

Santa Monica Daily Press

A newspaper with issues

Lawsuit challenges the city's housing policy

BY ANDREW H. FIXMER
Daily Press Staff Writer

A lawsuit filed Wednesday challenges the city's right to deny housing projects for not fitting the character of a neighborhood.

The Santa Monica Housing Council and the California Housing Council filed a joint lawsuit against Santa Monica because they believe the city violates state law when it denies housing projects, that otherwise conform to zoning codes, for not being compatible with surrounding buildings.

California has enacted legislation forbidding cities from denying market-rate housing projects based on subjective findings, the lawsuit states.

"This lawsuit is the latest example of the city's long-standing efforts to evade complying with state housing law, which explains the reason why Santa Monica has such a growing imbalance between employment and housing," said Santa Monica Housing Council President Robert Sullivan, in a prepared statement.

"The state Department of Housing and Community Development has issued an opinion explaining why the City of Santa Monica is wrong on this issue," he said. "Unfortunately, the city isn't listening."

City Attorney Marsha Moutrie said she has not read the lawsuit that was filed Wednesday, but she had read a draft of a lawsuit the housing councils previously submitted.

She said the state code the lawsuit refers to has existed for many years, and was initially enacted to prevent cities from not building affordable housing.

However, Moutrie said that is hardly the case in Santa Monica, where the city council has long had an aggressive policy

toward securing more affordable housing in the city.

Moutrie also said the city has an excellent record of allowing market-rate housing to be built, especially in the city's downtown area, and the state has certified the Santa Monica's plan for building its share of regional housing.

"We have made it clear we were willing to litigate on this issue. It's not about punishing the city, this is about housing."

— CHRIS HARDING
Santa Monica Housing Council, attorney

"The fact is Santa Monica very, very seldom denies discretionary permits for a project," she said. "Nonetheless, it seems likely to me that we would assert in this lawsuit that we retain the power to deny projects based on compatibility."

Chris Harding, an attorney for the Santa Monica Housing Council, said the city has paid more than \$1 million during the past decade in attorneys fees to successful plaintiffs who have sued the city to compel compliance with state housing laws.

The Santa Monica Housing Council has successfully sued the city four times in the past ten years, according to the lawsuit.

See LAWSUIT, page 5



Carolyn Sackariason/Daily Press

Santa Monica Police Department detectives and officers look for clues at the scene of a crime behind Starbucks, which was robbed Wednesday.

Local Starbucks held up by two male robbers

BY CAROLYN SACKARIASON
Daily Press Staff Writer

Employees at a Santa Monica Starbucks Coffee got a startling wake up call when two men robbed them early Wednesday.

Employees at the Starbucks on the corner of 26th Street and Wilshire Boulevard were preparing to open the coffee shop at about 5:15 a.m. when two men forced their way into the back of the store and demanded money.

"An employee was arriving to work

and was confronted by the suspect at the rear door," said Santa Monica Police Department Lt. Frank Fabrega.

The robbers, who are described as black men, between 25 and 30 years old, took off with an undisclosed amount of cash and several espresso machines. It is unknown if the suspects left on foot or in a car.

At 5:21 a.m., SMPD officers responded to an employee's 911 call reporting that an armed robbery had just occurred.

See ROBBERY, page 5

Council asks staff to study voluntary preservation initiative

Measure will return in 30 days for adoption or special election assignment

BY ANDREW H. FIXMER
Daily Press Staff Writer

The Santa Monica City Council instructed its staff Tuesday to investigate a controversial initiative that proposes making historic preservation voluntary.

Staff will have 30 days to study the proposed initiative, which has qualified

for a special election, and report back on Dec. 10 to council members on the measure's merits. The report will also contain a recommendation on whether the council should adopt the initiative as an ordinance or call a special election.

Homeowners for Voluntary Preservation, the group sponsoring the initiative, asked the council to immediately adopt their measure as an ordinance and forgo a costly special election.

They argued that since the group gathered nearly 13,000 signatures of registered Santa Monica voters who support

the initiative, the community has already spoken strongly in favor of their cause.

"The number of signatures on our initiative is equal to 40 percent of the total turnout in the citywide election we just held," said Greg Poirer, an initiative supporter. "It seems ridiculous to hold an election when you already have that kind of support."

However, some council members said it's clear not everybody in the community agrees with the initiative and the truest test of support would be an election.

"It's true that some people have spo-

ken, but that doesn't necessarily mean that all the people have spoken," said Councilman Richard Bloom. "An election gives every voter a chance to be heard and that is bedrock democracy."

Five of the six council members present when the initiative was discussed advocated at least having the city's staff investigate the measure before making a decision on whether to adopt it as law. Councilman Bob Holbrook voted to adopt the initiative as law and

See INITIATIVE, page 6

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★★-So-so ★-Difficult

♈ ARIES (March 21-April 19)
★★★ Take your time communicating. Get to the bottom of a problem through careful questioning and putting yourself in someone else's shoes, especially if you hit a roadblock. Don't allow others to drag you down. Be more direct. Tonight: Snooze away.

♉ TAURUS (April 20-May 20)
★★★★ Extend yourself to friends, associates and others in general. People want to talk, exchange ideas and get to know you better. Use caution with a tendency to go to extremes. Think success, and you'll get just that. Tonight: Create more of what you want.

♊ GEMINI (May 21-June 20)
★★ You easily could be out of sorts. Get into solving a problem rather than allowing it to play into your reactions. Listen well to what someone shares. There might be more than a grain of truth to what he or she says. Listen well. Make decisions accordingly. Tonight: Burn the midnight oil.

♋ CANCER (June 21-July 22)
★★★★ Take an overview, and you will escape depression. Now isn't that better? Laughter marks your interactions. Understand what makes you tick as well as someone else. Take action rather than just weighing the possibilities. Tonight: Treat yourself.

♌ LEO (July 23-Aug. 22)
★★★★ Deal with others directly, not in groups. You could find a situation difficult if it involves more than one person. Express your feelings to someone you trust. You work well together. Don't worry if you can't fulfill a goal immediately. Tonight: Make nice.

♍ VIRGO (Aug. 23-Sept. 22)
★★★★ Defer to others, though you might not have a choice. Colleagues know what they want and will zoom in and get it. Don't try to negotiate, especially with authority figures. For now, no one wants to back off his or her position. Tonight: Start your weekend early.

♎ LIBRA (Sept. 23-Oct. 22)
★★★ Dig into work. Get the job done more efficiently. Focus on what is on your desk. Avoid thinking about long-term projects because you will accomplish less and get nowhere with your goals. Stay in the here and now. Tonight: Get plenty of R and R.

♏ SCORPIO (Oct. 23-Nov. 21)
★★★★ You find that your creativity will soar. You discover that a partner might break a promise or commitment. You could get upset. You also might decide to let go of this issue and enjoy what works well in your life. Tonight: Playtime.

♐ SAGITTARIUS (Nov. 22-Dec. 21)
★★★ Your instincts guide you. You need to understand what makes a family member tick. Open up discussions, and you will like the end results. An associate or partner could be most difficult. You might not be able to prevent this person from shutting down. Tonight: Mosey on home.

♑ CAPRICORN (Dec. 22-Jan. 19)
★★★★ You know what you want. Convincing others won't be difficult. Allowing yourself to have what you desire might be. No one is as hard on you as you are. Loosen up and lighten up. Be as nice to yourself as you are to your friends. Tonight: Hang at your haunt.

♒ AQUARIUS (Jan. 20-Feb. 18)
★★★ You might find that bosses are unusually demanding. Do understand your limits when dealing with a child or loved one who might be pulling back more than usual. Someone's questions could be far more meaningful than you think. Tonight: Your treat.

♓ PISCES (Feb. 19-March 20)
★★★★ Allow others to get to know you better. You sometimes hide behind a facade that has little to do with the real you. You might not choose to let someone know about your insecurities and issues. Open up to new potential. Tonight: Whatever you want.

QUOTE of the DAY

**"If I had known I was going to live this long,
I would have taken better care of myself."**

— Anonymous

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LOCAL

School hosts community forum on saving oceans

By Daily Press staff

A community forum is being organized to address the fragile state of the world's oceans.

Crossroads School, based in Santa Monica, has put together a star-studded panel including a Pulitzer Prize winning author and actor Ted Danson to discuss issues facing our abilities to protect and sustain the oceans.

The event, scheduled for Dec. 4, is a community-based forum that will examine ways the community can sustain our oceans and work for positive changes in environmental policies. A question and answer session with participants including Reef Check, the world's largest coral reef monitoring agency, will follow. There also will be an exhibit of ocean-inspired pieces by professional and student artists, a special trailer of the new IMAX film "Coral Reef Adventure" and an "Ocean Jazz Extravaganza" featuring Crossroads student musicians.

