

Santa Monica Daily Press

A newspaper with issues

Jury convicts White of second degree murder

Santa Monica man guilty of bludgeoning father to death

BY ANDREW H. FIXMER

Daily Press Staff Writer

A jury unanimously found a Santa Monica man guilty of second degree murder Wednesday for killing his father earlier this year.

The 12-person jury convicted Albert Victor White, 45, of killing his 77-year-old father by striking him more than eight times on the head with a five-pound barbell during an argument the pair had on Feb. 5 in an apartment they shared on 21st Street.

Deputy District Attorney Alyson Messenger asked the jury — which contained several Santa Monica residents — to come back with a guilty verdict of first degree murder, which required jurors to believe White had planned to kill his father.

However, after deliberating for more than 12 hours throughout Tuesday and Wednesday, jurors believed the murder was not premeditated but rather spur of

the moment. And they opted for the lesser charge of second degree murder, which carries a minimum penalty of 15 years in state prison.

Defense attorney Jack Alex had argued White acted in self-defense after his father, Pranas "Frank" Brazinskas, threatened him with a loaded semi-automatic pistol.

Neither Alex nor Messenger were available for comment Wednesday.

Thirty-two years ago, White — also known as Algirdas Brazinskas — helped his father hijack a Soviet commercial jetliner to escape Cold War-era Lithuania.

During the flight, Soviet KGB guards on board opened fire. Caught in the cross-fire, a female steward was killed and the pilot and co-pilot were wounded. After the soldiers were subdued, the flight crew was still able to successfully fly the hijackers to Turkey.

There, the father and son were arrested, convicted of murder and sentenced in 1970 to a Turkish prison. Four years later,

See VERDICT, page 4

Trick or treat



Jason Auslander/Special to the Daily Press

Bill Morris hangs a skeleton decoration in front of a home in the north of Montana Avenue neighborhood Wednesday in preparation for today's Halloween festivities. His grandson, Micah Maccaby, 4, supervises.

Measure asks voters to re-organize government

City Hall could be split into districts with strong mayor

(Editor's Note: This is part of an ongoing series that explains both sides of Santa Monica's ballot measures. Look for continued coverage of the issues leading up to Election Day.)

BY ANDREW H. FIXMER

Daily Press Staff Writer

Santa Monica voters will decide Nov. 5 whether they want to directly elect their mayor and divide their neighborhoods into city council districts.

Measure HH, also known as VERITAS, proposes re-writing the city charter to create seven neighborhood districts from which council representatives would be elected and create a new position of a popularly elected mayor.

The measure is modeled after the city's original charter, which was changed in 1922 to the current system of government. The only difference is that now candidates would be limited to two terms on the city council and would have to take a two-year hiatus before running again.

Supporters of the measure say the new system will bring accountability to council

"We're taking power away from the slates and we're giving it to the people. We need a system where the average person can run a campaign without having to pledge loyalty to big labor or big business."

— PAUL DeSANTIS
VERITAS author

members who are currently elected city-wide and it would give the mayor — who is currently a council member elected annually by the council — a mandate with which to make difficult policy decisions.

"We have a council that is confused and all over the place," said Paul DeSantis, the measure's author. "It needs leadership."

But critics of the measure say it's divisive to pit one neighborhood against

another in a city of roughly 84,000 people. Critics say voters are being asked to trade the influence they currently have over all seven council members in exchange for having sway over just one.

"Districts make sense in a large city, where at-large elections are prohibitive," said Denny Zane, co-chair of Santa Monica's Renters Rights, or SMRR. "But in a small city like ours, district elections will only result in bad election programs that will in turn lead to bad government."

But DeSantis said there already is "horse-trading" by council members, who build alliances and exchange support for each others' causes. Under VERITAS,

See VERITAS, page 4

Candy thief ordered to pass out candy

By The Associated Press

ELYRIA, Ohio — A candy thief has been ordered to pass out Halloween treats while wearing a sign saying "I'm sorry. I will not steal from children."

Edward Rivera, 23, pleaded guilty Monday to attempted robbery for stealing trick-or-treat candy from a 10-year-old boy last Halloween. Charges of assault and robbery were dropped.

Rivera, of Lorain, knocked the boy down before stealing his candy, said Lorain County Common Pleas Judge Edward Zaleski.

He ordered Rivera to wear the sign and a costume while he hands out candy at a Lorain hospital on Thursday. He also placed Rivera on probation for three years.

"I have a habit of trying to make the punishment fit with the crime," Zaleski said.

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 ★★-So-so ★-Difficult

♈ ARIES (March 21-April 19)

★★★★★ Confusion surrounds a meeting and work. You need to focus on one item at a time. Think through a key decision. One-on-one relating takes you in a new direction. Don't try to convince others of anything. Distance yourself a bit. Tonight: Stop and buy candy on the way home.

♉ TAURUS (April 20-May 20)

★★★★★ Your playful side emerges with those in your life. Getting as much work done as you would like could be difficult, if nothing else. Reach out for others, but deal with people individually. Confusion surrounds an authority figure. Tonight: Partake in the Halloween fun.

♊ GEMINI (May 21-June 20)

★★★★ Take your time making a decision. Just focus on your job and get your work done. Confusion surrounds a personal matter that involves others at a distance. Keep communicating. Work on different ideas. Others test your limits. Tonight: Find your favorite chair, but expect to get up and greet your local trick-or-treaters.

♋ CANCER (June 21-July 22)

★★★★ Return calls, and interesting information will come across your desk. Confusion surrounds a friendship. Someone close might have a completely different attitude than you. Your imagination takes you many places. Share some of your wilder ideas! Tonight: Join your friends, even if they are ghosts and witches.

♌ LEO (July 23-Aug. 22)

★★★★★ Listen to others and their sharing. You can sort out another's vagueness when others cannot. Use your financial skills to help a family member with a security-related matter. Your imagination takes you down another path when dealing with a costume choice. Tonight: Your treat.

♍ VIRGO (Aug. 23-Sept. 22)

★★★★★ Others seek you out for information and feedback. You seem to handle even a difficult boss well. Screen calls, returning only those that might be important. Separate your personal life from your professional life. You get results. Tonight: Catch up on a friend's news after the wee ones settle in.

♎ LIBRA (Sept. 23-Oct. 22)

★★★★ Listen more. The less major decisions you make, the better off you will be. Confusion could surround an important decision. Expenses go overboard in the next few weeks if you're not careful. Review a personal matter with discretion. Tonight: Be a bit mysterious.

♏ SCORPIO (Oct. 23-Nov. 21)

★★★★★ Make a list early on in the day. Confusion surrounds a key decision. Speak your mind when dealing with a friend or someone who means a lot to you. Swap ideas. Let the interchange begin. Pressures build. Tonight: Where the Halloween party is.

♐ SAGITTARIUS (Nov. 22-Dec. 21)

★★★★ Take charge of your work. Others seek you out, but you might need to turn them away in order to get done what you must. You might get a mixed message from someone. You could be worrying about something on a deeper level. Tonight: Greet your local witches and ghosts.

♑ CAPRICORN (Dec. 22-Jan. 19)

★★★★★ Look at the big picture in your dealings. Realize that what might seem like an excellent idea to you might not be to others. Be willing to walk on your own, in your chosen direction. Greater understanding helps you work with others. Tonight: Share a ghost story.

♒ AQUARIUS (Jan. 20-Feb. 18)

★★★★★ Working with others individually gets the type of responses you like. Think in terms of greater understanding, though sorting through an excess of material might be a bit overwhelming. Take your time. Tonight: Play trick-or-treat with a friend.

♓ PISCES (Feb. 19-March 20)

★★★★★ Others reach out to you. You could be confused. If need be, make inquiries to get additional information. Deal with information with detachment. A boss could be contrary and difficult. Cater to this individual. You really have little choice. Tonight: Where the gang is. Celebrate Halloween.

QUOTE of the DAY

"Let the toys have their fun."

— Graffito

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LOCAL



Carolyn Sackariason/Daily Press

Santa Monica firefighters meet with Hunter McLachlan and his father Jim, center, after the boy's accident.

