

Santa Monica Daily Press

A newspaper with issues

LOTTO

FANTASY 5
36, 24, 21, 39, 14

DAILY 3

Afternoon picks: 9, 0, 9
Evening picks: 6, 0, 9

DAILY DERBY

1st Place: 2, Lucky Star
2nd Place: 4, Big Ben
3rd Place: 6, Whirl Win
Race Time: 1:44.29



NEWS OF THE WEIRD
by Chuck Shepard

From recent newspaper Police Logs: ■ Wayne Leonard Hoffman, 45, was arrested for DUI (0.39 reading) at a gas station in Minnetonka, Minn., where he was "attempting to add air to his vehicle's tires using a vacuum cleaner hose" (Lakeshore Weekly News, July).

■ Two Wilson, Wyo., men were feuding over a parking space at a K-Mart when one drove alongside the other and spit at him through his open window. According to the police report: "As (the victim) saw the projected body fluid traveling through the air, he dropped his jaw in shock, and the phlegm landed square in (his) mouth where he swallowed it in a gag reflex" (August, Jackson Hole News & Guide).

QUOTE OF THE DAY

"Every novel should have a beginning, a muddle and an end."

— Peter De Vries

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Murder victim's parents settle civil suit

BY CAROLYN SACKARIASON

Daily Press Staff Writer

A local couple has settled their lawsuit against the mother of a teenager who murdered their 15-year-old daughter.

The \$300,000 settlement comes just a week before the two-year anniversary of Deanna Maran's

death on Nov. 17, 2001. Maran, a sophomore at Santa Monica High School, was stabbed by 17-year-old Katrina Sarkissian after she got into an altercation with Sarkissian's half-sister at an unsupervised house party in Westwood attended by teenagers.

The agreement also comes a week after a Santa Monica judge

had ruled that Katrina Sarkissian's mother, Angelique Bernstein, should stand trial in the civil case. The judge noted Bernstein may have had knowledge of her daughter's emotional instability and her propensity for violence, and may have had the ability to control her because she was the legal guardian. A jury was to hear the civil suit, filed by the Marans, next month.

Katrina Sarkissian died of a drug overdose while being questioned by the LAPD the day after the episode.

The judge dismissed the Marans' lawsuit against Katrina Sarkissian's father, Sarkis Sarkissian, saying he had no opportunity to control his daughter on the night of the murder and didn't

have firsthand knowledge of his daughter's violent tendencies. However, that dismissal is being appealed by the Marans, and the settlement doesn't apply to it.

Deanna Maran's parents, Ilja and Harriet Maran, sued the Sarkissian parents on the premise that they should have done something about what they knew to be their daughter's violent proclivities.

Tony Glassman, the Marans' attorney, said the case was settled because it appears that Bernstein is financially insolvent.

"The indication from court records is that she has severe financial problems," he said. "We did not feel that to try the case for a substantial amount of money

See SETTLEMENT, page 4



Del Pastrana/Daily Press

A couple warily ascends the steps near Montana Avenue towards Palisades Park on Thursday.

Step in right direction

BY JOHN WOOD

Daily Press Staff Writer

Beachcombers looking for a quick jaunt to the Third Street Promenade and downtown area may encounter some obstacles come early next year, as two staircases leading from Palisades Park down to Santa Monica Beach will be closed so work crews can upgrade the aging steps and

install lighting.

The \$437,000 project is expected to take four months to complete and will focus on the staircases near Montana Avenue and Broadway, officials said.

"We are just replacing and repairing the existing stairs," said Eugenia Chusid, project manager for the overhaul. "We are not

See STAIRS, page 5

Market crash closure: Nearly \$184K paid out

Little more than \$5,000 remains to be collected by farmer's market victims

BY JOHN WOOD

Daily Press Staff Writer

Only one \$5,000 check needs to be distributed before a fund established by local business leaders for victims of the July 16 farmer's market crash can be formally shut down.

More than \$184,000 was raised by merchants and organizations over a three-and-a-half-month period in response to the local tragedy. The remainder of the proceeds have already been distributed to the families of the 10 people killed and dozens injured when Russell Weller drove through the bustling marketplace.

Since July 16, Weller has remained out of the public eye. Though his driver's license was suspended, no criminal action has been taken and officials said they don't know when the investigation, originally meant to be completed by the end of August, will be finished. The Santa Monica Police Department is still waiting on a report from the California Highway Patrol, which took over the investigation following the crash.

"People are complaining and criticizing this country, but they don't know what they have until they come from somewhere else. It's amazing — total strangers giving money."

— BORIS HOFFMAN

Son of market crash victims

In the meantime, officials from the Santa Monica Chamber of Commerce, who set up the fund within 24 hours of the accident, are trying to find the father of Gloria Olivera Gonzalez, a 35-year-old Venice woman killed in the crash. Once they locate him at his home in Mexico, officials will formally close the emergency fund, which stopped accepting donations Oct. 31.

The fund raised enough money to give \$5,000 to the family of

See FUND, page 5

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HAPPY BIRTHDAY for Friday, November 14, 2003:

You make money because of a unique talent that emerges this year. Either others jump on the bandwagon, making this self-expression possible and lucrative, or else a very special opportunity comes to you. You will actively seek out others, and instinctively know what to say and do. Your popularity rises to a new level. Friends surround you, and something you really want comes to fruition. If you are single, you will make a new friend at a distance. This person could be quite special in your life, and quite different. You meet others through your friends. If you are attached, your relationship will blossom if, together, you focus on a common goal. Express your caring through buying something you both want. CANCER cares.

♈ ARIES (March 21-April 19)

★★★ You might have a slow start to the day, but you need to get going. Once into the swing of things, you seem to be able to accomplish nearly anything. Good feelings surround a special relationship at work. Make plans together for lunch. Tonight: Happy at home.

♉ TAURUS (April 20-May 20)

★★★★★ Your ability to put a situation in perspective makes a big difference in how you handle an emotional matter. You might defy a change, yet you want to make the jump. Do it today, as it could make all the difference. Tonight: Out and about.

