's place
14 Homer, for one
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16 Hit letters

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20 Basket-ball's Baylor
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22 Exalted verse

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