Boy honored for bravery by local fire department

By Daily Press staff

A 4-year-old boy who was hit by a car while walking in a crosswalk with his grandmother was honored Sunday by the Santa Monica Fire Department for his bravery.

Hunter McLachlan and his grandmother, Clementina Hogg, were struck by a car on Sept. 3 in the crosswalk at the intersection of Kansas Street and Stewart Avenue in Santa Monica. A bystander flagged down nearby Santa Monica Paramedic Engine Company #5.

Both McLachlan and his grandmother suffered extensive multiple injuries,

including skull fractures. After their injuries were stabilized, both were immediately transported to the trauma center at UCLA Hospital in Westwood. They are both progressing in their recovery and are now at home.

Hunter McLachlan's father, Jim McLachlan, and family friends, Jack and Allen Groh, received a personal tour of Santa Monica Fire Station No. 5 and met with the crew who assisted Hunter and his grandmother. The firefighters prepared lunch for their guests, and presented the boy with his own child-size pedal fire engine.

PAL holds Halloween bash

By Daily Press staff

The Police Activities League is having the biggest Halloween bash in town tonight. And it's free.

The Halloween Carnival will be held at the Barker Hangar, located at 3021 Airport Ave. and is open for youth and their families.

There will be a costume contest, pretend tattoos, a trick or treat lane food and treats, fun house, a photo booth and games.

For more information, call the PAL Youth Center at (310) 392-7673.

The PAL Halloween Carnival is made possible through the generous support of the Children Affected by AIDS Foundation, Barker Hanger/Santa Monica Air Center, the City of Santa Monica, and the Kiwanis Club of Santa Monica.

The Barker Hangar is wheelchair-accessible. If you have an event specific disability-related request, contact the PAL staff at (310) 392-7673 or (310) 458-8696 at least three days prior to the event. Santa Monica Big Blue Bus Line #14 serves the Santa Monica Airport.

surf report

Information compiled by Jesse Haley

A northwest ground swell of some size is expected today. Surf should grow moderately during the morning before filling in to give the afternoon for an easy two-foot bump in height.

A swell builds towards Thursday's peak, we'll see surf in the shoulder and head-high range at west facing exposures.



Today's Tides:

High-	5:35 a.m.	3.79'
Low-	9:52 a.m.	3.26'
High-	3:08 p.m.	4.42'
Low-	10:52 p.m.	0.29'

Location	Thursday	Friday	Water Quality
County Line	2-3'/Fair	3-5'/Fair	A
Zuma	2-3'/Fair	3-5'/Fair	A
Surfrider	1-2'/Fair	2-3'/Fair	A
Topanga	1-2'/Fair	2-3'/Fair	A
Breakwater	2-3'/Fair	3-4'/Fair	B
El Porto	2-3'/Fair	3-4'/Fair	A

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The Q-Line

With concerns about privacy intrusions and decreased property rates, a group of Santa Monica homeowners are pushing a ballot initiative that will allow homeowners to have the final say over the city's attempt to landmark their homes.

These homeowners have raised a significant amount of money to further their cause, but some people believe the entire matter is a non-issue and not a concern of most Santa Monicans.

So this week Q-Line wants to know: "Do you really care about whether or not a homeowner can voluntarily designate his or her home a landmark? Why or why not?"

Call (310) 285-8106 with your response before Thursday at 5 p.m. We'll print it 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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LOCAL

VERITAS foes call the measure divisive, ineffective

VERITAS, from page 1

DeSantis said council members would be tied to representing the residents in their geographical districts.

"What they perceive as a weakness, I believe is the great triumph of democracy," he said. "When you get everybody in the same room, they are forced to listen to each other about what's going on in the city."

The measure was partially written to undermine the power of SMRR, which endorses slates of candidates for every elected office in the city. SMRR candidates are in the majority on the city council, the Santa Monica-Malibu Unified school board, the Santa Monica College board and the rent control board.

By dividing the city into council districts, the average candidate will be able to compete with the large sums of money raised by SMRR to elect its chosen candidates, the measure's supporters say.

"On the home turf, David can defeat Goliath," DeSantis said. "In the smaller neighborhood districts, the candidates are already known to the neighbors. So even if there is slate money against a candidate, they can still get their message out."

"We're taking power away from the slates and we're giving it to the people," DeSantis said. "We need a system where the average person can run a campaign without having to pledge loyalty to big labor or big business."

But even foes of SMRR say the measure will have trouble defusing slate politics in Santa Monica. They say large amounts of money will still be raised by candidates and SMRR would still likely control five of the seven proposed council districts, retaining control of the city council.

"It doesn't do what they want it to do," said Councilman Herb Katz, who has been critical of SMRR in the past. "The goal was to get rid of slate politics and SMRR, and that's fine. But SMRR is a well organized machine and they are going to recruit candidates if there

are districts as well."

Katz said VERITAS would only make Santa Monica's electoral process more expensive by requiring a primary, for which taxpayers would have to foot the bill. And candidates would have to raise money for both a primary and a general election, placing an even stronger emphasis on fund raising.

"The goal was to get rid of slate politics and SMRR, and that's fine. But SMRR is a well organized machine and they are going to recruit candidates if there are districts as well."

— HERB KATZ
Santa Monica City Councilman

And Zane said while the cost of council campaigns may go up, spending on the mayor's race would be astronomical because the position has a veto power similar to what the president has over Congress.

"It would make one big mayor's race, and the special interests backing this measure would like one at-wide race where they could put all their money instead of splitting it between many candidates," he said. "That way they have a better shot of winning."

DeSantis said critics of Measure HH are powerfully entrenched politicians who are trying to retain control of

their positions. He said if voters approve VERITAS, more residents will want to run for the council because the barriers will have been lifted.

"There are many talented people in town who would run for office, if they believed they could make a difference," he said. "But right now, running for council is essentially an act of futility. Most people won't do it because they think it's a waste of their time."

White scheduled for sentencing before L.A. Superior Court

VERDICT, from page 1

they were placed under house arrest.

When the Turkish government released the pair two years later, they fled to Venezuela, where they hopped a flight to Canada. But when the plane made a stop in New York, the pair disembarked and vanished from the airport.

Weeks later, Immigration and Naturalization officials caught the father and son, but they were allowed to stay in the United States. After a few short years living in Queens, N.Y., they moved to Santa Monica to live among the city's large Lithuanian community.

The White case is the first murder of the year to go to trial. Already this year there have been seven killings, and in three of the incidents the suspected murderers committed suicide. Police have arrested and charged suspects in the other three homicides this year.

White is scheduled to be sentenced before Los Angeles Superior Court Judge William C. Ryan in the Airport Courthouse on Dec. 6.

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STATE



Prosecution's key witness cross-examined by defense in Ryder shoplifting case

BY LINDA DEUTSCH
AP Special Correspondent

BEVERLY HILLS — Winona Ryder's lawyer suggested Wednesday that the prosecution's key witness in the shoplifting case against the actress has changed his account and did not turn over important material to attorneys.

Saks Fifth Avenue security official Ken Evans acknowledged that he had not given anyone his own case file, which included six photographs taken of Ryder just after she was detained by security guards at the Beverly Hills Saks on Dec. 12, 2001.

Attorney Mark Geragos immediately asked for a recess to study the file and Superior Court Judge Elden Fox reluctantly agreed to the interruption of the third day of testimony.

Ryder is charged with felony grand theft, burglary and vandalism for allegedly stealing items totaling \$5,560 on Dec. 12, 2001. Ryder, who starred most recently in this year's "Mr. Deeds," faces up to three years in prison if convicted of the three counts.

Ryder, who paid for about \$3,700 worth of items before leaving the store, was detained outside by security guards and brought back inside.

Evans, who watched Ryder via security cameras, also acknowledged that in all of his statements and in his preliminary hearing testimony in June he failed to say that one of his security officials was seen running into a fitting room that Ryder occupied and the employee was carrying a red Saks Fifth Avenue shopping bag.

"It was a year ago and there have been many other cases since then," Evans said of his failure to mention the activities of Colleen Rainey.

"Didn't you say yesterday you had reviewed the case and were more familiar with it now than you were back then?" asked Geragos.