♊ GEMINI (May 21-June 20)

★★★★★ Your friendly manner hits a home run with those in your life, especially an associate and a family member. You might not want to talk about what is on your mind. Use special care financially. Luck still is in your corner, my dear Twin. Tonight: First, decide how much you want to spend this weekend.

♋ CANCER (June 21-July 22)

★★★★★ Not everyone feels the way you do, but you do know how to open people's minds. Your emotional creativity springs forth, adding to your resourcefulness. A romance becomes even more fun and caring, if you allow it. Tonight: Whatever makes you happy.

♌ LEO (July 23-Aug. 22)

★★★★ Read between the lines, understanding what might be going on. Your instincts might be right-on with a partner's spending or a problem. Look past the obvious with a financial matter. You know what is happening. Tonight: Hop on home.

♍ VIRGO (Aug. 23-Sept. 22)

★★★★★ Friendship holds a key role in your life. A loved one actually might be jealous and cause a rumpus. Be sensitive to helping this person past this issue. You're unusually lucky with love and romance right now. Tonight: Your wish is another's command.

♎ LIBRA (Sept. 23-Oct. 22)

★★★★★ How you think and what you do might change your tune in the next few days. Experiment with possibilities. Ask for more information. Your willingness to dig in and get past a problem awes those without your creativity. Tonight: Leader of the gang.

♏ SCORPIO (Oct. 23-Nov. 21)

★★★★★ You go overboard. What is new about that situation? You might not be comfortable with a personal situation that takes you in a new direction. Someone could be far more passionate and peppery than you'd anticipated. Tonight: Take off ASAP.

♐ SAGITTARIUS (Nov. 22-Dec. 21)

★★★★★ Work on a closer and stronger connection with a key partner, friend or associate. Your instincts tell you what to do, while others express their deeper feelings. A boss values your input. Leaving work could be difficult, as last-minute items hold you up. Tonight: Be a duo.

♑ CAPRICORN (Dec. 22-Jan. 19)

★★★★★ What you say does make a difference, especially to someone who takes you seriously and can be somber as well. Others seek you out because they trust you. Accept a compliment from a loved one and a friend. Tonight: The only sin you can commit is to be alone.

♒ AQUARIUS (Jan. 20-Feb. 18)

★★★★★ Spending needs to be tamed. Either find a way of putting in overtime and/or structure a better holiday budget. A partner will pitch in with ideas. Think carefully, but express your optimism. A must appearance actually could be fun. Tonight: Leader of the gang.

♓ PISCES (Feb. 19-March 20)

★★★★★ Your fiery nature right now gets a project off the ground. You might not like what you hear, but you will feel better once a child or loved one confesses. Take off as soon as you can. Make the most of the weekend. Tonight: Others surround you like bears around honey.

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LOCAL



COMMUNITY BRIEFS

Santa Monica aces preservation test

By Daily Press staff

The city of Santa Monica scored an "A" on the first-ever "preservation report card" issued by the Los Angeles Conservancy, and was one of just six cities among the 88 in Los Angeles County to receive top marks for their actions to safeguard historic landmarks and districts.

Thirty-seven cities, plus Los Angeles County, received grades of "B" through "D." Forty-four cities failed and were labeled "preservation truants" because they have no preservation protection in place. The City of Los Angeles earned a "B+," while Los Angeles County received a "D-." Beverly Hills, a city with a treasure trove of historic architecture, managed to squeak onto the report card with a "D." The report card was based on months of research designed to identify local governments in Los Angeles County that have made preservation a priority and to encourage others to recognize the importance of conserving their historic resources.

"It takes hard work and dedication to develop a strong preservation program and constant vigilance to make sure it is effective," said Linda Dishman, executive director of the Los Angeles Conservancy. "Our honor roll salutes those jurisdictions and public officials that have invested so much time and effort to conserve their rich heritage for future generations."

"By shining a spotlight on cities who are proactive, we hope to spur others to do their homework and get preservation policies in place before our next report card," she added. "Our goal is to see all of Los Angeles County earn 'summa cum laude' honors."

Also making the preservation's "honor roll" were Long Beach, Pasadena, South Pasadena, West Hollywood and Whittier.

The conservancy's preservation report card was issued to mark its 25th anniversary.

'Courageous Kids' get lesson in self-advocacy

By Daily Press staff

"Courageous Kids," a program designed to support healthy child development, is holding a workshop on Nov. 15 to teach young students communication and self-advocacy skills for the classroom and working environment.

Courageous Kids focuses on building strengths, developing skills and acknowledging the gifts that all children have. The workshop is targeted for children with learning disabilities between the ages of 11 and 15, but is open to all.

Leading the workshop is Dr. Jay Gordon, a pediatrician, nutritionist and author, who will discuss the nutritional aspects of learning and healthy food choices. Also speaking will be Andrea Ackerman, a child psychologist and local and national "Schools Attuned" facilitator, who will simplify learning differences between different minds. Dr. Kaela Austin will detail different ways to ask for help.

In a separate workshop running simultaneously, Courageous Kids will focus on parents, caregivers, teachers and educators as a vital link in children's development toward adulthood. Parents and teachers will be supported in finding new ways to remove unnecessary obstacles to learning.

Admission to the workshops is \$30 per person. Early registration is recommended because of limited seating. For more information or to register, call (310) 452-3900 or e-mail info@courageous-kids.com. The workshops will be held in the Ken Edwards Community Center at 1527 Fourth St., room 106.

A drop in the bucket helps families in need

By Daily Press staff

For many Santa Monica families this year, the chance of having a holiday meal lies within a big, red bucket.

For the second year in a row, Santa Monica Place is conducting the "Big Red Bucket" campaign, a holiday food drive that unites the community in helping provide meals to families in need.