Dr. Jared Diamond, recipient of the MacArthur Foundation Genius Award, the National Medal of Science and Pulitzer Prize winning author of "Guns, Germs and Steel" and Roger Payne, world renowned scientist and whale expert, will lead a panel discussion of activists, scientists and artists.

Other panelists include Gregor Hodgson, director of Reef Check and UCLA professor; Chad Nelsen, environmental director of Surfrider Foundation; Leslie Ewing, senior coastal engineer of the California Coastal Commission; Michael Hanrahan, president of the Ocean Channel and Joel Reynolds, senior attorney of the natural resources defense council.



File photo

A panel of experts and environmental activists will gather on Dec. 4 to discuss how to better protect the world's oceans. Maybe one day signs like this one at Santa Monica Beach will no longer be necessary.

Diamond will discuss the importance of ending worldwide whaling. Payne discovered the fact that whales can sing, and he recorded their sounds in his best-selling recording, "Songs of the Humpback Whale." Environmental activist Ted Danson is the founder of AOC, a national organization that works to achieve clean, swimmable, fishable oceans. Dr. Richard C. Murphy, a world explorer and original colleague of famed oceanographer Jacques Cousteau, also will be part of the discussion.

Ocean Forum is open to the community. The event will begin at 6:30 p.m. at Crossroads School's community room on the Norton Campus, located at 1715 Olympic Blvd.

On Dec. 3, Crossroads Middle School students will spend the day celebrating the sea, the culmination of a month-long science module devoted to ecology and the oceans.

surf report

Information compiled by Jesse Haley

Things are shaping up nicely today, and bacteria levels are dropping.

Left over northwest swell holds on for waist- to chest-high surf at west facing breaks. Pulses of swell are still good for shoulder- and head-highs at best breaks, though the huge sets will be somewhat less consistent than days passed.

Today we'll see a decreasing swell in the water, with some minor northwest swell getting through.

South Bay spots have the best exposure, and get more size, while conditions stay smaller, but with good shape in the north half of the county.

Today's Tides:		
High-	5:58 a.m.	4.52'
Low-	11:54 a.m.	2.21'
High-	5:10 p.m.	4.10'
Low-	11:49 p.m.	0.59'

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

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Senior citizen struck by car

By Daily Press staff

At about 8:30 a.m. Wednesday, the Santa Monica Police Department responded to an emergency call at California Avenue and 10th Street. Preliminary investigation revealed that a vehicle, traveling eastbound on California, struck a pedestrian in an unmarked crosswalk, which resulted in serious injuries. The pedestrian, a white, 85-year-old male and Santa Monica resident, was transported to a local hospital for his injuries. The driver of the vehicle, also a resident of Santa Monica, was interviewed at scene and released. The cause of the collision is under investigation, and the injured man's condition is listed as serious.

The Q-Line

Last week's election results may have surprised some residents as the majority of the city's voters went status quo by electing three incumbents onto the Santa Monica City Council. Also surprising to many was the living wage law defeat, even though it appeared to have widespread community support.

Some would argue deceptive campaigning affected the outcome of the election. Others will tell you the demographics of the city are changing and there are more conservative homeowners influencing politics here than liberal renters. Election data

shows fewer renters went to the polls this year than in recent years.

So this week, Q-Line wants to know:

"Do think Santa Monica's demographics are changing? If so, is it good or bad?"

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

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OPINION

The eyes have it — the great common denominator



TITTINGER'S TAKE

By Michael J. Tittinger

"Hey, boss, will there be anything else?"
"I think that will do it, champ," I replied.

"Let's see. Your total comes to \$16.98, boss," said the Rite Aid cashier, keeping in tune with the headphones plugged into his left ear as he rang me up. He was oblivious to my sarcastic annoyance.

"Sorry. I'm short on cash. Gotta use credit, chief."

Waiting for the youthful cashier to ring up my milk, peanut M&Ms and razor blades (all the makings of a big Saturday night), I heard the woman behind me in line giggle at our exchanges. I gave her a knowing wink.

"Here you go, boss," he said after bagging my items and handing me a receipt, avoiding eye contact all the while.

"Thanks. Have a super night, sport-o!"

The notable lack of eye contact between the cashier and me was surely to blame for the awkward and, at times, laughable interaction. For the eyes are the windows to the soul, as an old proverb suggests, and it's hard to argue with that logic.

A glimpse into another's eyes can

heighten awareness; it's an instant connection between two people where sarcasm and disingenuous conversation don't stand a chance. If this cashier had bothered to look up, I don't think the exaggerated greetings would have surfaced.

I'm not anyone's boss. I'm not his or her chief, and I'm not even a champ. Salutations like this only speak to the speaker's insecurities about his own lot in life. As opposed to a "brother," a "buddy" or a "friend," greetings like the aforementioned only serve to project a condescending attitude. In reality, they are not a heartfelt attempt to befriend, but an indirect attempt to make the other person feel inferior.

It is true that a picture tells a thousand words, and if that analogy were to be applied to the human condition, it would translate that the eyes relay all we need to know about each other. They are our gateway to understanding, our brush-covered path to tolerance and unity awaiting discovery.

"The eyes have one language everywhere," wrote English poet George Herbert.

It is our great common denominator. In them, and in each other, we find there is no race, no hatred, no political agenda, no sexual orientation, no jealousy and greed. No nothing that denotes anything but the reality that there is a fellow human being, just like me.

A photograph of since-convicted

actress Winona Ryder adorning the front page of the Nov. 9 edition of the Santa Monica Daily Press spoke volumes. Ryder is at the Beverly Hills courthouse to face shoplifting charges and is slightly turned from the camera. The doe-eyed film star's attention is elsewhere. Her eyes are fixed on someone or something off-camera, yet it is not what she is focused on. She is a million miles away.

Ryder's gaze is empty, her heart seemingly in the offering. She is asking for help without muttering a word. She speaks with her eyes ... as we all do.

Anyone who has had a pet dear to his heart knows the feeling of looking deep into that animal's eyes, instantly understanding the world in which that creature lives, the faculties it possesses, the obstacles it faces and the love of which it is capable of feeling.

In that instant the creature is no longer simply a cat or dog, but "Sugar" or "Bear," taking on a personality in its owner's mind and assuming the name you have given it, a name usually indicative of its personality in the first place.

In another's eyes is where we find truth. A mother confronts her mischievous child, "Now look me in the eyes." A couple standing before the community, their God and their conjoined fate declare "I do" as they recite their wedding vows — staring deeply into each other's eyes. When we tell others we love them,

whether we struggle to find the words or they burst from us like a dam break, we lay our hearts on the line by looking into those limpid pools.

This is why there is also power in the simple handshake, a warm gesture that not only achieves the reassuring physical contact of another, but also virtually guarantees the meeting of the participants' eyes. Have you ever seen two people shaking hands and looking the other way? Therein lies its potency. This is why the grandest of deals in history were consummated with a simple handshake, why a modicum of trust is instantaneously developed — because of the meeting of the eyes.

I hope that Rite Aid cashier realizes all this someday soon because he's missing out on an awful lot. It's harder and harder to fight through the daily distractions of the dot.com society in which we live to make contact with others, with all the e-mails and P.A.s and cell phones and virtual reality, but we must fight even harder to pierce through all that, to our actual reality. It is so worth it in the end.

I hope the next generation will come to realize all this — to tune out, turn off and drop back in on occasion. Keeping it real isn't easy in this day and age, but we hold the keys to communion and unity within us. They're staring us right in the face.

Mike Tittinger is a freelance writer living in Santa Monica. To reach him, e-mail him at TooRoam@aol.com.

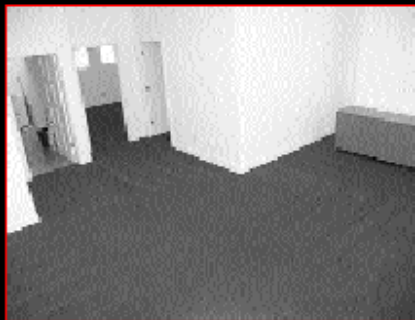
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LOCAL



Bandits made off with espresso machines, cash

ROBBERY, from page 1

When officers arrived, they spoke to the employees who said two suspects entered the business, made verbal threats and demanded money.

"No weapon was displayed, however the suspects threatened the victim," Fabrega said.

The first suspect, about 5 feet 8 inches tall, wore a dark sweatshirt and tan shorts.

The second suspect was wearing a dark colored heavy jacket. No further description was given for him.