"I did say that," said Evans.

"Then how come you didn't remember the bag?" Geragos asked.

"It's been nearly a year," said Evans.

Also seen on a new security videotape shown in court was a saleswoman walking alongside Ryder with a notebook in which she made notes. Evans said he didn't know what the book was. On Tuesday he testified about a program in which

Saks kept track of items borrowed by shoppers who took them home without paying in order to decide whether they wanted to purchase them.

Ryder marked her 31st birthday Tuesday in the defendant's chair as the jury watched security videos showing her moving through the store heavily laden with merchandise before entering dressing rooms.

Deputy District Attorney Ann Rundle displayed a small pair of scissors and asked Evans if Saks sells such items. He said the store does not.

Rundle contends that Ryder brought the scissors with her and used them to remove sensor tags from merchandise.

She displayed to jurors a blouse with a huge hole at the bottom where a sensor tag allegedly was cut off. Evans also identified purses with holes in their linings.

Anticipating Evans' cross-examination and the defense theory of the case, Rundle had him describe special prestige programs which the store has for frequent shoppers.

Members of the "Fifth Avenue Club" are allowed to take items home and decide if they wish to keep them. The same applies to "studio services," which allows stylists from movie and TV productions to borrow clothes and later pay for them or return them.

Evans said Ryder was not a member of either group.

In another development Wednesday, the judge scheduled a hearing for Thursday in response to a state appeals court ruling on a motion by news organizations seeking to unseal documents in the case.

The 2nd District Court of Appeal found that Fox erred when he held secret hearings in the case and did not make any findings on the record to justify his sealing of pretrial legal documents.

The appeals court noted that the presumption of openness is essential to "the very nature of a criminal trial under our system of justice."

The appeals court gave Fox the option to hold a new hearing and make findings on the record about why he wants documents sealed. Attorney Susan Seager, who represents The Associated Press, the Los Angeles Times and the Los Angeles Daily Journal, said the appeals court can then look at Fox's reasoning and rule whether it was justified.

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OPINION

LETTERS

The party's over

Editor:

Bob Wilson, a writer, once said, "You get the best effort from others not by lighting a fire beneath them, but by building a fire within."

Crisis and bad times befall most of us in the course of a lifetime. Sympathy, kind words and helping hands are, without a doubt, wonderful allies. However, both the benefits derived and the good will extended by others tend to fade, over time, when someone stays on that plateau of neediness too long. I think benefactors, who step in and provide only the bare necessities (like feedings), become civic minded enablers, filling a physical void but not adding to the motivational vacuum endemic to this population of people. And this minimal help, while enough to meet the subsistence requirements of the homeless, may become a detour of sorts from them "building a fire within," in which to change their own lives for the better.

Creating a co-dependent environment, between the homeless and this city, is the kind of assistance subscribed to by advocates like Robert Myers. Although Mr. Myers may be a decent person, the lawsuit he intends to file (SMDP Oct. 24), aimed at quashing any council interventions muting the homeless presence here, is ruthless and insensitive to those residents seeking some kind of relief from this invasion of strangers. He is literally forcing his brand of compassion onto an exhausted Santa Monica public. We are tired of all the behavioral problems, financial obligations and lack of giving back that this population of rootless people places on this community, in greater quantities, every day.

When patience is spent, you simply don't refill it by penalizing those who have done more than their fair share to be open-armed to the homeless. But this is exactly what Bob Myers intends to do. He preaches to the choir about how they shouldn't slack off being selfless to people who don't "live" here. However, when this same fluid population is faced with helping someone else in need, they don't answer the call.

Remember Leticia Vasquez? The young mother who was murdered outside Santa Monica City Hall by her estranged husband. The large numbers of homeless, waiting to be fed, provided a perfect camouflage preventing Leticia from seeing her ex-husband until it was too late. She was brutally stabbed to death in the midst of a crowd of spectators! Who, among the homeless, helped Ms. Vasquez? Not one. They were either too afraid, too detached, too involved in their own apathy to reach out to another who needed them ... for a change. And these are the very people who are the subjects of Mr. Myers' sermon, demanding that the City of Santa Monica accommodate their presence here, indefinitely, or else ...

To the residents, who have lived in Santa Monica for the last two decades, Mr. Myers' reputation as the legislative chemist of renters' rights ideology is well documented. Santa Monicans have become lab rats, and the city itself is the medium for their long-term social experiment. Now Mr. Myers is extending his platform to include a one-sided homeless agenda — and we aren't on the right side. I feel it will only worsen if the renters rights slate is voted in, carte blanche, Nov. 5.

Somehow, the motto "Get a life!" seems appropriate for both Mr. Myers and the drifters he myopically claims are the victims of lagging compassion. These people, the homeless, need to see a way to accept aid and then use it to grow their way out of depending on others. Assistance, with sunset clauses, should be applauded instead of condemned. Attitudes, voicing "enough is enough," should be met with "we under-

stand" instead of "shame on you for not doing more."

Santa Monica has been a gracious place, reconciling people who are economically diverse. It's time, however, for those who come here, lounging in our parks, streets and Promenade, to own their own life, becoming self-sufficient or simply move on. Nothing lasts forever.

Jan Tousignant
Santa Monica

Just some facts, please

Editor:

For the last three years, I have heard so many stories about the living wage issue in Santa Monica. Stories from the unions, clergy, big business and small business. Though this is a very emotional issue, I would like to present "just the facts" so that the voters can leave emotion out of it and use these facts to make up their own minds, and not be puppets to the storytellers. FACT: Measure JJ will change the minimum entry level wage to \$12.25 an hour without benefits. FACT: JJ will only cover 1.5 square miles out of 8.3 square miles of Santa Monica. FACT: All employees in the "zone" include tipped employees (many of whom already make over \$20 a hour when you include their tips), entry-level, part-time and seasonal workers, and paid internship positions. FACT: Businesses with union contracts are exempt.

FACT: Minimum wage rate will be increased annually based on the L.A. County Consumer Price Index. FACT: Businesses that suffer a "severe economic hardship" can apply for an exemption to the living wage — but the city has not developed regulations or standards for hardship exemptions yet. FACT: There are over 58 living wages in the United States and NONE delve into the private industry. FACT: Non-profit and charitable organizations have to pay the new wages if they are contracting with the city. FACT: The city attorney has said that this will cost the city \$3 million to implement the first year — at a time when the city had to cut their budget about \$15 million and now will have to make more cuts due to the decrease of sales tax.

Here is some food for thought while making your educated decision: 1) If the minimum wage increase is so important to their supporters, why aren't they advocating an increase at the state or federal level. State Sen. Sheila Keuhl said, "The living wage barely gets people up to the federal poverty level." Then why doesn't she take this up to Capitol Hill. 2) If the unions think it is so important, then why is it written into the law that businesses with a union contract are exempt. 3) What happens to the employees of a company whose revenues fall below \$5 million a year after they were already receiving the \$12.25 and now can go back to \$6.75 a hour? 4) What happens to the entry level jobs that teach employees with no skills so they can move up the earning ladder, in addition all the high school kids that rely on a little extra income while they go to school? Businesses will not be able to afford teaching any more. 5) If it is so important, then why not make it city-wide?

As a resident of 18 years with two children in the Santa Monica schools, and a small business owner, I hope I have shed some light on this very emotional issue. I hope that you vote your conscience and try to leave emotion out of it. I hope that like me you will vote NO on JJ, but whatever you vote please VOTE!

Jack Srebnik
Santa Monica

Being courageous means you need to take chances



TITTINGER'S TAKE

By Michael J. Tittinger

So the Santa Monica City Council wasn't able to prevent area banks from levying the universally-dispersed ATM fees, a charge (and in some cases "double charge") vexing most Americans in recent years. At least they tried. Nothing ventured, nothing gained.

If we don't continue to move forward (progress), do we not move backward (regress)?

The city's legislative body went out on a limb. They stepped up to the plate and took a cut at the high, hard one. If they had connected, and the 9th U.S. Circuit Court of Appeals had upheld council's 1999 law banning the teller machine fees, it would have been a home run on par with Scott Spiezio's three-run shot in the eighth inning of Game 6, which shifted the momentum of the World Series in the Anaheim Angels' favor. Like a great baseball slugger on a team staring defeat in the

eye, the city council took matters into its own hands. The city was the first in California to challenge the banking industry's surcharges.