More than 50 Macerich-owned shopping centers are participating in the drive, which began Nov. 1 and runs until Nov. 21. In addition to receiving donations from



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SUNDAY	2:16	1.8	3:30	-0.1	8:29	5.9	9:48	3.9
MONDAY	2:36	2.1	4:04	0.0	8:52	5.9	10:30	3.6
TUESDAY	2:56	2.4	4:43	0.1	9:17	5.8	11:21	3.4
WEDNESDAY	3:15	2.7	5:27	0.3	9:44	5.6	N/A	N/A
THURSDAY	3:28	3.0	6:21	0.5	12:32	3.2	(10:15)	5.3
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mall merchants, Santa Monica Place has partnered with local schools to help fill the 16-gallon buckets with food. Each bucket contains specified non-perishable items for a complete holiday meal, as well as a gift certificate for a turkey or ham.

"The 'Big Red Bucket' gives us the chance to work together with people in the community to provide holiday meals to local families," said Erica Boatman-Dixon, senior marketing manager for Santa Monica Place. "By working together, we were able to feed more than 20 families last year, and this year we hope to reach at least 100 with the help of our community partners."

Once the buckets have been filled, they will be delivered to families via the Salvation Army.

Santa Monica Place is located off the Third Street Promenade, between Broadway and Colorado Avenue in downtown Santa Monica. The shopping center houses more than 130 specialty shops and eateries and is owned and managed by the Macerich Company, a real estate investment trust.



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LOCAL

Marans shifting their focus to father of Deanna's killer

SETTLEMENT, from page 1

was worth the time, energy and focus because who knows if we would ever be able to collect it."

Bernstein's attorney, Paul Ash, said settling the case represented better odds than going to trial.

"I think the law favored my client," he said. "But you never know what a jury will do."

Despite the judge's ruling, the focus for the Marans is still Sarkis Sarkissian, a Glendale businessman who apparently holds substantial assets. Glassman said he plans to appeal Santa Monica Superior Court Judge Linda Lefkowitz's dismissal.

"We think we can prevail in the appeals court against Mr. Sarkissian because he had equal control over his daughter with his ex-wife," Glassman said. "He knew virtually everything Mom did, or at least that is what the record shows."

Katrina Sarkissian and her 15-year-old half-sister were being questioned by Los Angeles Police detectives about their roles in the murder when the older sister went into a seizure and died a few hours later.

Katrina Sarkissian, a high school dropout, was described in court as a teenager who was "spinning out of control" and had a drug and alcohol abuse problem. Since the eighth grade, she had been kicked out of at least one private school, had been placed in a therapeutic residential school in Utah and had been in numerous fights with other girls, according to court documents.

Testimony from officials at Harvard Westlake, a private school Katrina Sarkissian once attended, show that she harassed other girls there, made verbal threats and menacing gestures, and tried to intimidate them. She was being home-schooled by Bernstein at her Brentwood house at the time of the murder.

California law requires proof that Katrina Sarkissian's parents knew she could be violent, and could control her.

"There has to be a nexus between a specific trait and the conduct," Judge Lefkowitz said during a court hearing last month. "The zone of notice has to have some relationship

to the crime committed."

Sarkis Sarkissian's attorney, Lori Levin-Borcorver, said she plans to respond to the Marans' appeal and is confident her client will be vindicated.

"I think the decision stands on its own," she said. "The judge put a great deal of time, thought, effort and research into all of her decisions in this case and it was the correct one."

In her ruling, Judge Lefkowitz said Bernstein had enough knowledge of her daughter's problems that she might have been able to foresee the behavior getting more violent. But Sarkis Sarkissian didn't because he didn't have custody of her and appeared to be an absentee parent.

However, Glassman argues that Sarkis Sarkissian still knew about his daughter's problems — so much so that he selected the therapeutic school in Utah, paid for the treatment, visited her and was in contact with therapists there, according to court testimony.

"He had an obligation to control his daughter; he had the same duty as Angelique," Glassman said, adding he will file the appeal within a week and expects a decision from the California Court of Appeals next year.

Harriet Maran, who plans to host a small gathering for Deanna Maran's friends at her Ocean Park home Monday — the two-year anniversary of her death — said she has mixed feelings about the settlement. The Maran family's goal through the lawsuits was to bring awareness to the issue of violence in society and parents' role in teaching their children important values, such as life.

Harriet Maran said the settlement can be viewed as an admission of a lack of responsibility on Bernstein's part and it can be used as a precedent for similar situations in the future. However, no amount of money will bring back Deanna Maran — a bubbly teenager, honor student and athlete.

"You have these parents that have more than enough means to raise their children, but their priorities are all screwed up and twisted," Harriet Maran told the Daily Press two months after the murder. "To me it's a tedious fight to try to straighten these kids out to be good adults. This is a degenerate society. These kids are on auto pilot."



Deanna Maran



Katrina Sarkissian

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Santa Monica Daily Press

LOCAL



Market crash donations help heal lasting wounds

FUND, from page 1

each person who died, \$7,500 each to 15 people seriously injured and \$1,500 to 12 people whose injuries were considered moderate by police. Dozens more suffered minor injuries in the crash, but were not compensated so resources could go to the neediest, according to Kathy Dodson, the chamber's executive director.

Several of those receiving money from the fund said it showed some good can come from even the most horrific of events. "It's amazing how generous people are in this country," said Boris Hoffman, whose parents were struck by Weller's 1992 Buick LeSabre as it sped through the crowded market. "People are complaining and criticizing this country, but they don't know what they have until they come from somewhere else. It's amazing — total strangers giving money."

Hoffman's mother, Esther, 74, was released from a care facility and sent home five weeks ago. His father, Movsha, 78, died as a result of the crash. The couple had just celebrated their 55th wedding anniversary on July 13.

"The wounds have healed, but I think the psychological wound is still there," said Boris Hoffman, adding the donations his family received went towards medical expenses. "It doesn't go away so fast. She (Esther Hoffman) is trying to get back into the new lifestyle that she has because she has been married to my dad for 55 years."

Dodson said a wide variety of local businesses pitched in to make the relief fund a success. A cab company donated vouchers. A group of hotels offered free rooms. Employees from Santa Monica Place scraped together \$10,000 and manned a volunteer table at the twice-weekly farmer's market to collect additional funds. Two area grocery stores donated a portion of one day's profits. Even an organization headed by actors

Tom Hanks and Rita Wilson contributed \$5,000 to the victims' assistance fund.