For a few hours after the incident, Santa Monica police detectives and forensic investigators were stationed behind the store in the parking lot looking for clues and collecting evidence.

Dozens of people seeking their caffeine fix soon realized something was wrong when they saw the police tape and officers guarding the area.

A sign on the front door of the store told customers that Starbucks was experiencing technical difficulties and was temporarily closed. Inside, shocked employees gathered around tables trying



Carolyn Sackarison/Daily Press

Santa Monica police gather evidence outside Starbucks Coffee shop Wednesday morning.

ing to recover from the intense situation they had just experienced an hour before. The store opened at 11 a.m.

Anyone with informa-

tion regarding the incident is asked to contact the Robbery/Homicide Unit of the Santa Monica Police Department at (310) 458-8451.

Officials defend city's right to judge housing projects

LAWSUIT, from page 1

Harding said his firm has tried to work out a compromise with the city, but when officials would not recognize that they must conform to state law, the lawsuit was the housing council's only option.

"We have made it clear we were willing to litigate on this issue," Harding said. "It's not about punishing the city, this is about housing."

Darrell Clarke, chair of the planning commission, said it is very rare for the city to deny projects or reduce the number of units in a building based on aesthetics or neighborhood compatibility.

"Of condominium projects that have

come before the planning commission, we have made design changes," he said. "But we just try to make sure it fits in with the neighborhood."

And Councilwoman Pam O'Connor said it's part of the city's role to make sure a development fits in with an area so residents are not inconvenienced and they are able to still enjoy living in their neighborhood.

"People want neighborhoods, they don't want tenements," she said. "We could build structures that strictly house people, but those buildings also have to work for people. It's about building neighborhoods."

City testing its preparedness

By Daily Press staff

The City of Santa Monica will conduct an emergency response drill at the city yards on Thursday, Nov. 14, from 9 a.m. to 3 p.m.

The city drill is being conducted in conjunction with a countywide exercise dubbed "Operation Critical Response" on the same day.

Coordinated by the Santa Monica Fire Department, the city drill will test the readiness of fire, police, public works, transportation and other city departments to respond to a potential act of terrorism. A simulated explosion will occur at the fire training facility, where the emergency operations center and incident command post will be established.

The drill is not open to the public.

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Santa Monica Daily Press

LOCAL

Initiative supporters say election is waste of money

INITIATIVE, from page 1

Councilman Herb Katz had left the meeting by 1:30 a.m., when the initiative was discussed by the city council.

Councilwoman Pam O'Connor said she wanted the city to study the initiative so that the council fully understands the ramifications it could have on protecting historic buildings within the city.

Supporters of the initiative said O'Connor had switched her position. They claimed during her campaign for city council, O'Connor supported enacting the initiative instead of sending it to a special election.

"I have read and heard her say that she would adopt this measure, if brought before her, in many debates and interviews," said Marc Schrobilgen, an initiative supporter. "The fact that she backed down reeks of political buyout."

However, O'Connor said she only told concerned homeowners she was inclined to enact the initiative as law in order to avoid a costly election. She said there is nothing wrong with having the initiative studied by staff to make sure it should be enacted.

She also said she believes only one side of the argument has been presented to the public, and that a community debate and an election could be a healthy way to decide whether this is an initiative the community wants.

"I'm still leaning toward inclined," O'Connor said. "But I never promised it, and that's why I didn't promise it because I was sure there were things I hadn't thought of yet that make sense."

Specifically, council members said they want to know how the initiative could affect the city's stock of preservation-worthy homes, what other local cities have adopted similar laws and whether any legal steps need to be taken before the initiative could be placed on the ballot.

"It gives everybody a chance to pause and study this more fully," said Mayor Mike Feinstein, "because that wasn't done before this was taken to the street."

Homeowners for Voluntary Preservation submitted a petition containing 12,947 signatures to the Los Angeles County Registrar's office on Sept. 27. The registrar verified approximately 9,800 of the signatures on Oct. 17, surpassing the 9,135 needed to qualify for a special election.

The measure, formally called the "Homeowners Freedom of Choice Initiative," proposes giving homeowners final say whether the city can bestow their residences with preservation status or as structures of merit. Under current law, such designations may be made over the owner's objections, and the designations can complicate making exterior renovations or obtaining demolition permits.

The homeowners' cause was prompted by a recent survey conducted by Hollywood-based Historic Resources Group, which was hired by the city. The study concluded that the north of Montana Avenue area includes some of the oldest and most significant historic resources in Santa Monica. The report said less than 1 percent of the potential historic properties in the area have been

designated or preserved.

Consultants who prepared the report characterized Santa Monica as losing its older historical properties and said city officials need to make important decisions about how they want to preserve the remaining buildings before they are demolished or significantly altered.

Overall, the consultants looked at the 3,900 homes north of Montana. They found that about 9 percent, 358 homes, were of historical merit.

The last survey of the area, taken in 1986, recommended the city preserve about 158 homes from Palisades Avenue

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— MARC SCHROBILGEN
Initiative supporter

to Georgina Avenue. Because those homes were not preserved 20 years ago, nearly two-thirds of them have either been demolished or altered enough to render them historically insignificant, consultants said.

The homeowners' group spent more than \$100,000 on its campaign to gather enough signatures to qualify for a special election. About 70 percent of the money was spent on paid canvassers.

Many council members said Tuesday they found it problematic that so much money was spent on collecting signatures, and that often times paid gatherers will lie to residents in order to get signatures.

"They are there to gather signatures rather than tell the truth," Feinstein said. "There is a lot more flexibility under the current law than what the signature gatherers lead people to believe."

Initiative supporters said volunteers from their campaign accompanied paid signature gatherers to ensure residents were given correct information. Even though the group used many paid employees, there was a "grassroots" effort guiding them, supporters said.

"Everyone I saw that signed the petition read the initiative and then signed it," said Schrobilgen. "They knew what they were signing to support. It's not a confusing thing, it's very simple."

Schrobilgen said he was perplexed the council focused on how the signatures were gathered instead of talking about what the initiative would do.

"Nobody talked about how this would affect the homeowner," he said. "That was never even addressed."

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STATE



Ex-LAPD officers sentenced for assault against transient

By The Associated Press

LOS ANGELES — Two former policemen were sentenced Wednesday to a year in jail, and ordered to pay \$5,000 each to a homeless man they assaulted while on duty in 1997.

David Cochrane, 36, and Christopher Coppock, 30, also were sentenced to five years felony probation.

Both are out on their own recognizance until it is determined if they are eligible for a work-furlough program in which they can serve out their sentences, said Deputy District Attorney Craig St. Pierre.

The former Central Division officers were charged with terrorizing Delton Bowen in October 1997 by throwing him into their squad car and taking him to the

Los Angeles River, where he was allegedly threatened with a handgun and thrown on the ground.

The pair were indicted in October 2000 on charges of kidnapping, false imprisonment and assault by a public officer under color of authority. The indictment also accused Cochrane of using a gun while committing the offenses.

As part of a plea deal, they pleaded no contest to the assault charge and the other counts were dismissed.

The officers' attorney, Deputy City Attorney Rodell Fick, could not immediately be reached for comment.

Efforts to reach Bowen and his attorney were unsuccessful.

St. Pierre said he was pleased with the sentence, particularly the \$5,000 in restitution each former officer was

ordered to pay Bowen. St. Pierre said Bowen had filed a lawsuit against the city, but it was filed too late, and subsequently thrown out.

"I thought that was a real tragedy for him," said St. Pierre. "Here was a guy who was righteously wronged (by) some officer (who) took him down to the river."

Superior Court Judge Larry P. Fidler said he had no objection to the former officers serving their jail terms either through electronic monitoring or a work-furlough program, if they qualify.

Sandra Salazar, a rookie who was working with Cochrane and Coppock when Bowen was assaulted, testified before the grand jury. She was not charged and has since started working for another law enforcement agency.

Imperial Valley struggles with billion dollar water transfer

BY LAURA WIDES

Associated Press Writer

LOS ANGELES — Imperial Valley water officials have found themselves caught between state and local interests as they struggle to decide whether to approve a billion dollar water transfer from desert farms to fast growing San Diego.

The agriculture-to-urban transfer is key to ending decades of dispute over the Colorado River. It also is the cornerstone of a water plan California must present to the federal government by Dec. 31 — or face a drastic, immediate cut to its river supply by the Department of the Interior.

California has used more than its share of Colorado River water for years, but until recently it didn't matter because the other states didn't use all of their allotments.

The deal calls for farmer to implement more efficient farming techniques to con-

serve water and for farmers to receive money in exchange for following some of their land. Imperial Valley business leaders and farm workers fear the plan will crush the agriculture dependent region in southeastern California. The proposed fallowing is difficult for many to accept in Imperial Valley, a region that is proud of its nearly 100-year farming tradition.