Leadership is stepping up when most would just concede.

Watching the people of Santa Monica — men and women, young and old, black and white — gather together last week to watch the Angels' unlikely ride to a World Series title, it was evident what type of community we have here. How many residents of Santa Monica, residents that typically stay here all of two years (on average), are taking chances in their lives right now? Be it jobs, careers, new locations, new loves, new ideas or chasing dreams, our city is one predicated on pursuing the seemingly lofty.

It's a major reason why many of us are here. Because most of us believe there is more to life than security, good benefits and weekend barbecues. So many of us are here pursuing something greater in our estimation. We are pushing the envelope, and we have a government and society that reflects that, be it through recycling and environmental efforts, the controversial living wage ordinance, harboring the homeless with empathy and compassion (for the most part) or attempting to rid the

banks of their ATM charge rights. As a city, we are not content to follow, but insist on leading. We put the rest of the team on our collective shoulders, and we wouldn't have it any other way.

How many of us would have hooted and hollered had council been successful in their attempts to stymie banks from collecting on our own withdrawals? Santa Monica would have been the toast of the country, subconsciously thanked every time an American put plastic to automated teller, but recognition isn't the right motivation.

It's about pushing the envelope in efforts to affect change — change for the better — and change does not come to fruition without risk. Someone along the line always has to put himself or herself out there, disregarding the notion or possibility that they might be the subject of much criticism and ire.

According to Miguel de Cervantes, "They who lose today may win tomorrow."

Those who never try will never succeed. Those who never dream will never truly live.

The crux of the argument before the three-judge panel had to do with whether or not federal banking regulations adopted by Congress protect the banking industry's right to collect on ATM usage. The

federal appeals court on Friday upheld an earlier judge's ruling. Meanwhile, Deputy City Attorney Adam Radinsky contends the courts are wrong, that the National Banking Act does indeed allow for municipalities to regulate banking fees.

It's a case with widespread ramifications and could conceivably affect every card-carrying American with a bank account in time. It's a case that could go as far as the United States Supreme Court. It's a case that typifies the moxie and fighting spirit of Santa Monica.

Councilman Kevin McKeown is arguing that it is time to call it quits, cut our losses, as it were, before the higher courts could require the city to compensate area banks for their legal fees in the event of a jurisprudence setback. McKeown's attitude is defeatist. If the council can smell a hint of opportunity to win this case, it needs to follow through on the actions it took three years ago when it passed the ground-breaking law in the first place. Otherwise, what was the point?

Someone, at some time, has to step up to the plate and take a cut. If not us, who?

Mike Tittinger is a Santa Monica resident and freelance writer.

OPINION



LETTERS

Living wage hypocrisy

Editor:

In order to get an unvarnished and unimpassioned view of what reality is in the City of Santa Monica, a little distance is required — say 49 million miles.

What is the initial view? An allegedly caring, concerned majority of five out of seven council members who have only the best interests of downtrodden workers mired in dead-end jobs at heart. To that end, they crafted a "Living Wage Ordinance." You may ask, how did this come about? In the spring of 2001, while chairing a meeting of the Montana Merchants Association, I had a chance to speak with Councilman Kevin McKeown. Question: "Kevin what is the genesis of this ordinance?" Answer: "It's a broad based coalition of concerned citizens and clergy." Q: "How many would that number be?" A: "In the hundreds." Q: "So what you're telling me is that in a city of about 85,000 citizens, you are going to force an ordinance with unknown consequences down peoples' throats on the basis of a whim of a few hundred people. If you really believe that it is the best thing for the city, why not put it before the voters?" A: "It's a very complicated issue." How DISMISSIVE of the intellectual capacity of the electorate!

Does this concern extend to all low-wage jobs in Santa Monica? Curiously not. It resides only in an arbitrarily drawn, gerrymandered area called the "coastal zone." And what is this mythical coastal zone? It is an area that contains the majority of non-union hotels, and a variety of restaurants. How is it that these five council members knew in advance that these establishments in the zone could afford a minimum wage of \$12.25 an hour, almost double the current minimum wage? Perhaps in addition to the title "council member," they were also given the gift of clairvoyance, which allowed them to divine what the profits, not gross revenues, of these heavily debt burdened businesses were. More likely, they relied on the unproved hypothesis of a sole economist (Professor Pollin) to respond to a proposal for analysis of the impact of the living wage sent out to 50 leading economists nation-wide. Surprisingly enough, this sole respondent had already literally and figuratively written the book "How Cities Can Prosper With a Living Wage." Shouldn't we find it just a bit curious that the council didn't even bother to ask its own in-house and well-respected Director of Economic Development Mark Richter what his analysis of the impact of a living wage would be? Do you suspect that they had a damn good idea of what his analysis would have been?

After a recent Santa Monica Chamber of Commerce-sponsored discussion of the living wage, I spoke with the Rev. Sandie Richards (one of the clergy whom Kevin McKeown had earlier alluded to as spearheading the cause). I mentioned the quandary of the Lobster Restaurant, which is in the zone and over the \$5 million threshold.

Because there is no tip credit in the proposed ordinance, the overwhelming majority of the employees (who can easily earn over \$50,000 annually) would have to be brought from the current minimum of \$6.75/hour to \$12.25/hour, thereby costing the Lobster over \$500,000 annually. Her response was that the restaurants can ask for a hardship exemption. Since there is currently no language specifying what a hardship exemption would be, they may or may not be able to be saved by one. When I asked her further "so what you're saying is that the restaurants can get a hardship exemption but because the hotels gross far beyond what the restaurants gross and would therefore be ineligible for any hardship exemption, the only real targets of this ordinance are the hotels." She chose not to respond. She also could not explain away the paradox of why a luxury hotel like the Viceroy, which is exempt from the ordinance because it is a union hotel can pay a starting wage of \$8.50/hour, whereas all the non-union hotels would have to pay \$12.25/hour under the new ordinance. How do you spell hypocrisy?

Why should 85,000 Santa Monicans have to pay inflated prices and watch businesses close to satisfy the whim of five council members who owe their political lives to the unions who have regularly financed their campaigns? Many will be hurt, but few will be helped by this ill-conceived, discriminatory ordinance! Maybe there really is intelligent life on Mars.

Dr. Michael Gruning
Santa Monica

Spend money on employees, not slick mailers

Editor:

It is no surprise that opponents of the living wage have spent another \$500,000 to kill a modest pay increase for low-wage workers. I understand that the hotel industry has now spent more than \$2 million over the past few years to defeat the living wage. If they spent all the money on wages that they are spending on their mailing blitz, there would be no need for this campaign!

Every time I read yet another slick mailer touting the same old scare tactics, I grow more determined to do everything I can to ensure that this sensible and humane legislation finally passes. The city council already approved the living wage, and my hope is that the voters will approve it again come Nov. 5.

It is not an unreasonable expectation that a full-time hotel worker not require public assistance in order to provide for his/her family.

Myrna Iny
Santa Monica

Public education must be a priority for residents

Our family represents three generations of graduates from Santa Monica High School, beginning in 1945 all the way through to 2001. As in all families, we have our disagreements. However, when it comes to the passage of Measure EE, you will find us in total agreement. As a community, it is crucial that we sustain our public school system and our students. Measure EE deserves our support.

We have been beneficiaries of our fine public school system. However, we have also witnessed the difficulties in maintaining that excellence with the ongoing budget difficulties and lack of adequate funding from the state of California. We remember when California was among the leaders in the United States in per pupil spending. We lament that California now ranks 38th in per pupil spending with an allocation approximately \$1,000 per student less than the national average. Measure EE will help close the gap in funding.

We have been fortunate to receive a great foundation from our education in the

Santa Monica-Malibu Unified School District. Members of our family have attended Madison, Roosevelt, McKinley, Grant and Will Rogers Elementary Schools. We have attended both John Adams and Lincoln Middle Schools and Samohi. We are proud to include three college graduates, two current college students, a graduate of UCLA Law School as well as a family member that earned his Doctorate in Marine Biology from Stanford University, who is now a research professor at the University of Maryland.