"We dropped everything to take on this project, and it was really difficult to pull it all together and to pull it all together so quickly," Dodson admitted. "There was a lot of emotion to deal with, but it was the most rewarding project I've ever worked on."

"We dropped everything to take on this project ..."

— KATHY DODSON
Executive director,
Chamber of Commerce

With just Olivera's father left to find, Dodson said there is a "teeny-weeny" amount of padding remaining in the account that the chamber still needs to decide how to allocate. Once that's completed, the account can be shut down and the fund, established as a corporation, formally closed.

Meanwhile, residents and victims are wondering when the crash investigation will conclude. SMPD Lt. Frank Fabrega said he doesn't know when the CHP will hand over its report. Once it does, police will hand over the report and any additional information to the Los Angeles District Attorney's Office, where officials will decide what charges, if any, to press against Weller.

Boris Hoffman said he hopes Weller, who lives with his wife in a small home north of Montana Avenue, won't be let off the hook without some form of punishment.

"Age has nothing to do with it," he said. "To be honest with you, I think he should go to jail, whatever happens."

"No money in the world, if he has any, is going to bring back what happened."

Stairs to reopen next summer

STAIRS, from page 1

removing them, we are not redesigning them — we are making them structurally sound. And we are adding some lighting."

A separate footpath from Idaho Avenue down to the California Incline is not part of the project. Both the Broadway and Montana stairs, built in 1980, were closed for several years following the 1994 earthquake, noted Karen Ginsberg, assistant director of City Hall's community and cultural services department.

All three routes are used regularly by walkers, joggers and others to reach the ocean or access central Santa Monica from the beach.

In order for the project to move ahead on schedule, the Coastal Commission must approve it at its December meeting and the City Council must give its nod in January. Chusid said construction is expected to begin in late January or early February.

The Coastal Commission plans and regulates land and water issues in the coastal zone. In Santa Monica, that means any development south of Pico Boulevard and west of Lincoln Avenue requires its approval, as does any development north of Pico Boulevard and west of Fourth Street, said Al Padilla, coastal program analyst for the commission.

Before it approves the project, Padilla

"We're not doing a major construction, we are just repairing whatever we have and beautifying with some plants."

— EUGENIA CHUSID
Project manager

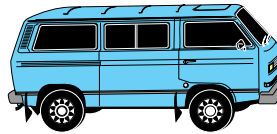
said the commission must evaluate "what impact it would have on public access, geologic stability of the bluffs ... taking a look at the site and looking at the materials submitted."

Chusid said grants from the California Department of Transportation, a state agency that oversees transportation issues, will pay for the project, which, in addition to adding lighting and doing repair work, also includes new plantings. CalTrans owned the staircases until they gave them to the city in 1999.

"We're not doing a major construction, we are just repairing whatever we have and beautifying with some plants," Chusid added.

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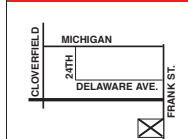


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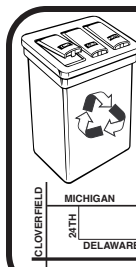
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LETTERS

Put the ugly holiday decor on ice

Editor:

Against my better judgment, I went to the Promenade to take our kids to a movie. I was reminded of one of the many things I despise about Santa Monica — the holiday decorations. What the hell are the plastic iceberg decorations they are installing at the Promenade? They were ugly last year. They look even worse this year. The festive urine smell is a nice touch, albeit a year-round treasure. Why not bring back the androgynous aliens playing volleyball (or whatever they were) that were hanging over Wilshire Boulevard a few years back. Now that was class. If you want to see what classic Christmas decorations are supposed to look like, take a drive to respectable communities like Beverly Hills or Brentwood. They do it right.

John Linfesty
Santa Monica

Promenade is reality, plain and simple

Editor:

I've been reading a lot of negative press about the Third Street Promenade in Santa Monica in a few of the local newspapers. Complaints about homeless, complaints about noise, complaints about trash and just about everything else. I'm tired of all of the negativity, and for one thing, what you see on the Third Street Promenade on any given day is reality, plain and simple. Yes, there are homeless people. Yes, there is crime. Yes, the music is too damn loud. But I see it as the glass half full. We seem to be missing out on the magic of the Third Street Promenade. On any given day, you can hear many languages being spoken by some of the most interesting people you will ever meet. Where can you listen to a Tibetan monk chanting and playing an instrument you've never seen? Or how about watching a group of the angriest Christians who preach on a Friday and Saturday night in front of the dinosaur at Bravo's restaurant? The Promenade is a place to meet your favorite celebrity and talk to them about their latest film being previewed at the local theater. One day I even witnessed a young man pushing a wheel barrel with a seven-foot lizard sticking out its tongue, and to my amazement, he removed the dragon out of the wheel barrel for a short walk and most people didn't even seem to notice, or care. The best thing I've ever seen at the Third Street Promenade was the time MTV did a lunchtime concert with Alanis Morissette for 20 minutes on a warm spring day. And in about five minutes, 500 people gathered around to listen to Alanis sing like an angel. We must be able to get along with each other, especially during this difficult time in America, and I cannot think of a better place I have ever enjoyed playing and working in my lifetime. Maybe if people would take some time to talk with a homeless person before they make a judgment. To me, the Promenade represents the true spirit of America, a melting pot where everyone just gets along — rich and poor, young and old, insane and sane — all cultures, all religions. I even think there are people from different

planets who visit the Promenade. Because I know that some of these beings are not from this planet.

Happy holidays.