"It's a situation of damned if we do, damned if we don't," said Imperial Irrigation District board member Andy Horne.

The five-member board tentatively agreed to the transfer in October, along with the Metropolitan Water District of Southern California, the Palo Verde Irrigation District and the San Diego County Water Authority. All the other water district boards already have ratified the water transfer agreement.

The agreement includes the transfer of

up to 500,000 acre-feet of water a year. The largest single portion, 200,000 acre-feet, would go to San Diego. One acre-foot is enough to cover one acre of land with one foot of water, an amount equivalent to 326,000 gallons.

The Imperial Valley board likely will not vote until December, after it holds more public forums and its staff finalizes the terms of the agreement.

Some board members only agreed to the initial deal after Assembly Speaker Emeritus Robert Hertzberg — who moderated the negotiations — threatened them, Horne said.

Horne said Hertzberg talked about stirring up farmworker unions over labor conditions and even legislating the water board out of existence.

Hertzberg told The Associated Press on Wednesday that he was simply conveying ideas that were floating around the state

Legislature.

"There were public statements by others, and I was simply referring to those," Hertzberg said. "I was just giving them my best advice."

On the other side of the debate, community members at a public forum Tuesday demanded board members oppose the deal.

"We elect officials to make decisions, popular or unpopular," El Centro resident Jaime Gonzalez was quoted as saying in Wednesday's edition of the Imperial Valley Press.

"There comes a time for elected officials to listen to the people. If the people don't want it, don't do it," he said.

The transfer touches only a fraction of the more than 3 million acre-feet Imperial Valley farms receive from the Colorado River each year, but community members fear it is only the first of water grabs by coastal cities.

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STATE

Californians expected in both parties' leadership in House of Representatives

BY MARK SHERMAN
Associated Press Writer

WASHINGTON — Californians are expected to be part of both parties' leadership in the House of Representatives next year, bringing added influence to a state that has seen its star dim at the White House.

Republicans on Wednesday elected Rep. John Doolittle, of Rocklin, as their conference secretary, who helps communicate the party's message.

Doolittle, 52, one of the GOP's more conservative members, joins Rep. Christopher Cox, R-Newport Beach, who will continue as Republican policy chairman.

Doolittle, first elected to Congress in 1990, is close to Rep. Tom DeLay of Texas, whom Republicans chose as their majority leader.

"I'll have more access to information and key decision-makers," said Doolittle, who has had an office in DeLay's suite in the Capitol.

Several lawmakers said the presence of colleagues from the state in the leadership is more important in the Bush administration than it was during Bill Clinton's presidency, because Clinton paid close political attention to California during his eight years in office. He won the state twice, while Bush lost it to Al Gore by 1.3 million votes in 2000.

Doolittle said his first priority next

year will be making permanent the tax cuts that President Bush signed into law last year.

He has been a lonely advocate in Congress for the Auburn Dam. On a national level, he was an outspoken critic of President Bill Clinton, boycotting the 1999 State of the Union address because he considered the president "guilty as sin" and unfit to hold office. Doolittle voted to impeach Clinton.

Democrats are expected on Thursday to make Rep. Nancy Pelosi of San Francisco, an outspoken liberal, their House leader. And Rep. Zoe Lofgren, D-San Jose, is a candidate for the Democrats' caucus vice chairman.

While Pelosi's election is considered likely, some lawmakers said Lofgren's chances could be hurt by the "ABC factor," anywhere but California.

"Californians are accustomed to that," said Rep. Anna Eshoo, D-Atherton, who supports Pelosi and Lofgren. "Many members want to see the makeup of the leadership. Will there be a black, a Hispanic?"

Lofgren is opposed by two members of the Congressional Black Caucus, Rep. James Clyburn of South Carolina and Rep. Gregory Meeks of New York.

Lofgren, 54, has been a leader among Democrats on high-tech issues important to her Silicon Valley constituency, said Rep. Lois Capps, D-Santa Barbara.

Pop star Michael Jackson testifies during lawsuit trial

By The Associated Press

SANTA MARIA — Reclusive pop star Michael Jackson took the witness stand Wednesday in a \$21 million lawsuit by his longtime promoter that accuses the singer of backing out of two millennium concerts.

Jackson, who wore a surgical mask when entering and leaving the courtroom, began testifying several minutes before the court broke for lunch. He was expected to continue when court reconvened in the afternoon.

About 100 cheering fans greeted the performer outside Santa Barbara County Superior Court. Some held signs reading "Free Michael."

Jackson wore a red shirt and sported shoulder-length hair. The singer routinely wears the mask to protect his throat from pollution and germs, said Lee Solters, his former publicist.

While testifying, Jackson spoke softly, saying only "yes" or "no" or asking for questions to be repeated.

He paused frequently when asked about his business relationship with concert promoter Marcel Avram, who is suing Jackson.

About 30 people watched inside the courtroom after winning a lottery for seats. As Jackson left during the break, he waved to fans and flashed the V-for-victory sign before being driven off in a black stretch SUV with an escort of five police motorcycle officers.

Jackson owns the Neverland Ranch in nearby Los Olivos.

During opening statements on Tuesday, Louis Miller, an attorney for

German-based promoter Marcel Avram, said his client was left with hundreds of thousands of dollars in expenses after Jackson dropped out of the performances, which were to take place on both sides of the international dateline.

The suit filed in 2000 claims that Jackson agreed to four shows, including two on Dec. 31, 1999, in Honolulu and Sydney, Australia.

Jackson performed at the first two concerts, the proceeds of which were for charity, but allegedly pulled out of the New Year's Eve shows. The suit contends Jackson was paid a \$1 million advance and had debts totaling \$1.2 million covered.

Jackson's attorney, Zia Modabber, told the eight-woman, four-man jury in his opening remarks that it was Avram who postponed the concerts when he met with Jackson's representatives at the Waldorf-Astoria in New York City in October 1999.

Modabber said Avram, who had agreed to pay Jackson \$15 million, realized the shows would not be as profitable as he had hoped.

"He could not live up to the huge promises he made to Mr. Jackson," Modabber said.

Miller said the promoter had no motive to cancel the concerts. He had agreed to cover expenses for the two benefit shows with the understanding that he would recoup his costs from the New Year's Eve concerts, Miller said.

Modabber countered that Avram lost money on the benefit concerts.

"He's now looking at Mr. Jackson to bail him out," he said.

NATIONAL



Roman Catholic bishops approve sex abuse policy

BY RACHEL ZOLL
AP Religion Writer

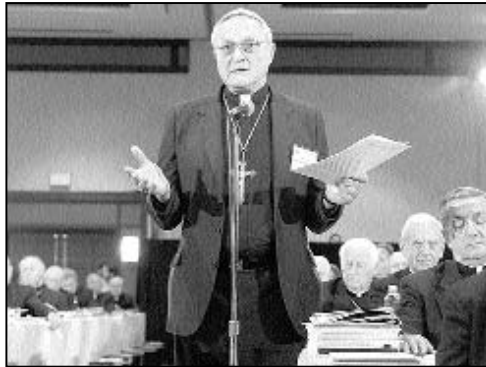
WASHINGTON — U.S. Roman Catholic bishops overwhelmingly approved a compromise sex abuse policy Wednesday after the Vatican demanded they make changes to balance fairness to priests with compassion for victims.

Weary of scandal, bishops hoped the new plan would restore their credibility after 10 months of revelations that church leaders have sheltered molesters in the clergy. Victims and some rank-and-file Catholics were dissatisfied, and pledged to fight on for greater accountability from bishops.

The Vatican still must approve the policy to make it church law, and therefore binding on the bishops, but the revisions were worked out with officials from the Holy See. U.S. prelates are certain the document will receive Vatican approval.

"We are sometimes asked to choose between the accuser and the accused," Chicago Cardinal Francis George said as he introduced the revisions for a vote. "We cannot choose one or the other. We have to choose both. We have to love both."

The bishops voted 246-7 with six abstentions to approve the Vatican-demanded changes, which were developed to ensure due process protections for accused priests. The prelates stressed that the policy still promises clergymen will be removed from public ministry — saying Mass, teaching in Catholic schools, wearing a Roman collar — after "even one act of sexual abuse of a minor."



Ken Lambert/Associated Press

Bishop Gerald Gettelfinger of Evansville, Ind., explains why he will vote against pending church sexual abuse policy, during debate at the U.S. Conference of Catholic Bishops morning session, Wednesday, in Washington.

A few bishops said the plan was unfair to priests who had been rehabilitated. Washington's Cardinal Theodore McCarrick responded: "We had no choice. We must move forward."