Our family has also benefited greatly from the athletic and music programs in the district, and at Samohi in particular. We are concerned that these excellent programs may suffer if Measure EE is not passed, and that these programs will only become available to those who can afford it. Our extracurricular programs must be available to all students, not just those

families that have the means to purchase instruments or pay transportation fees.

Even though we are not anxious to increase the amount of taxes we pay, the investment in our community is well worth the extra cost. \$300 per year is a small amount to pay when weighed against the social costs we all pay when our educational system is not funded adequately enough to educate all members of our community. We believe that the health of our economic system depends upon quality education for all of our children, equal opportunity being a key American value that is critical to our economic success as well as our health as a society.

We want our district to continue reducing class sizes in all grades. We support the efforts to increase security on our campuses and provide well-maintained facilities. We want to continue to attract and retain outstanding teachers, as

they are the key to our success.

We support the taxpayer safeguards included in Measure EE. Measure EE provides for an independent Financial Oversight Committee to monitor the district's compliance. An annual independent audit is required and will be made available to the public.

We have long recognized the value and importance to our community of an outstanding public school system. As lifelong residents of the city, we believe that our Santa Monica-Malibu Unified School District deserves to have our support in providing adequate funding to facilitate the best education possible for ALL of our students.

We urge you to vote YES on Measure EE on Nov. 5.

L. Wayne Harding, SAMOHI, '45
Dixie Harding, SAMOHI, '45
Christopher Harding, SAMOHI, '70
Mark Harding, SAMOHI, '73
Debbie (Cobo) Harding, SAMOHI, '74
Stacey Harding, SAMOHI, '99
Stephanie Harding, SAMOHI, '01

Guest Commentary

Wayne and Dixie
Harding Family

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.

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STATE

Challenger on attack



Rich Pedroncelli/Associated Press

Republican gubernatorial candidate Bill Simon, right, repeats his contention that Gov. Gray Davis bungled the state budget problem, while appearing at a Sacramento, Calif., news conference Wednesday. But when pressed for details where he would make budget cuts Simon, flanked by Board of Equalization candidate, Assemblyman Bill Leonard, R-Rancho Cucamonga, left, said he had no specific answer. Simon and Davis are preparing marathon campaign tours throughout the state for the final days before the Nov. 5 election.

Man leaves tree-home of 12 years, huts dismantled

By The Associated Press

BRISBANE — The tree home on San Bruno Mountain that attracted national attention when two squatters refused to leave a pair of meager huts after 12 years there, is now just a tree again.

Besh Serdahely, 58, cleared out of the tree house Tuesday and park officials dismantled the dwelling, two months after San Mateo County officials stapled a notice to the 300-year-old oak in August saying Serdahely and his wife, Thelma Caballero, no longer were welcome.

"I spoke to him Sunday, and he was acknowledging that this chapter was ending," said Bill Johnston, a lawyer and family friend who has been counseling Serdahely since the ordeal began.

Caballero left the tree earlier this month and is now living at a board and

care facility. Serdahely apparently is going to stay with friends in San Francisco for a while, said David Schooley, a naturalist who befriended the couple years ago.

Serdahely has said he and Caballero moved into the tree house after they met at a soup kitchen in San Francisco and got married at City Hall in 1990. A friend of theirs built it and offered it to them after he got married and left.

The couple lived in the tree for a dozen years, tending to the area and educating school children who took field trips to see a different way of life. But after it was recently discovered the tree was actually part of a San Mateo County park instead of a state park, county officials ordered them to leave because there was no clean drinking water and human waste was being handled improperly.

Man dies after faith healer injects him with substance

By The Associated Press

LOS ANGELES — An Orange County man with a persistent rash sought the help of a faith healer and died after he was injected with an unknown substance, police said. Roberto Caceras, 54, of Santa Ana went into convulsions and was taken to Valley Presbyterian Hospital, where he died Monday, investigators said.

The healer, Reina Isabel Chavarria, 48, and her assistant, Margarita Montes, 28, were arrested and booked for investigation of involuntary manslaughter. Montes allegedly injected Caceras with the substance, which was being analyzed by the coroner's office.

Caceras and his wife traveled to Chavarria's suburban Van Nuys home after learning of her practice through Spanish-language newspapers and talking with others who had sought out her services, police said. Four doctors had been unable to control the man's rash.

"This should be a warning for people to have more confidence in traditional medicine instead of being treated by somebody rubbing an egg on their back or giving them herbs or ointments," homicide Detective Al Aldaz said. "The person receiving these treatments had no idea of where they got this medicine or even if it's clean."

Chavarria's home included a waiting room, complete with a soda vending machine, as well as a treatment room featuring candles, religious figurines and what appeared to be a shrine made up of voodoo dolls, investigators said.

STATE



State and city sue San Francisco towing company

By The Associated Press

SAN FRANCISCO — The state and the city on has sued the company that handles towing for San Francisco for allegedly defrauding them of hundreds of thousands of dollars.

A television station also reported that some San Francisco police officers may have benefited from what the city called "an elaborate auction-rigging scheme."

City Tow, owned by Anaheim-based Pick Your Part Auto Wrecking, manipulated auctions of unclaimed vehicles, either selling the vehicles to bidders who did not have the highest bid or buying the vehicle itself and never paying, according to the civil lawsuit filed in San Francisco Superior Court. The company also sold vehicles in "sweetheart deals" to associates without going through the auction process, the complaint said.

The company is contracted with the city to tow abandoned and illegally parked vehicles — some of which are stolen. Under state law the company can auction unclaimed vehicles to recover its towing and storage costs. The company must turn the rest of the money over to the

city and state, city attorney Dennis Herrera said.

In the suit filed Tuesday, the city and state are seeking those funds, as well as punitive damages, that could range into the millions, they said.

Mark Epstein, the company's lawyer, said the company was not responsible and said the problem was likely with prior management.

Don Fields, a spokesman for the company in Sacramento, told San Francisco-based KGO-TV that police officers who worked part-time at City Tow may have obtained cars through the scheme and sold them for profit. One officer, whom the station did not name, is listed in Department of Motor Vehicles records as owning 14 cars, the station reported.

Police department spokesman Neville Gittens told The AP he was unaware of the allegations and had no comment.

The attorney general's office said it had not heard of the claim and referred calls to the San Francisco District Attorney's Office. District attorney spokesman Mark MacNamara also had no comment.

Officials say cartels replacing hippies as marijuana farmers

BY JESSICA BRICE
Associated Press Writer

SACRAMENTO — Growing marijuana in California isn't what it used to be.

Mexican drug cartels, attracted by the state's rich soil and remote forests, grew nearly three-quarters of the pot seized in California this fall, state officials announced Tuesday.

That marks a dangerous shift toward large and sophisticated growing operations, said Sonya Barna, commander of the Justice Department's Campaign Against Marijuana Eradication, known as CAMP.

"It used to be an industry controlled by hippies with small gardens," Barna said. "Now, it's not uncommon to see cartels planting anywhere from 2,000 to 10,000 plants in a garden."

This year, local, state and federal drug agents confiscated a record 354,000 of marijuana plants worth about \$1.4 billion dollars, Attorney General Bill Lockyer said Tuesday.

State officials say higher prices — as much as \$4,000 a pound — makes marijuana cultivation a fast-growing industry.

Since the CAMP program started nearly 20 years ago, more than 3 million pot plants have been seized — nearly half of which were confiscated in just the last four years.

About 74 percent of marijuana farms raided this year had apparent ties to Mexican drug cartels, which sometimes find it is easier to grow pot in the states rather than risk smuggling it across the border.

The increase in the amount of pot gardens in California comes as states across the country push for less severe penalties for growing and carrying marijuana. Seven states have legalized marijuana for medical purposes. And Nevada voters will consider a ballot initiative next week to

legalize small amounts of marijuana.

Of the 181 gardens raided, the average garden had 2,000 plants and eight had 10,000 or more plants.