Vincentt Garofalo
Santa Monica

Renters get no love

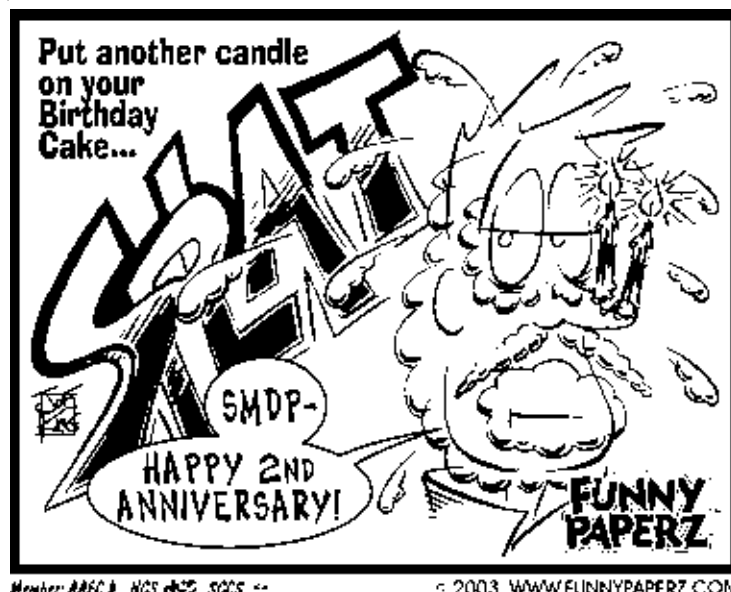
Editor:

Columnist Bill Bauer (SMDP, Nov. 7, page 4) reported that the Rent Control Board has permitted landlords to pass on some of the cost of Measure S, the flat school tax passed last June, to their renters.

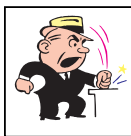
As Bauer commented, this action demonstrates how much the board cares about those who rent.

For the 2004 general election, I propose a proposition: When there is a proposed

See LETTERS, page 7



Racism, retaliation, displaced gratitude rule in SM



MY WRITE

By Bill Bauer

■ It's been two months since a clique led and backed by school board member and Pico Youth and Family Center founder Oscar de la Torre took over the Pico Neighborhood Association.

The new PNA Board of Directors announced with great fanfare that they would serve the needs of "working families." Their claim that former PNA leaders were out of touch just isn't true.

In 1995, a letter written by Harriette McCauley, then PNA chair, to Susan McCarthy, former director of City Hall's Human Services Department, recommended a common sense neighborhood agenda for the city to implement — with the same goals the recently deposed PNA leadership was still fighting for almost 10 years later.

McCauley wrote, "The PNA is adamantly opposed to any additional homeless shelters, housing for substance abusers, transitional housing or housing for people on parole or probation."

"The PNA supports the funding of a program to encourage moderate income households to purchase their own home..."

The PNA endorsed a "moratorium on

development of low-income multi-family, low income housing ... especially within a 1,000-foot radius of another deed restricted, multi-family, low income project." In other words, they didn't want the neighborhood saturated with low income, rental housing.

The PNA proposed "a program in conjunction with the school district to identify youth and their families to encourage high academic goals ... expanded economic opportunities and to address the needs of dysfunctional families" to help reduce crime and drug abuse by neighborhood children.

The PNA also supported "mortgage funding for low income people at good rates" and "a job training program targeted to risk youth geared to improving the living environment." McCauley also asked for expansion of Virginia Park and other recreational resources.

Of course, City Hall has ignored most of these suggestions. So, how stupid is it to blame a handful of former PNA directors for City Hall neglect and indifference?

Last month, Councilman Kevin McKeown asked his fellow council members to help find jobs and training for Pico youth in the city. In perspective, it's just more political hot air because chances are it's never going to happen. And, the Santa Monica College has discontinued most of its vocational programs, making a bad situation worse.

When a job center at Virginia Park was shut down a couple years ago, I wrote that it was an unfortunate loss of a needed

resource. But no one cared enough to get it reinstated — not McKeown or de la Torre.

There could be jobs for neighborhood youth at the Pico Youth and Family Center. The center pays \$5,000 a year to UCLA's MECHA for tutoring services. Why isn't de la Torre hiring Santa Monica High School and SMC students from the "hood" to tutor kids, instead?

Lately, one of the new PNA officers has been saying "the white men had to go." It appears that racism might be one of the reasons behind the booting of so many longtime directors.

Many on the "new" PNA board are city, school district and college employees angry that former directors, Peter Tigler, Mat Millen and Don Gray personally opposed both the recent college bond measure and the school district's two parcel tax proposals.

Behind the scenes, local politicians and homeless advocates were incensed about the PNA's vocal opposition to an expanded homeless shelter on Cloverfield Boulevard. They, school and college advocates, retaliated by supporting cleaning house at the PNA.

Now, the big question is whether new PNA leaders will become another mouthpiece for special interests, or will they take on the hard issues that must be dealt with?

Will they realize that "progress" is getting service from City Hall, not "dissing" former PNA leaders?

Will they unite the neighborhood or

will the "race card" render them marginalized and ineffective?

■ A pro-school, letter-writing campaign to the press spearheaded by education advocates Louise Jaffe, Shari Davis and others asks parents and school supporters to thank the City Council for its generosity and support.

Being that education is behind transients and affordable housing on City Hall's list of priorities, anger, not gratitude, should be the order of the day.

Did Jaffe, Davis and school supporters forget the snub 1,000 parents received last January when they asked the City Council for more money?

Did they forget all the effort, time and resources spent promoting an unnecessary and unfair school tax increase?

Do they remember how the City Council wheezed, whined and reluctantly came up with just \$5.2 million (\$2 million less than the district needed) for schools in June, yet couldn't give \$7.4 million away to a private, non-profit organization for a 55-bed homeless shelter fast enough?

So, whether it be support for schools, jobs for Pico youth or solving neighborhood problems, city government has its own priorities which are different from yours and mine. And, that's nothing to thank 'em for.

(Bill Bauer is a longtime Santa Monica resident and a freelance writer).

OPINION



LETTERS

LETTERS, from page 6

tax that affects landlords, the board will inform renters before they vote whether it will permit landlords to pass part of the cost to them, the renters.

If the Rent Control Board urges renters to support a tax, as it did with Measure S, it should be up front about the consequences.