The Survivors Network of Those Abused by Priests said the policy gives too much discretion to bishops, whose negligence caused the abuse crisis.

"Bishops have voted to give themselves more power

and backtracked from their earlier promises," said Barbara Blaine, the group's president. "It is critical that survivors keep coming forward, regardless of the obstacles."

The lay reform group Voice of the Faithful, created in response to the molestation scandals, said the plan created "a cumbersome procedure" that overlooks "the spiritual and pastoral needs of the survivors."

The policy allows bishops to conduct a confidential, preliminary inquiry when a molestation claim is made to determine whether it is plausible. If it is, the accused priest is to be put on leave, then must go before a clerical tribunal to determine his guilt or innocence.

Bishop Thomas Doran of Rockford, Ill., who contributed to the revisions, pleaded for patience as the bishops worked out implementation of the policy. It will take at least a year to form the courts and train church prosecutors and judges, he said.

Bishops are compelled to obey local civil laws when it comes to reporting abuse claims, but no more than that. The church leaders, however, pledged to report all allegations involving children to civil authorities.

At least 325 of the nation's 46,000 priests have resigned or been removed from their posts because of accusations of sex abuse, with cases dating back years or even decades. Assuming the Vatican backs the policy, many of those cases will be heard by church courts, George said.

Asked about the chance the American plan will win approval in Rome, a senior Vatican official, speaking on condition of anonymity, said Wednesday that "the climate here is favorable."

Unsettled governor's race is tiring some Alabama voters

BY PHILLIP RAWLS
Associated Press Writer

MONTGOMERY, Ala. — For the past week, in a sort of political version of "To Tell the Truth," two men have each claimed to be the next governor of Alabama. And some people are getting mighty tired of the whole spectacle.

The standoff between Democratic Gov. Don Siegelman and Republican Rep. Bob Riley is even competing with the annual Alabama-vs.-Auburn football game these days as the big topic on talk radio and at lunch across the state.

The official tally shows Riley leading by 3,115 votes out of 1.3 million cast, but

Siegelman is demanding a statewide recount and complaining about the accuracy of the optical scanners used to read ballots. Since Election Day, each man has acted as if he is Alabama's next governor.

Some voters are calling on Siegelman to end the controversy.

"Accept your lame-duck status. Call your mover. Pack your bags and vacate the Governor's Mansion," suggested Allen Cotton, a military veteran from Prattville.

Other voters are encouraging Siegelman to press for a recount in the nation's last undecided governor's race.

"Any election that close needs to be recounted. Neither one of the candidates has

a mandate," said Linda Rosen, a Tuscaloosa guidance counselor. She said a recount would help unite the state: "If we feel a majority is behind one man or one woman, we will go along because that's our way."

Riley and Siegelman spent a total of more than \$22 million on their campaigns, much of it attacking each other. The nastiness has continued during the disputed vote counting.

Siegelman had initially led in unofficial returns and called on Riley to concede. But Riley jumped in front on election night when Baldwin County officials reduced Siegelman's total by nearly 7,000 votes, saying a computer glitch in their

election system had overstated his returns.

Siegelman's supporters filed petitions in every Alabama county last week for a recount. But the move was all but shut down by Republican Attorney General Bill Pryor, who said recount rules do not override a state law that keeps ballots sealed except in limited circumstances. At least one county, however, said it would begin a recount on Thursday.

Siegelman's options are getting a court order to open the ballots or filing an election contest with the Legislature. The Legislature does not convene until Jan. 14, but Siegelman is considering calling a special session.

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INTERNATIONAL



Iraq accepts U.N. resolution, return of inspectors

BY EDITH M. LEDERER
Associated Press Writer

UNITED NATIONS — Facing a tight deadline and the threat of war, Iraq accepted a tough, new U.N. resolution on Wednesday that will return weapons inspectors to the country after nearly four years. Iraq's U.N. ambassador said his country hadn't placed any conditions on the resolution's terms.

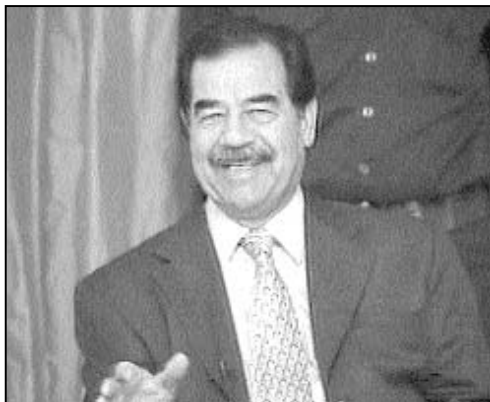
In an argumentative and sometimes threatening nine-page acceptance letter to Secretary-General Kofi Annan, Iraqi Foreign Minister Naji Sabri attacked the United States and Britain, the co-sponsors of the resolution, and called the U.N. action unjust and illegal. But he declared nonetheless that Baghdad would abide by the resolution.

"We hereby inform you that we will deal with resolution 1441, despite its bad contents. ... The important thing is trying to spare our people from any harm," Sabri wrote. The letter went on to add that Iraq is "prepared to receive the inspectors within the assigned timetable."

Annan, speaking to reporters in Washington after a meeting with President Bush, said "we take it that they have accepted" the resolution, clearing the way for an advance team of U.N. inspectors to arrive in Iraq on Monday.

"Yes, Iraq has accepted," Annan said. But, he added, "the issue is not acceptance but performance on the ground. Let the inspectors go in. I urge the Iraqis to cooperate with them and to perform and I think that is the test we are all waiting for."

Bush said he wouldn't tolerate "deception or denial or deceit" from Iraqi President Saddam Hussein and he renewed his warning that if Iraq "chooses not to disarm, we will have a coalition of the willing with us" to do the job.



Associated Press/IRAQ TV via APTN
Iraq's President Saddam Hussein attends a meeting of Iraq's Revolutionary Council in Baghdad in this image broadcast by Iraqi television Wednesday.

Bush declined to discuss the letter, though he thanked the U.N. Security Council for passing the U.S.-backed resolution. The Council approved the resolution last Friday and gave Iraq to accept its terms.

"They had no choice" but to accept, said a U.S. official, speaking on condition of anonymity. "Iraqis need to give their full cooperation to the inspectors to bring about complete and verifiable disarmament. Nothing else will do."

Russian Foreign Minister Igor Ivanov, whose country is Iraq's closest Security Council ally, said on state-con-

trolled ORT television: "We were confident that Iraq would make this decision, which opens the way for a political resolution of the situation. Now it is important that the international inspectors quickly return to Iraq."

In Baghdad, state-run television announced Saddam's acceptance of the Security Council resolution two hours after Iraq's U.N. Ambassador Mohammed Al-Douri told the rest of the world.

Iraqi TV showed images of Saddam, in a dark suit and tie, presiding over a meeting of his Revolutionary Command Council, made up of senior military officers. The picture was frozen on the screen while an announcer read the message recounting at length a history of Iraq's dispute with the United Nations.

In the letter, Sabri accused Bush and British Prime Minister Tony Blair of fabricating "the biggest and most wicked slander against Iraq" by claiming that it had or was on its way to producing nuclear weapons.

He also warned inspectors that Iraq will be watching their actions very closely. In 1998, Baghdad accused inspectors of spying for the United States and Israel.

"Dealing with the inspectors, the government of Iraq will ... take into consideration their way of conduct, the intentions of those who are ill-intentioned among them and their improper approach in showing respect to the people's national dignity, their independence and security, and their country's security, independence, and sovereignty," Sabri said.

Under Security Council resolutions adopted after Iraq's 1990 invasion of Kuwait, U.N. inspectors must certify that Iraq's nuclear, chemical and biological weapons programs have been eliminated along with the long-range missiles to deliver them. Only then can sanctions against Iraq be lifted.

Al-Douri delivered the letter to Annan's office. "There are no conditions, no reservations," contained in the acceptance, he said.

The advance team that will arrive in Iraq on Monday will be led by chief U.N. inspector Hans Blix, who is in charge of biological and chemical inspections, and Mohamed ElBaradei of the International Atomic Energy Agency, which is in charge of nuclear inspections.

The resolution allows inspectors to go anywhere at any time to search for weapons of mass destruction. It also warns that Iraq faces "serious consequences" if it doesn't comply — and the United States has made clear that an Iraqi failure to cooperate will almost certainly mean a new war.

"Now, we are not talking about war or military action. We are talking about the mission of inspectors and how to make it a successful one," Amr Moussa, the head of the Arab League, told CNN. The Arab League had been instrumental in getting Iraq to accept the unconditional return of inspectors and to secure its support for the resolution.