Most frequently, armed immigrants tend to guard farms hidden in remote areas of state and national forests and other public land, said Ross Butler, assistant special agent at the Bureau of Land Management.

"It used to be an industry controlled by hippies with small gardens. Now, it's not uncommon to see cartels planting anywhere from 2,000 to 10,000 plants in a garden."

— SONYA BARN
Commander of CAMP

More than half of all the pot seized was grown on public land, where armed growers can pose a danger to unsuspecting hikers and hunters, he said.

In 2000, a father and son hunting on their private land in El Dorado County were shot by growers tending their garden. This year, law enforcement officials shot and killed two armed growers.

Most of the pot was grown in the so-called Emerald Triangle — Humboldt, Mendocino and Trinity counties — which have long been a favorite among pot producers. About 30 percent was seized in the Central Valley and another 30 percent came from the Bay Area and Central Coast.

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NATIONAL

After Enron, more corporations teach workers about work ethics

BY JONATHAN D. SALANT
Associated Press Writer

WASHINGTON — In the post-Enron business world, corporations are training employees how to be ethical just as they teach them about making a sale or balancing the books.

In the last three months alone, some 100 companies have hired ethics officers, a response to the rash of corporate scandals that have involved such former high-fliers as Enron, WorldCom and Global Crossing.

"What we've seen are examples of companies with a culture of, 'I don't see anything, I don't know anything,'" said Ed Petry, executive director of the Ethics Officer Association, a group of corporate executives responsible for ethics at their companies. "People not willing to speak up, people are willing to go along. That points to a systemic failure."

The association counts 850 members from 500 organizations, including half of the Fortune 100 corporations, the World Bank and the New York Stock Exchange. The U.S. Olympic Committee also is a member. It hired an ethics officer after members of the Salt Lake City organizing committee were accused of providing \$1 million in cash, gifts and favors to International Olympic Committee delegates who were selecting the site of the 2002 winter games.

Also fueling the drive to hire ethics officers: new NYSE rules requiring all companies listed on the Big Board to have ethics codes.

Enron headed the list of corporate scandals in October 2001 when it disclosed a \$618 million loss and eliminated \$1.2 billion of shareholder equity. After admitting it had kept debts off its books and it had issued erroneous financial statements for years, the company went bankrupt in December. Other companies also became mired in corporate and accounting scandals, including Adelphia Communications, Global Crossing and WorldCom.

In response, Congress last summer enacted legislation to crack down on business fraud, tightening regulation of companies' financial reporting and providing new oversight of independent auditors. And the Securities and Exchange Commission passed new rules requiring corporate chief executives to vouch personally for the accuracy of their financial reports.

Ethics officers conduct training courses for employees, such as one on insider trading. They also respond to accusations of sexual harassment and discrimination and watch over potential conflicts of interest. And they work

with auditors and boards of directors to make sure the balance sheets are accurate.

"If you have a reputation for ethical behavior, that in today's marketplace is a competitive advantage," said Jim Berg, International Paper's director of ethics and business practice. "It engenders not only customer loyalty but employee loyalty."

At defense contractor Raytheon Co., a training film features Patti Ellis, vice president for business, ethics and compliance, sharing a theater balcony with movie critic Roger Ebert. The two flash thumbs-up or thumbs-down concerning certain practices, such as skimping on required tests to get a product out more quickly or making sure the company doesn't inflate the cost of labor.

Ethics officers also answer such questions as whether a vendor can take a company employee out to dinner and whether the corporation can do business with a firm that employs an executive's spouse.

And like a government agency's inspector general, they welcome and investigate anonymous employee allegations of wrongdoing.

To be effective rather than window dressing, the ethics officer must be given a senior position, such as vice president, with visible clout and the ability to go direct to a company's president or board of directors, Petry said.

The first ethics officers were born of another spate of corporate wrongdoing — the defense contracting scandal during the Reagan administration. At the end of the Justice Department probe, dubbed Operation Ill Wind, 10 defense contractors paid millions of dollars in fines for obtaining secret bidding information to win contracts. In addition, 54 corporate executives, defense consultants and government officials were convicted.

In response, defense contractors created ethics programs to prevent a repeat of the scandal.

The idea spread to other companies in the early 1990s after new U.S. sentencing guidelines for white-collar crimes said companies that established ethics programs could have their fines reduced.

Ethics officers today are looking not only at lower-level employees and middle managers, but also the company's top executives and even its board members. Among the new topics: salaries and perks given to those at the top.

"Boards and CEOs are embarrassed by ... what has occurred," said Keith Darcy, vice chairman of the Center for Values Based Leadership, a nonprofit organization that focuses on corporate ethics. "The whole nature of executive compensation has changed. You will not see (the excesses) for a long time."

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INTERNATIONAL



Sharon's coalition falls apart over dispute about settlements

BY DAN PERRY
Associated Press Writer

JERUSALEM — Prime Minister Ariel Sharon's broad-based coalition collapsed Wednesday when Cabinet ministers from the moderate Labor Party resigned in a dispute over funding for Jewish settlements, threatening to push Israel into a bitter election.

The crisis ended an uneasy 20-month "unity government" formed as a common front against the Palestinian uprising, and could sabotage U.S. efforts to win support for a peace plan.

Sharon told parliament he would continue to lead the country, suggesting he would try to govern with a narrow coalition of far-right and religious parties rather than call early elections.

The crisis was precipitated by Sharon's rejection of Labor Party leader Binyamin Ben-Eliezer's demands to cut \$145 million in funds for Jewish settlements in the \$57 billion 2003 state budget. Compromise proposals failed and Ben-Eliezer resigned from his post as defense minister, followed by the rest of Labor's Cabinet ministers.

Under Israeli law, the six resignations only take effect within 48 hours, leaving room for last-ditch maneuvers — but politicians from both sides predicted Sharon's broad-based coalition was at an end.

"We must fight terror, but this is the day when we have to present a diplomatic horizon," Ben-Eliezer said, referring to peace talks with the Palestinians. "The prime minister is unable to present a diplomatic horizon."

Critics accused Ben-Eliezer of partisan politics, noting that in polls ahead of Labor's Nov. 19 leadership primary he trails two more dovish challengers, and leaving the government over a settlement dispute could boost his standing.

"It's the height of irresponsibility," said Education Minister Limor Livnat of Sharon's Likud Party.

The budget was put to parliament after

the Labor ministers resigned, and it passed with the support of parties outside the coalition — as expected — by a 67-45 vote; it must pass two more readings in coming weeks before it is final.

Several officials involved in the last-minute talks said Foreign Minister Shimon Peres, who led Labor for much of the past two decades and has been a key supporter of the unity government, tried to persuade Ben-Eliezer to back down. Peres then resigned along with Ben-Eliezer and four other Labor Party ministers.

If the resignations go through, Sharon would face the difficult choice of trying to stay afloat with the support of an array of extreme-right and religious parties — meaning political instability and constant pressures for even tougher, internationally unpopular policies concerning the Palestinians.

Sharon aides have said he is more likely to call elections within 90 days, but the prime minister suggested otherwise in his speech to parliament. "We will continue to lead the country in a responsible and clear-headed way," he said.

Although polls show the bloc of parties led by Sharon's Likud would probably win a majority of the 120 seats, there is no guarantee and Sharon himself would probably first have to beat back a challenge for the Likud leadership by former Prime Minister Benjamin Netanyahu.

Either way, the developments bode ill for U.S. efforts to win support for a three-phase peace plan envisioning a provisional Palestinian state by 2003. Elections would mean a delay of many months, and Sharon's far-right partners in a narrow coalition would likely object to many of the provisions, such as a settlement freeze and a significant Israeli troop pullback.

Palestinian reaction was mixed, with Cabinet minister Saeb Erekat calling the crisis "an internal Israeli matter." But Erekat also warned that "if there is a new coalition between the Likud and the right wing in Israel, it will also be at the expense of the Palestinian people and against the peace process."

Recent developments on the Palestinian side also suggested the peace plan would run into problems. The proposal calls for sweeping reforms of the Palestinian government and the security services. However, the Palestinians signaled Tuesday they would settle for more modest changes when parliament approved a new Cabinet that was largely unchanged, with only three new ministers.