Joanne Gamlin
Santa Monica

Thank you, with a capital 'S'

Editor:

Two months ago, on Sept. 4, my children and I felt the normal excitement and trepidation of the first day of school. We were grateful for this trepidation because it meant we, and thousands of other families in our community, were spared the horrifying anxiety of entering a school whose funding had been slashed, programs eliminated and teachers fired. Community residents and City Council members who voted to increase funding to schools last June granted us the gift of normalcy for this year. Thousands of strangers gave us this gift, strangers whom we can never properly thank.

Everyone agrees that the state should fund education. But 25 years of Prop. 13 have caused California to cut education funding so severely that we have dropped from among the top five states in the nation for achievement and per-student spending to among the bottom 10. With an unprecedented state budget deficit facing us now, it seems certain that additional cuts to education funding are coming. While the state may have the responsibility to fund education, it is a responsibility they are abdicating.

For many in California, public education is a last resort. I believe it is our last chance. When the children in my son's kindergarten class come of age, they will be the decision-makers for our generation. The child whose education we shortchange

today will become the adult ill-prepared for the complexities of tomorrow.

The horrible trade-off that a love affair with public education carries is the knowledge that right around the corner lurks the next funding crisis. For many California districts, the crippling funding crisis has already come — the one which forces cuts so severe that the integrity of education collapses. Classes are so overcrowded that teachers can do little more than control traffic. Programs are slashed. Supplies are inadequate. Morale is shot. Hope is gone. Santa Monica and Malibu, thankfully, are not there — yet. But we could have been had Measure S failed and the cities of Malibu and Santa Monica had not voted to increase funding to school.

Last year, we faced our crippling funding crisis. More than 200 employees, including more than 90 teachers, were pink-slipped. Music and physical education programs and the library would be slashed. Class sizes would increase dramatically. It would have been the end of integrity and hope for Santa Monica and Malibu schools. Instead, the community rallied and chose to tax itself rather than allow education to crumble.

The moment I stepped into my son's third-grade class on Sept. 4 and saw 20 students instead of the 30 that would have been there had Measure S failed, I was filled with emotion. I started to scan the students, most of whom I knew from my years of volunteering in the classrooms, and listed in my mind the students who would likely lose their love for learning had we not secured additional education funding. Then I realized, I was counting students saved by Measure S. Each Santa Monica and Malibu resident who voted "Yes on S" last June is responsible for saving those students who might not have made it through the year with a 30-1 ratio. Each Santa Monica and Malibu City Council member who voted to increase funding to education should feel confident that their vote strengthened their community. Thank you from the bottom of my heart for your commitment to children, to education and to our cities.

Rebecca Kennerly
Santa Monica

Persecution of Microsoft is immoral

The government's persecution of Microsoft continues unabated. The U.S. appeals court is now considering whether the Bush administration and 19 states negotiated an adequate settlement in their antitrust case against Microsoft.

It's time for the American public to stand up and defend — morally defend — the right of this company to its success and profits.

Imagine a company that continually generates exceptional products. Suppose it makes such products available in ever-improved versions, at ever-lower prices. Suppose that the superiority of its products is so widely recognized that they are used in almost every industry, thereby raising productivity and living standards across the globe.

If you're a typical success-loving American, you would regard it as self-evident that this company ought to be applauded.

But now imagine that this firm is denounced as an evil "exploiter." Perhaps its outclassed competitors complain to antitrust bureaucrats, who seek to harness this company.

The firm's ability to gain market share by creating the best products is condemned as "predatory." It is ordered to allow its competition to catch up. The firm is ordered to sign an oxymoronic "consent decree," which is deliberately made vague enough so that if the firm shows new signs of racing ahead, the bureaucrats can keep prosecuting it until it is fully reined in. The firm is compelled to provide others with precisely those proprietary ingredients that make its products so superior.

Now, stop imagining. This is what has been happening to Microsoft, whose trailblazing Windows is the operating system for most personal computers today.

According to the antitrusters, Microsoft should not set the conditions of sale for its own product. It should rather be compelled to make its innovations available on whatever terms and prices the government sets — on whatever terms benefit those who did not, and could not, match Microsoft's achievement.

Many people ask: If Microsoft's products are so demonstrably good, why has the company been under assault? The answer is: Precisely because its products are good. Does Microsoft have a unique advantage, for example, by being able to package its browser with Windows? Of course. It has earned that advantage, because it, and no one else, developed Windows into a

leading product. If its competitors want the same benefit, let them make a product equal to Windows. If buyers do not like the terms set by Microsoft, they are completely free to patronize Microsoft's competitors. What they should not be free to do is to have Microsoft while eating it too.

All the prattle about "anti-competitive practices" means only one thing: Microsoft is too competent. Antitrust law is a tool to enforce the claims of any second-rater against any innovator. If you invent something so good that the market clamors for it and makes you wealthy, you are deemed a "monopolist," because your competitors are "shut out" of this market — the market you have created.

Microsoft is only the latest in a long line of victims of the unjust antitrust laws. From ALCOA in the 1950s to IBM in the 1970s to Wal-Mart in the 1980s, the government's goal has always been the same: Prosecute an exceptional firm that is growing rich not through theft or fraud, but through superior production and voluntary trade.

Microsoft should be cheered for having taken an unusually firm stand against the Justice Department. But company officials focused on the wrong issue. Their basic argument should not have been that the public benefits from the unfettered freedom of the best producers like Microsoft. This argument is true, but is not fundamental and the antitrusters know it.

Microsoft needed — and still needs — to make the moral case for economic freedom. It needs to uphold the moral right to reap the rewards of one's achievements — the moral right to soar as high as one's talents take one — the moral right to succeed and not be shackled to others' non-success. The principle to defend is that ability should be a source of reward, not a cause of punishment — a principle upon which America was built, and a principle of which antitrust law is an obscene mockery.

This is the position that will free Microsoft — and all other producers — from the envious clutches of the success-haters.

(Richard Salsman is an economist in Chapel Hill, NC, and a senior writer for the Ayn Rand Institute in Irvine. The Institute promotes the philosophy of Ayn Rand, author of "Atlas Shrugged" and "The Fountainhead." Send comments to reaction@aynrand.org.)