On Tuesday, Iraq's parliament recommended that Saddam reject the resolution. Saddam's son, Odai Saddam Hussein, proposed making Arabs part of the U.N. team, echoing a recommendation from the Arab League.

German police raid apartments in search of Islamic extremists

BY DAVID RISING
Associated Press Writer

BERLIN — Police have searched 27 apartments across Germany and arrested one man in raids against suspected Islamic extremists, officials said Wednesday.

The raids in cities including Frankfurt, Muenster and Hamburg followed a yearlong observation of 25 people suspected of founding a radical Islamic organization, said Job Tilmann, spokesman for the Frankfurt prosecutors' office, which coordinated the operation Tuesday.

The suspects are all believed to be members or sympathizers of Hizb-ut-Tahrir, a group calling for the creation

of an Islamic state in Central Asia, Tilmann said.

Several people were detained temporarily, and one man was arrested in Frankfurt, though Tilmann said the charges against him stemmed from an unrelated conviction. He said he had no further details on the suspects.

Documents and computer disks were seized, and police also found containers of a chemical substance in the western city of Muenster. Police experts found that it was not dangerous and could not be used to make explosives or poisonous gas, Tilmann said.

Hizb-ut-Tahrir, or Liberation Party, was formed in Lebanon in 1953 but spread to overwhelmingly Muslim

Central Asia after the Soviet Union collapsed in 1991. It aims to unite all Muslims through the creation of an Islamic caliphate, or empire, ruled by Islamic law, or Shariah.

The group has denounced the U.S.-led campaign against terrorism and a possible attack on Iraq.

German authorities are using new laws passed after the Sept. 11 attacks in the United States to crack down on extremist groups suspected of supporting terrorism.

Three of the pilots in those attacks lived and studied in Hamburg, and a Moroccan man accused of giving them logistical support currently is on trial.

Canadian official to discuss anger over U.S. border screenings

BY TOM COHEN
Associated Press Writer

TORONTO — The cases of two Canadian citizens ensnared by tighter U.S. border screenings have so angered the country that the Canadian foreign affairs minister will raise the issue with Secretary of State Colin Powell during a visit on Thursday.

Powell's visit is to discuss a possible military strike against Iraq. But Canadian Foreign Affairs Minister Bill Graham plans to raise the cases of the two Canadians, one involving a man jailed in Maine after crossing the border to buy cheaper American gas.

The other involves a dual Canadian-Syrian citizen deported to Syria while switching planes at New York's John F. Kennedy International Airport after U.S. officials reportedly accused him of links to al-Qaida. Graham has protested that the man should have been deported to Canada.

Canada has criticized the U.S. National Security Entry Exit Registration System created after the Sept. 11 attacks. It authorizes border officials to fingerprint and photograph people who were born in or are citizens of the five countries accused by the U.S. government of having terrorism links.

Those countries are Iran, Iraq, Libya, Sudan and Syria.

Canada even issued a travel advisory warning people born in those countries to avoid trips south of the border.

The Americans responded by promising Canadians equal treatment but saying U.S. security overrode any Canadian concerns about unfair treatment.

Graham rescinded the travel advisory last week, but foreign affairs spokesman Rodney Moore said the "high-profile consular cases" would be discussed with Powell.

Michel Jalbert, a 32-year-old French-speaking Quebec resident living near

Maine, was arrested Oct. 11 while doing what people in Pohenegamook, Quebec, routinely do — driving a few yards into America to buy gas.

The gas station is less than a mile from a U.S. border post on a road primarily used for logging in northern Maine. Residents routinely buy gas without first registering with U.S. authorities.

When Jalbert stopped for gas, he had a hunting rifle in his vehicle that attracted the attention of a U.S. policeman. A background check found a 13-year-old criminal conviction for vandalism and possessing stolen property, making him inadmissible for entry into the United States.

Jalbert was arrested and charged with illegally entering the country and two weapons violations. He faces up to six months in prison if convicted.

Locals call the case unnecessary U.S. harassment, while U.S. officials say border security changed after the terror attacks on

the World Trade Center and Pentagon.

Maheer Arar, who holds joint Canadian-Syrian citizenship, was detained Sept. 26 while switching planes in New York during a trip from Tunisia to his Montreal home. He was then deported to Syria.

According to Canadian news reports, an immigration lawyer in New York who tried to help Arar said a U.S. Immigration and Naturalization Service document she examined alleged that Arar was a member of al-Qaida.

Canada's Muslim community this week issued its own warning that travel to the United States by Canadian Muslims could bring delays, questioning and even detention.

But U.S. Attorney General John Ashcroft said last week that birthplace in one of the countries was not an automatic referral into the U.S. registration system, but he said citizens of any country could face increased monitoring.



SPORTS

A heated block



Wilfredo Lee/Associated Press
Miami Heat center Vladimir Stepania (50) attempts to block a shot by Los Angeles Clippers forward Elton Brand (42) during the first half, Tuesday, in Miami.

Augusta chairman speaks up

BY DOUG FERGUSON
AP Golf Writer

The last public words from Hootie Johnson came seven months ago when he helped Tiger Woods slip into the green jacket after winning the Masters for a second straight year.

The Augusta National chairman is silent no more.

Starting with a series of interviews, Johnson began a media campaign that left public relations specialists debating whether it would sway opinion on the all-male membership at the club.

"When you come out with a media blitz, it's perceived as scrambling. It comes across much more as an act of desperation," said Jonathan Bernstein, whose Los Angeles-based company, Bernstein Communications, specializes in crisis management.

"But it's also a case of 'better late than never.' He had a message to get across."

Augusta National, under attack from Martha Burk and the National Council of Women's Organizations since July, hired a media consultant six weeks ago.

Johnson's first interview on the membership issue was on newscasts and Web sites Monday evening. That was followed by

an editorial from Johnson that appeared Tuesday in the Wall Street Journal.

On Wednesday, the club released results of a survey it commissioned and said they indicated most people agree that Augusta National can set its own membership policies as a private club.

The national poll, conducted by Washington-based The Polling Company Inc. and WomenTrend, reported that 60 percent of 800 people agreed that the club should retain its membership policy. Seventy-four percent said Augusta National "has the right to have members of one gender only."

Why talk now?

"You have to say, 'Whom can this kind of information affect?' It does not affect those people who already have made up their mind," said Mary Ann Ferguson, a journalism and communications professor at the University of Florida.

In an interview last week, Johnson said there had been speculation about when Augusta National would have a female member, and, "I thought we ought to get the record straight."

He reiterated the club alone would decide when to add a female member, and that there

was no chance one would be invited to join before the next Masters in April.

Johnson did not deviate much from his July 9 statement on the history, tradition and constitutional rights of the club to associate with whomever it pleases.

If that was the case, why say anything at all?

"Regardless of what you say, if you don't say what the other side wants you to say, you're better off keeping your mouth shut," said Mike Herman, president of Epley & Associates public relations firm in Charlotte, N.C.

"I think the silence carried a message," he said. "It seems to me that the club has itself in a situation where whatever it does, it looks defensive. And I'm not sure either the club membership or the club leadership sees that as a negative."

Johnson made sure reporters saw stacks of letters on his desk that he said supported Augusta National, and a telephone survey of 624 newspaper readers in Pennsylvania, 90 percent of whom said he was right.

He leaned heavily on Wednesday's poll to illustrate support.

The 48-question survey asked about the First Amendment and which women's issues take high priority, eventually honing in on Augusta National's rights as a private club.

One question asked respondents if they agree with this statement:

"The Augusta National Golf Club was correct in its decision not to give into Martha Burk's demand. They should review and change their policies on their own time, and in their own way."

Seventy-two percent agreed. Harry O'Neill, chairman of the polling review board of the National Council of Public Polls, said the survey included "terribly loaded questions" with "emotionally loaded words."

"They would serve themselves much better if they had done a more succinct survey without any questions that were obviously biased or loaded in their wording," O'Neill said. "They didn't do themselves any favors."

Burk dismissed the poll as a "sort of an amateurish attempt to bolster their position against women."

The president of WomenTrend defended the validity of the poll and said some of the questions invited dissension.

While Burk said she has made progress, no one has resigned his membership at Augusta.

Johnson already dismissed the Masters' TV sponsors, CBS Sports has said it will televise the tournament, and commissioner Tim Finchem said the PGA Tour would continue to recognize the major championship as an official event.

Which side is right over the all-male membership will be debated until the Masters, and possibly beyond.

GMs lay out ground work for future deals

BY JOSH DUBOW
AP Sports Writer

TUCSON, Ariz. — Despite the fact that nearly all of baseball's general managers and a handful of agents are together this week, only one notable player has changed teams so far.