Labor joined forces with the hard-line Sharon after he routed their candidate in prime ministerial elections in February 2001, several months after peace talks failed and fighting with the Palestinians erupted.

But from the beginning, the party was widely expected to bolt the coalition

before the next election — which by law must be held by November 2003 — to try to position itself as a moderate alternative to Sharon.

Sharon and Ben-Eliezer have worked closely in leading the struggle against Palestinian militant groups waging a campaign of terrorism in Israel — a campaign which escalated to the point that Israeli troops reoccupied most of the Palestinian cities previous governments handed over to Palestinian self-rule.

But Labor's constituency has grown increasingly unhappy with Sharon's repeated rejection of international efforts to find a way out of the fighting and his determination to crush the Palestinian uprising before any peace talks resume.

Haitian outcry



Alan Diaz/Associated Press

Elvina Joseph, second from left, is overcome with emotion as Florida governor Jeb Bush departs from a campaign stop to Little Haiti Wednesday in Miami. Border Patrol agents rounded up more than 200 Haitian migrants, including young children, after they jumped overboard, rushing to shore and causing a traffic jam as they tried to flag down cars Tuesday. They were awaiting processing Wednesday at a detention center, and Haitian activists feared they would be deported.

Japan's ruling bloc agrees on much-awaited economic reforms

BY HANS GREIMEL
Associated Press Writer

TOKYO — Japan's ruling parties agreed on a much-anticipated economic revival plan Wednesday amid mounting pressure on embattled Prime Minister Junichiro Koizumi to reverse the country's decade-long slump.

The agreement came after Koizumi appeared to back off on deadlines for tough bank accounting reforms, which his economy minister said were needed to purge banks of bad loans but which hardliners in his party feared would cause banks to go under.

Officials described the watered-down plan as a compromise.

"I think it's a good start," Japan's get-tough Economy Minister Keizo Takenaka said Wednesday after announcing the plan.

Tetsuzo Fuyushiba, secretary-general of the junior member Komeito party, said the three ruling parties approved the package.

The agreement is a breakthrough for the prime minister and follows an embarrassing delay last week, when opposition within his own ruling Liberal Democratic Party stymied reform plans over fears they were too severe.

Koizumi had promised to release a plan by the end of October so it could be pushed through Parliament by year's end. The leader's popularity now rides on his campaign promises to cure Japan's economic ills: stagnant growth, record high unemployment, a plummeting stock market and debilitating deflation.

"The government is serious about getting this done," Koizumi said Wednesday, adding that the turnaround would now "proceed in earnest."

Ryo Hino, an analyst with JP Morgan in Tokyo, said the government would need to complement the reforms by stimulating the economy. The plan only hinted at the possibility, and Koizumi has been uncommitted to the idea for fear of inflating the government's massive public debt.

"Obviously these reforms are necessary, but they are just a first step," Hino said. "Even if they get this through, it is not enough."

LDP hardliners forced the prime minister to delay outlining the reforms last week for fear they cut too deep. And Wednesday's version seemed somewhat watered-down.

Takenaka had once insisted that the accounting reforms should begin next April, but the agreed-on plan had no time frame. The measures also call for a special government agency to loan cash to struggling companies experiencing hard times.

The new, tightened accounting rules for banks could increase the amount of bad loans on their books, which some feared would bankrupt banks and make debtor companies go bust.

Fearing a possible rise in joblessness, hardliners in the LDP urged the government to wait on reforms until it could come up with bolstered unemployment benefits for those thrown out of work by any economic upheaval.

Kaji said Wednesday's plan focused on that and more. "It's a comprehensive package that includes disposal

of nonperforming loans, as well as the anti-deflation, as well as the safety net, as well as maybe tax reforms," she said.

Easing the nation's bad-debt burden was expected to be a major focus.

Japan's banks are weighed down by some \$336 billion in non-performing loans, equaling roughly 8 percent of gross domestic product. Analysts say they impede economic growth by keeping banks from lending to new borrowers and creating doubts about the Japanese financial system.

Takenaka has said he wants to wipe out that bad debt even if it means banks going bust or being nationalized. The plan has met fierce opposition in the LDP and from businessmen in the banking sector, but Koizumi has backed the basic idea anyway.

"I've approved (Takenaka's) basic policy," Koizumi said Tuesday after meeting with Takenaka upon his return from the Asia-Pacific Economic Cooperation forum in Mexico.

Chipping in Wednesday to revive growth, Japan's central bank relaxed its ultra-easy monetary policy. The Bank of Japan's decision should make it even easier for businesses to get the loans they need to fund expansion.

Bank of Japan Gov. Masaru Hayami has repeatedly said such steps alone won't have much impact unless the government delivered true economic reforms.

The BOJ released its monthly report Wednesday stating: "Japan's economy is not expected to demonstrate clear signs of recovery during the remainder of fiscal 2002." The fiscal year ends March 2003.

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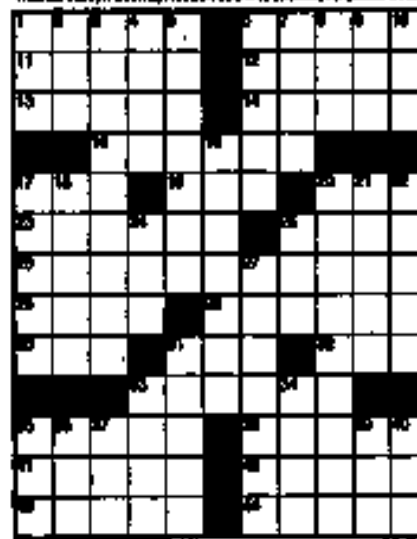
- ACROSS**
- 1 Is furious
 - 8 San Marino
 - 11 Overhead
 - 12 'Family?'
 - 13 Paris abducted her
 - 14 Title pages
 - 16 Curtains
 - 17 Sunday
 - 18 Price component
 - 20 Bankroll
 - 23 Arthur's final destination
 - 26 Store come-on
 - 28 Kid's shooter
 - 29 Perfect place
 - 30 German article
 - 31 Risky resort
 - 32 Stephen of 'The Crying Game'
 - 33 Injury cooler
 - 35 Eagerly writing
 - 39 Political concern
 - 41 Hunter in the dark
 - 42 Tag player's cry
 - 43 Southern law
- DOWN**
- 1 Fun sound
 - 2 Writer
 - 3 Lower to Johnson
 - 4 At any time
 - 5 Capital worker
 - 6 Book section
 - 7 Low digits
 - 8 Heady brew
 - 9 Topper
 - 10 Word of assent
 - 18 Syntax
 - 17 Manhattan-d
 - 19 Dodge
 - 20 1970s scandal
 - 21 Without company
 - 22 River part
 - 24 Actor Carrou
 - 25 Fast film
 - 27 Facing trouble



Yesterday's answers

- 18 Dodge
- 20 1970s
- 21 Without
- 22 River
- 24 Actor
- 25 Fast film
- 27 Facing trouble
- 31 Tea only
- 33 Object of
- 34 Cupid
- 35 Com holder
- 36 Exat
- 37 Nothing
- 39 UFO
- 40 UFO

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NEWS OF THE WEIRD by Chuck Shepard

Man hides marijuana in 'spare tire'

James Scott Woods, 26, was arrested in Mount Carmel, Tenn., in July after police were called to a house on a robbery complaint. Officers could not find evidence of the robbery and were inclined to let Woods go but on a hunch discovered a half-ounce of marijuana, plus a pipe and \$187 cash, tucked into a fold of Woods' stomach. (A few minutes later, Woods was also charged with tampering with evidence when he allegedly broke his handcuffs and tried to swallow the marijuana.)



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Calendar

Thursday, October 31, 2002

movies

Loews Broadway Cinema
1441 Third St. at Broadway
Jackass: The Movie (R) 12:00, 1:00, 2:15, 3:15, 4:30, 5:30, 6:45, 7:45, 9:00, 10:00, The Truth About Charlie (PG-13) 11:30, 2:00, 4:45, 7:30, 10:15
The Tuxedo (PG-13) 11:00, 1:30, 9:15.