Guest
Commentary

By Richard Salsman

The QLine

Readers sound off about protests

This past week, Q-line asked:

"Can the local protests of world events really make a difference in our society?"

Here are your responses:

■ "Protests can definitely make a difference in world events. There are many examples that can be cited — The Civil Rights back in the '60s, the Vietnam War, the Iraqi War — the examples are plentiful. It's a question of the people giving vent to their feelings. If they do protest, the politicians pay attention to them, but the politicians will not listen to them unless they are heavily lobbied by professional lobbyists in our nation's capital, or in Sacramento, or if the people in the protests band together in large numbers to let the politicians know their feelings. The politicians won't listen otherwise, and won't heed the important issues of the day unless their attention is drawn into it."

■ "Protests at local events don't make a difference, unless, of course, you're Mexican, (black) or homosexual."

■ "Local protests do not make a difference to our local City Council."

■ "Local protests do make a difference in our global society. While the small size of a local protest may not have the pull to directly make a change that would be felt globally, its subtle influence effectively raises the awareness needed to bring issues to the global level or spread the flame of existing protests."

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.

Entertainment

'Master and Commander' well worth the climb aboard

Review

BY DAN DUNN

Special to the Daily Press

Academy Award-winning actor Russell Crowe makes a strong case for a fourth consecutive Oscar nomination as "Lucky" Jack Aubrey, the intrepid captain of a British naval warship during the Napoleonic wars. Artfully directed by Peter Weir ("The Truman Show," "Dead Poets Society"), "Master and Commander," based on an extensive series of historical novels by the late Patrick O'Brian, takes us on a rousing

journey aboard the HMS Surprise, as Aubrey and his crew battle a superior ship and the unforgiving elements. Besides being marvelous to behold — the cinematography is nothing short of spectacular — this film is a joy because it gives audiences something not often afforded in Hollywood blockbusters — a little credit for not being a pack of imbecilic lamppost lickers. "Master and Commander" is, above all else, a thinking-person's action-adventure movie. Rather than try and hook us with dumbed-down cinematic devices, Weir and co-screenwriter John Collee drop us right onto the deck in 1805, presupposing at least a passing knowledge of history and an interest in seafaring soldiers.

Our journey begins in the South Atlantic, off the coast of Brazil, where the Surprise is surprised by the French frigate Acheron. His ship heavily damaged, Cap'n Jack balks at the idea of heading home and instead sails south to repair at sea, where he's nearly sunk again by his formidable foe. His best buddy, the ship's resident naturalist and doctor, Stephen Maturin (Paul Bettany, who also played Crowe's imaginary pal in "A Beautiful Mind"), thinks Aubrey's obsession with defeating the Acheron could be the death of them all. Aubrey claims he's just doing his job, and despite a host of hardships, the crew bravely stands by their man. Aubrey's a tough guy who must make even tougher choices, and a beefed-up Crowe sells his struggle sensationally. When he stands up on the bow and tells his



charges they're going for the glory against impossible odds, well, it'll make you want to jump up and shout, "You go, Crowe!" He's the archetypal swashbuckling hero (think Maximus, in a sailor's uniform) who plays the violin and is in touch with his sensitive side (think Yo-Yo Ma on the "Love

Boat"). It's another meaty role for an actor who seemingly can't miss. "Master And Commander" sails into theaters this weekend, and is definitely worth jumping aboard.

(Rated PG-13 for intense battle sequences, related images and brief language.)

What's playing

BY DAN DUNN

Special to the Daily Press

■ ELF

A fantastic early Christmas present for moviegoers of all ages. Will Ferrell is one of the very best comedic actors working today.

■ THE MATRIX: REVOLUTIONS

You'll stagger out of the theater feeling as though you just failed a calculus exam.

■ LOVE ACTUALLY

Ten different storylines running concurrently is too hard to follow, especially when only half of them are all that interesting.

■ THE HUMAN STAIN

Everyone in the film is dreadfully miscast, and the film fails to live up to anything but the most modest expectations.

■ IN THE CUT

Fuzzy as the visuals and performances are, one thing is crystal clear: this crime thriller fails, at every shadowy turn, to thrill.

■ ALIEN: THE DIRECTOR'S CUT

Still scarier than all hell, and the digital restoration and new six-track stereo mix make the film look and sound better than it did back in '79.

■ SYLVIA

Surely the tragic love affair upon which the film is based was a lot more complex (and interesting) than the one the makers of this plodding biopic conjured up.

■ SCARY MOVIE 3

Isn't as funny as the original, but it's a major step up from the lowly first sequel.

■ PIECES OF APRIL

Inspired performances help make this an engaging dramedy that has a little something for everybody.

■ RUNAWAY JURY

This is, arguably, the best adaptation of a Grisham novel yet. A stellar cast carries the day.

■ VERONICA GUERIN

Joel Shumacher delivers the flesh and bones of Guerin's noble crusade, but the heart is missing.

■ THE TEXAS CHAINSAW MASSACRE

You'll scream and pop out of your seat a few times, but getting to sleep at night shouldn't be all that difficult.

■ KILL BILL

What stands out most isn't what happens in this incomplete film, it's what doesn't happen. A subpar outing from a talented filmmaker.

■ INTOLERABLE CRUELTY

A sordid tale of ruthless divorce attorneys, philandering fat cats and gold-digging vamps that is the Coen brothers at their gut-busting, tear-duct-filling finest.

■ SCHOOL OF ROCK

One of the funniest, most high-spirited films of the year; combustible comic Jack Black is nothing short of brilliant.

It's all about telling the story for Russell Crowe

BY DAN DUNN

Special to the Daily Press

Pretend for a moment you're Russell Crowe. For three years running, you've been nominated for the Best Actor Oscar, taking home the hardware in 2002 for your performance as Maximus in Ridley Scott's epic "Gladiator." You've been lauded for practically every performance you've delivered in such celebrated films as "A Beautiful Mind," "The Insider" and "LA Confidential." Your efforts have secured you a position at (or very near) the top of Hollywood's A-List, which is a very, VERY lucrative place to be.