The Chicago Cubs beefed up their catching Wednesday, acquiring Damian Miller from Arizona for two minor leaguers.

But the lack of dealing isn't from a lack of trying.

"We've talked to a lot of people this week. But 99 percent of what we talk about doesn't lead to anything," Diamondbacks GM Joe Garagiola Jr. said. "This one just happened to work out."

Most of the work being done at the general managers' meetings is setting the stage for the next two months.

Teams have started preliminary trade talks — finding out which opposing players are available and which of their own players are coveted. Agents and teams have also expressed interest to each other to hold more significant talks in the next few weeks, possibly at next month's winter meetings.

But except for the Philadelphia Phillies, who made contract offers to free agents Jim Thome, Tom Glavine and David Bell on Tuesday, most teams are moving cautiously.

"It will be a slower-developing market, which is what we anticipated coming out here," Mets general manager Steve Phillips said. "Teams have con-

tracts they would like to trade to change their configuration."

Arizona and Colorado have talked about swapping outfielder Larry Walker and third baseman Matt Williams. The Rockies are also exploring to see if there is any interest in overpaid pitchers Mike Hampton and Denny Neagle.

Florida, which is looking to unload Charles Johnson and Preston Wilson, could be interested in Hampton.

The Mets might be willing to take on Neagle as long as the Rockies take back one of New York's undesirable players: Jeromy Burnitz, Rey Ordonez or Roger Cedeno.

Even the usually free-spending Yankees are looking to slash payroll. GM Brian Cashman is under orders to save money and is looking to deal Raul Mondesi, Rondell White and Sterling Hitchcock.

"I have a lot of ideas floating around," Cashman said. "I'm just waiting for responses."

So far, the Phillies have been the most aggressive team this offseason. They offered Thome a reported five-year, \$75 million contract, Glavine about \$30 million for three years and a three-year contract to Bell.

But the Indians are still hopeful they can keep Thome, the top hitter on the market despite offering the slugger a four-year package believed to be worth between \$40 and \$48 million.

"The only thing they can offer Jim more of is money," Indians GM Mark Shapiro said. "If it comes down to that, we'll probably lose the player. I still feel Jim

Thome is a player who valued more than that."

The cost-cutting Braves have only offered Glavine a one-year deal, worth about \$9 million. That could force the two-time Cy Young award winner to leave Atlanta after 16 years.

Glavine was 18-11 with a 2.96 ERA this season and has 242 career wins.

"The chance today of Tom Glavine leaving Atlanta is a very real possibility," said Gregg Clifton, Glavine's agent. "Six months ago that wasn't the case. But today, the chance that Tom Glavine will play with another team is a very viable possibility. It's not just smoke."

Clifton has also talked to the Yankees and Mets, while Texas has expressed interest in the pitcher.

Cashman has other decisions to make first, including whether to exercise Andy Pettitte's \$11.5 million option for next season by Friday.

"Brian expressed his interest in Tom," Clifton said. "But he said he'd have to make a few maneuvers for that interest to come to fruition. Given the timing, I don't know if that can happen."

For now, the Mets and Phillies are the most aggressive teams.

Clifton said Glavine would probably visit Philadelphia next Thursday and Friday and thinks the Mets could make an offer soon. Glavine wants to see who the Mets hire as pitching coach before making a decision.

"It was more discussion. It was a step toward a potential offer," Clifton said about his

meeting with Phillips. "I think the Mets were very serious."

After a couple of weeks of talks, the Cubs and Diamondbacks were able to make a deal. Arizona sent Miller to Chicago for left-hander David Noyce and outfielder Gary Johnson.

Miller, 33, batted .249 with 22 doubles, 11 homers and 42 RBI in 101 games last season for the Diamondbacks, who won the NL West.

"He's a good handler of pitchers and has done a good job for a long time," Cubs GM Jim Hendry said. "He was in the All-Star game last year and part of a world championship team and a strong contributor."

Chicago was looking to upgrade its catching. Joe Girardi is a free agent and Todd Hundley, who hit .211 last season, has been in two-year batting slump.

There was only one other deal made. Oakland acquired right-hander Roy Smith from Cleveland on Wednesday for cash considerations.

Also Wednesday, the NL champion San Francisco Giants hired manager Felipe Alou to replace Dusty Baker.

The 67-year-old Alou inherits a team that came within six outs of a World Series title. He was fired by Montreal in 2001 and was a bench coach in Detroit last season.

Baker, meanwhile, is close to wrapping up his deal to take over the Chicago Cubs.

Seattle also could hire a new manager later this week.

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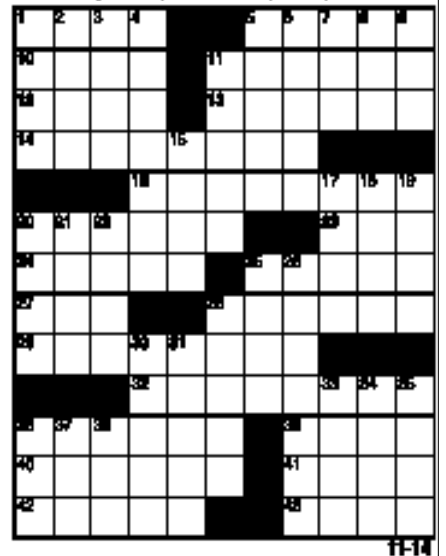
- ACROSS**
- 3 Sea of Asia
 - 4 Ingot's big brother
 - 5 Singer Vaughan
 - 6 Malabar's opponent
 - 7 "Dracula" star
 - 8 October atone
 - 9 Composer Bloch
 - 10 European herb
 - 11 Starting pay
 - 12 Obliquely
 - 13 Crew leader
 - 14 Wig bits
 - 15 Kelly of film
 - 16 Coach Paraghi
 - 17 Bico type
 - 18 Canary container
 - 19 Web sight
 - 20 Nominally
 - 21 Pakistan neighbor
 - 22 Gatooh material
 - 23 Bully's target
 - 24 Flight part
 - 25 Bar bills
- DOWN**
- 1 Put away
 - 2 Arizona tribe



Yesterday's answer

- 26 Melville captain
- 27 Indian dress
- 28 Fabricator
- 29 Wizard
- 30 Milk can-tan words
- 31 Circus worker
- 32 Abu —
- 33 Person with promise
- 34 Neighbor-hood
- 35 Attire
- 36 Finishes
- 37 1040 org.
- 38 Hardware item
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NEWS OF THE WEIRD by Chuck Shepard

Man kills son in hunting accident

- A man accidentally killed his 14-year-old son with a crossbow when he mistook the boy for a deer (Adamsville, Ohio, October).
- A man accidentally shot his adult son with his Father's Day handgun (which the son had loaded before gift-wrapping) (Coraopolis, Pa., June).
- Mothers in Jackson, Wis., and Port Richey, Fla., shot their sons (ages 9 and 10, respectively) with BB rifles in object lessons taken too far (August; September).
- A man accidentally fired his hunting bow, driving an arrow into the skull of his 11-year-old daughter, but she survived (Muncie, Ind., September).

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Vehicles for sale

1996 BMW 318Ti, excellent condition, pre-certified. 54,000 miles. \$8500.00 (310)291-0337

Vehicles for sale

1994 JEEP Grand Cherokee. Forest green w/beige interior. 122,000 miles. EXTRA CLEAN! Original owner, new tires. Kelly Blue Book wholesale value: \$6,500. Asking price: \$5,100. (310)704-7772.

1995 SATURN SL1: Excellent condition. AM/FM Cassette, Automatic, A/C, sunroof. \$5,000! Only 64,000/miles. Maroon. (310)264-0887.

Massage

BLISSFUL RELAXATION! Heal your body, mind, spirit. Therapeutic, Swedish, Deep-tissue. energy balancing, non-sexual. Introductory specials from \$45.00/hr. In/out. Lynda, L.M.T. (310)749-0621

REVITALIZE & Rejuvenate. Body, Mind & Spirit with a therapeutic Swedish/Deep-tissue massage. Laura (310)394-2923 (310)569-0883.

Massage

SOOTHING DEEP-TISSUE bodywork. Intro: \$35/80min. Women only. Non-sexual. Call Paul for appointment: (310)741-1901.

THERAPEUTIC MASSAGE, Swedish, Accupressure, Deep-tissue, Sports Massage, Reflexology. For apt call Tracy at (310)435-0657.

Services

CALIFORNIA ENGLISH Teacher Specialist -Tutoring all aspects of English. Call (310)393-7557.

FRENCH TUTOR: All levels, basic skills, conversation, trip preparation. Call (310)434-0113 E-mail: chantal@france.com

Services

NEED TAX and bookkeeping service? For small businesses. Payroll services, bank reconciliations, financial statements. (310)230-8826.