Mann Criterion
1313 Third St.
The Ring (PG-13) 1:00, 4:00, 7:00, 10:00. Sweet Home Alabama (PG-13) 11:30, 2:10, 5:05, 7:55, 10:35. My Big Fat Greek Wedding (PG) 11:20, 2:00, 4:40, 7:20, 10:05. Punch-Drunk Love (R) 11:15, 1:45, 4:20, 7:10, 9:45. The Transporter (PG-13) 11:45, 2:15, 4:45, 7:40, 10:15.

AMC Theatre SM 7
1310 3rd Street
Red Dragon (R) 1:45, 4:30, 7:20, 10:00. Tuck Everlasting (PG) 2:15, 4:45, 7:30. White Oleander (PG-13) 2:00, 4:40, 7:25, 9:55. Abandon (PG-13) 1:50, 4:15, 7:00, 9:30. Brown Sugar (PG-13) 2:25, 9:40. Formula 51 (R) 5:00, 7:45, 10:00.

Landmark Nu-Wilshire
1314 Wilshire Blvd.
Bowling for Columbine (R) 1:30, 2:30, 4:15, 5:15, 7:00, 8:00, 9:45, 10:30.

Laemmle Monica
1332 2nd St.
Auto Focus (R) 12:00, 2:30, 5:05, 7:45, 10:20. Real Women Have Curves (PG-13) 12:15, 2:30, 4:50, 7:25, 9:45. Secretary (R) 1:45, 4:30, 7:15, 9:50. Spirited Away (PG) 1:00, 4:00, 7:00, 10:00.

Aero Theatre
1328 Montana Ave.
Addams Family Values 5:30, 7:30, 9:30.

Today

Community

The Westside Walkers, 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 Westside Walkers meet Tuesdays and Thursdays, from 8 a.m. To 10 a.m., at Westside Pavilion, Pico Blvd. Between Overland Ave. and Westwood Blvd. In West LA. For more information about the program, call (800)516-5323.

Come practice at SUNSET YOGA, overlooking the Pacific! "Integral Hatha Yoga" every Thursday from 7:15-9pm. Mixed levels. Donations only. Please bring a mat and towel. Located at 1450 Ocean Ave. between Santa Monica Blvd. and Broadway. For more information contact skinny-buddahboy@hotmail.com

Ongoing support groups for people 55 and older. Current openings in Men's Group. Thursdays, 11:15 to 12:45. Center for Healthy Aging, 2125 Arizona Avenue. Sliding scale fee. Not drop-in groups. Phone interview required. Call Information and Referral. (310)576-2550.

Dharma at the Clubhouse. A weekly book and multi-media study group, no fee. Applying studies of Buddhism-Dharma into our daily lives. Every Thursday night at the Clubhouse at Douglas Park, 25th & Wilshire. 7:30 - 9pm. Dan (310) 451-4368 www.santamonivcakksg.org

O'Briens Irish Pub, 2941 Main St., Santa Monica, pours A Pint of Funny, every Thurs., 8 p.m. FREE! (310)396-4725.

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.

Friday

Community

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.

MAGICOPOLIS presents HOCUS POCUS! (Fish Bones Choke Us). The stage explodes with a colorful mix of Magic, Special Effects, Sleight of Hand, Comedy and Music that's sure to delight audiences of all ages. At MAGICOPOLIS, 1418 Fourth

Street, Santa Monica. Fridays & Saturdays at 8pm, \$20. Saturday & Sundays at 2pm, \$15. For tickets call 310-451-2241.

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.

Unurban Coffee House presents Annie Higgins, 7pm. Music Open Mike, 8pm. Signup at 7:30pm. Hosted by Terry Gardner. 3301 Pico Blvd. (310)315-0056

Comedy Underground presents the following improv groups: Addle Essence, show starts at 8pm, tickets are \$5.00. Off The Wall, show starts at 9pm, tickets are \$5.00. Unusual Suspects, show starts at 10pm, tickets are \$5.00. 320 Wilshire Blvd., Santa Monica. For more information please call (310)451-1800.

Calendar items are printed free of charge as a service to our readers. Please submit your items to todayspaper@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.

KEEP YOUR DATE STRAIGHT

Promote your event in the Santa Monica Daily Press Calendar section. Fax all information to our Calendar Editor: Attention Angela @ 310.576.9913



BACK PAGE



Deer attacks cop

By The Associated Press

LANSING, Mich. — A buck turned himself in to police Monday, then thought better of it.

The deer crashed through the window of Lansing Township police Chief Kay Hoffman's office. Then, with a minor cut on its mouth, it jumped back out and took off.

"My secretary thought someone was shooting at me," Hoffman said. Hoffman was in a meeting down the hall when the deer paid its visit.

Brad Wurfel, a spokesman for the state Department of Natural Resources, noted that it's mating season for deer and bucks can be expected to do strange things.

"They're feeding, they're breeding and they're trying to stay warm," Wurfel said.

A classroom birth

By The Associated Press

EULESS, Texas — An elementary school teacher gave her 3- and 4-year-old students an unexpected lesson when she gave birth in her classroom.

Rhonda Schafer was able to get the early development class out of the Bear Creek Elementary School classroom on Monday and then called for the school nurse.

The nurse arrived just in time to help Schafer as she

gave birth behind her desk at about 2:30 p.m., about five minutes after the first sign of labor. They wrapped the baby girl in a co-worker's sweater, school librarian Cynda Mast said.

The medics arrived in time to cut the cord, Fire Department spokeswoman Christine Cox said. "It was a very nice, quiet environment, if you can imagine that at an elementary school," she said, adding that mother and daughter were in "perfect health."

Earlier that morning, Schafer, who also has two sons, had told Mast that she was due in about a week or whenever the baby was ready.

"I guess she got ready this afternoon," Mast said.

The flying Dachshund

By The Associated Press

VANDENBERG AIR FORCE BASE — Animal lovers are howling over a skydiving dog.

The parachuting Dachshund, known as Brutus the Skydiving Dog, is scheduled to perform at this weekend's Air and Space Show at Vandenberg Air Force Base.

"What we feel is this is cruelty to animals," said Shirley Cram, shelter director and treasurer for the Volunteers for Inter-valley Animals. "It's exploiting the dog. It certainly isn't fun for that dog to jump out of that plane."

Brutus' skydiving partner disagrees.

"He gets all excited when I'm getting my gear ready," said Ron Sirull of Delray Beach, Fla., contending Brutus enjoys his aerial activities. He added, "He's totally up for it."

Sirull said his dog's veterinarian and the Arizona Humane Society have signed off the activity being safe for man's best friend.

Brutus is tucked into a special pouch affixed to his owner's chest for the jump and dons custom-made goggles

for what Sirull calls his "flea-fall." While Sirull has 1,000 jumps, Brutus has logged 100.

"That's equal to 700 jumps in dog years," his owner joked.

Woman disrobes in angry outburst

By The Associated Press

EVANSVILLE, Ind. — A French woman faces a felony charge of disorderly conduct at an airport after she allegedly undressed to her waist in an angry outburst at security screeners.

A judge Tuesday found probable cause for the charge against Eliane Yvonne Marcelle Aguilhaume, 56, of Paris. She also faces misdemeanor charges of resisting law enforcement and public indecency.

Aguilhaume burst into tears when the judge explained the possible penalties. She declined to comment to reporters after the hearing.

The felony disorderly conduct charge was made possible in a state law passed after the 2001 terrorist attacks. The law, which took effect July 1, set a sentence range of six months to three years.

Prosecutors would consider whether the incident rose to the level of a felony, Deputy Prosecutor Dawnna Taylor said.

Authorities say Aguilhaume kept reaching inside her sweater, forcing guards to re-search her, during a routine screening Monday at Evansville Regional Airport.

After a screener attempted to use a metal-detecting wand, Aguilhaume became upset and allegedly removed her sweater, shirt and bra.

Police said Aguilhaume tried to pull away as an officer attempted to handcuff her. She later dropped to the ground and refused to get up.

Aguilhaume was released from jail on \$5,300 bond. She was scheduled to be formally charged Friday.

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