HOUSE CLEANING - Available 6 a.m. to 2 p.m. Windows, laundry, general house cleaning. References available. Responsible. Reasonable prices. Call Lalo (310) 313-0848.

Yard Sales

CULVER CITY, Sat. 11/16 9am-3pm 4108 Huron Ave. Multi-family sale. Quality furniture, collectibles, sporting equipment, clothes.

Health/Beauty

DIABETIC WEIGHT-LOSS Bath Shampoo. Free sample. Ralph Sahara, P.O. Box 62174, Honolulu, HI.

Health/Beauty

EXPERIENCED MAKE-UP ARTIST! Weddings & Special Events. Local references available. (310)702-8778 / (323)559-9033. Nina & Alex.

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Calendar

Thursday, November 14, 2002

movies

Loews Broadway Cinema
1441 Third St. at Broadway
Comedian (R) 12:45, 3:05, 5:25,
7:45, 10:25. Femme Fatale (R)
11:15, 1:55, 4:35, 7:15, 10:10.
Jackass: The Movie (R) 12:30,
2:50, 5:10, 7:30, 9:55. The Truth
About Charlie (PG-13) 1:10,
1:40, 4:20, 7:00, 9:40.

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. Ghost Ship (R)
12:00, 2:30, 5:00, 7:30, 10:10.
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) 1:15, 4:25,
7:35, 10:30. 8 Mile (R) 12:15,
1:00, 3:15, 4:00, 6:15, 7:00,
9:15, 10:00. Santa Clause 2 (G)
11:45, 1:35, 2:30, 4:10, 5:10,
7:45, 10:10. White Oleander
(PG-13) 7:25, 9:55. I Spy (PG-
13) 11:55, 12:30, 2:20, 3:00,
4:45, 5:30, 7:15, 7:50, 9:45,
10:05.

Landmark Nu-Wilshire
1314 Wilshire Blvd.
Bowling for Columbine (R)
1:30, 4:15, 7:15, 10:00. Far
From Heaven (PG-13) 11:30,
2:00, 4:30, 7:00, 9:30.

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.
Rules of Attraction 5:00, 7:30,
10:00.

Today

Community

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.

Y Canned Fitness Week! November 4 thru 19. Just bring in ten cans of food per visit and you can participate in any one of our fitness classes, fitness center & lap swim for FREE! SM Family YMCA is located at 1332 Sixth Street. For more information please call (310)393-2721 ext. 118.

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 to 9pm. Dan (310) 451-4368 www.santamonickaksg.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.

Unurban Coffee House presents Komeedy Crunch every Thursday evening. Showtime is 7pm. 3301 Pico Blvd. (310)315-0056

FREE health talk about Osteoporosis sponsored by UCLA Healthcare. UCLA family physician Dr. Monica Oei will provide an overview of osteoporosis, including diet, exercise, medication and other treatment options. 7pm to 8:30pm, Classroom B at Santa Monica-UCLA Medical Center, 1250 16th St. in Santa Monica. Call (800)516-5323 for reservations.

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

Three Women, Three Faiths, One Shared City: Women of Jerusalem Speak. A dinner and panel discussion presented by the Los Angeles World Affairs Council. 7:30pm dinner.

Tickets are \$50 and can be purchased by calling (213)628-2333. Tickets will not be available at the door. Loews Santa Monica Beach Hotel, 1700 Ocean Ave.

Gotham Hall presents Comedy Night! Featuring professional stand-ups. Every Thursday, 1431 3rd St. Promenade, 8pm. Admission is \$5 + 2 item minimum. 21 and over. (323)525-5254

Friday

Community

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.

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.

Support Daybreak Designs, a grassroots business venture for women in transition. Quality handmade items perfect for the holidays. Daybreak Shelter, 12pm to 7pm, 1610 7th Street at Colorado. (310)450-0650

Pulse - Through kinesthesia, sight, sound, touch, taste, and smell, pathways clear for your deeper embodiment and wider expression. Each session is supported by live music with Christo Pellani of Soundformation Music and/or by recorded music. Altars devoted to the senses, spirit and play enrich the environment and amplify your awareness. Third Friday of the month, 7:30 p.m. To 9:30 p.m., Continuum Studio, 1629 18th Street #7, (North of Olympic in Santa Monica) Cost \$12.00. For more information please call Kara Masters (310)455-2743.

It's Howdy Doody Time! Santa Monica Puppet & Magic Center celebrates it's 5th Anniversary with a special performance of Puppetoloi! Followed by Howdy Retrospective with Burt Dubrow. Show starts at 7:30pm, all seats - \$9.50, 1255 2nd Street in Santa Monica. Reservations/Information (310)656-0483. www.puppetmagic.com

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.

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



High school 'senior'

By The Associated Press

JONESVILLE, Mich. — Junnie Kiersey is giving new meaning to the term "high school senior."

The 72-year-old decided two months ago that she wanted to be able to help her two great-grandchildren, 5 and 8, with their math homework. So she enrolled in an algebra class at Jonesville High School.

"I decided it was time for grandma to go back to school," Kiersey told the Hillsdale Daily News. "I figured if I can help them I'll be there, if the good Lord sees."

Kiersey's fans include Principal Andrew Parzych and her teacher, Dustin Scharer.

"I think it's great," Parzych said. "It's great to see an adult come back just to learn. It's neat she wants to do this for her great-grandchildren."

Kiersey meets Thursdays and Fridays with a tutor. "I feel a bit out of place," Kiersey said. "But the faculty and staff have been very nice. They've offered all kinds of help."

Kiersey said she might continue her studies by taking geometry, trigonometry and possibly calculus and a computer class.

Disappearing flags

By The Associated Press

BERKELEY — The city isn't ready to walk away from a pedestrian safety flag program — even though

all 3,000 of its flags have somehow walked away.

The experimental program began in December 2001 when bins holding the orange flags appeared at four Berkeley intersections. Pedestrians were supposed to pick up a flag, hold or wave it while crossing the street, and deposit it in a bin when they reach the other side.

But by October, the flags were gone.

Since each new flag costs \$1.25, it would cost \$3,750 to replace the stolen ones.

For now, the city plans to order replacement flags with only one change — they will be bright yellow.

The City Council is expected to consider whether to continue the program early next year. In the meantime, it will be expanded to three new intersections.

Champagne bandit

By The Associated Press

PORT ST. LUCIE, Fla. — Police are looking for a rather finicky shoplifter: a man who apparently likes Moët & Chandon White Star champagne.

The man, called the "Champagne Bandit," has stolen \$30 bottles of the bubbly from Publix supermarkets along central Florida's east coast, according to the St. Lucie County Sheriff's office.

"It is a unique case," St. Lucie Sheriff Ken Mascara said. "It's the first one I can recall where the person is targeting the same make of wine."

The bandit is described as 6 feet tall and 300 pounds. Security videotapes showed him wearing a large, untucked white dress shirt, jeans and a white ball cap.

Last week a manager at the same Publix in Port St. Lucie reported two bottles of Moët & Chandon had been stolen. The manager said the store has had 24 other bottles of the same champagne stolen since Oct. 5.

Maria Rodamis, a Publix spokeswoman, said the supermarket chain is fully cooperating with investigators. She declined further comment.

Police are still trying to pin down his motive, but they

note the champagne is often served with cheese-based entrees, oysters or fish.

Dogs train people

By The Associated Press

AKRON, Ohio — In Renee Smith's classroom, attendance is up, trips to the principal's office are down and students are handing in assignments on time.

The Springfield High School teacher says she's seen great progress since adding a few new students to her class — five Labrador puppies and their father.

The seven human students in Smith's class have a history of discipline problems. But since they've started teaching the dogs obedience, their own behavior has improved, Smith told the Akron Beacon Journal for a Saturday story.

Chuck Reynolds, a dog trainer who owns a kennel in suburban Cuyahoga Falls, teaches the students a new trick each week that they then work on with the puppies.

At night, the dogs go home with the staff members who have adopted them. They get dropped off in the morning, much as a parent would take a child to day care.

Smith said she came up with the idea when her dog had puppies and she saw how well her own children responded to them.

She consulted with school psychologist Kristin Edinger, and they took the idea — along with letters from students supporting the program — to the school board.

A national expert says the technique used at Springfield High is similar to the system applied in prisons, in which training a dog is used as a reward for good behavior.

"It's sort of like a dog biscuit for the kid," said Nancy Dapper, vice president of the Delta Society, a nonprofit organization based in Renton, Wash., that trains pet therapy volunteers. "What you are trying to teach is self-control and that there are consequences for the decisions you make."

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