You're handsome, recently married and expecting your first child. And your latest film, "Master And Commander: The Far Side of The World," has the makings of another critical and commercial smash. Yes, it's good to be Russell Crowe, isn't it? OK, now stop pretending, kick back in your office cubicle, and read what the real deal has to say about it.

Question: What matters most to you when choosing film roles?

Russell Crowe: It's got to be something that people can watch in 10 years, and it'll still be relevant. If you go back through the movies that I've made, the emphasis has always been on the story. I'm just here to tell a story. Unfortunately, along the line somewhere, all this fame B.S. came in and things got changed around a little bit. But still, fundamentally, what I'm doing is trying to tell stories.

Q: You must have learned a great deal about seamanship while researching the



role of Captain Jack Aubrey.

RC: It's movie knowledge. You spend X amount of time becoming an expert on something, and as soon as you've done the last shot you throw it all away.

Q: (Director) Peter Weir said he was impressed by how deeply the actors in "Master And Commander" immersed themselves into their characters. Can you tell us a little bit about that?

RC: Peter encouraged the actors to be enthusiastic about their roles. For example, Mr. Howard, the marine captain (Chris Larkin), he yelled and screamed and cajoled his marines for three weeks to get them to the point where their drills were just perfect. Occasionally, I would visit while he was doing it and we'd have a little conversation off to the side, and I'd be very care-

ful to stay within the realm of the kind of conversation we'd have had if we were actually on board (the ship). And this is just about expanding the fantasy.

Q: How, specifically, does the production benefit from the blurring of the line between fantasy and reality?

RC: That benefits the director when he's got a group of very tired men in the 13th or 14th week of the shoot. They may be tired, but because they've been (in character) since day one. Look, there were no wrist-watches in the background of those scenes, and there's no smiling in the face of something dangerous. Everybody was completely focused on the movie.

Q: You work very well with Paul Bettany, your co-star in this film and "A Beautiful Mind." Was that connection there from the beginning, or was it something that developed over time?

RC: Paul and I had chemistry from the moment we met. And it was a strange meeting because I hadn't supported his casting in "A Beautiful Mind" because I'd never heard of him. I probably went into that first meeting with Paul slightly negative.

Q: You got over it quickly, though?

RC: It was instantaneous. I walked into the room, Paul was there, I said "G'day," he said "G'day." I could just see it flooding out of his eyes — this urbane wit and sensitivity that is his makeup. Plus, I used to busk on the streets for a living, and so did Paul. So we have a shared history of wanting to be a performer (so badly) that when it comes down to it, if I have to sing in a railway station, then that's what I'll do.

ENTERTAINMENT



Gypsies in the forest: The art and ecstasy of **VAREKAI**



BY KATHERINE WECH

Special to the Daily Press

Of course I'd heard of Cirque Du Soleil. With eight shows currently running worldwide and more than 90 cities having hosted it since 1984, the name was familiar to me before my first time in the audience. Circus memories from my childhood days forged my expectations — sprawling stages, soaring tents, barkers calling from the periphery to "get your fresh popped popcorn!"

The Cirque certainly has these treasures to offer, and so, so much more.

The atmosphere under the tent is festive, like we've all been invited to a party and each of us is the guest of honor. Clowns amble through the aisles, squirting water guns and snatching bites of popcorn from patrons' laps. Before us is an empty stage, except for a cluster of 300 bamboo-esque "trees" lining the rear. From this surreal, acrobatic forest, a host of brightly clad creatures emerges, tongues flicking, eyes bulging. And then the lights dim.

The brilliance of the "animals" on stage is soon eclipsed by Icarus, a man dressed all in white who drops from above entwined in a net. He hangs in mid-air, writhing like a caterpillar in metamorphoses, impossibly secure in the net that holds him, despite the lack of one beneath him. Before long, he is earthbound and enraptured by Olga, a forest creature — part pixie, part dragonfly, part something not of this world. But we are no longer in our world. This is VAREKAI, a gypsy word meaning "wherever," and we must surrender our senses as the magic unfolds and the drums begin to beat.

Though each act is intended to stand

alone, they weave together to tell a love story in undulations and explosions. Flyers grasp hands and soar above, acrobats tumble and land with impossible precision on each other's shoulders and feet. A woman performs a lyrical dance on a hoop 30 feet above. People hang from swings, ropes, trapeze bars and each other. How something so intense also can be so lighthearted is the noble work of the clowns, the magicians and the jugglers, whose display of control, timing and concentration so impressed us we hardly dared to applaud and risk disturbing them. However, if we refrained, they'd likely scold us for holding back. This is a story about the freedom that grows out of playfulness and passion. There is no

room for restraint.

Ultimately, despite what I thought I might know about the Cirque, it is a living experience, still connected to its street-performing roots, but also a highly professional, polished demonstration of expertise and strength. Watching from below, I wanted to touch the bodies of the exquisite creatures, to know that such beauty is real. I wanted to learn to juggle. I wanted to dance. This show reminded me of what being alive is supposed to feel like. It's an active pursuit of joy, and joy is what fills the tent at the end of the glorious celebration, as I shuffle out elated, to return to our lives, VAREKAI.

Cirque re-establishes circus arts' relevancy

By Daily Press staff

Those who tuned into the Emmy-award winning documentary series "Cirque du Soleil Fire Within" this past season were treated to an intimate look at the latest creation by the group of artists taking the entertainment world by storm. With eight separate shows currently running across North America, Europe and Asia, the modern-age circus just may be the greatest show on earth.

"Fire Within" followed the travails of those behind VAREKAI, which translates to "wherever" in the Romany language of the gypsies — the universal wanderers. Presently, wherever happens to be the STAPLES Center in downtown Los Angeles, where VAREKAI will be running under the blue and yellow Grand Chapiteau through November 23.

For the uninitiated, Cirque du Soleil is the internationally renowned circus that was the brainchild of Guy Laliberté, an accordion player, stiltwalker and fire-eater from Quebec City. Since the show's creation in 1984, Laliberté has guided the teams through the creation of every show, garnering rave reviews worldwide and re-establishing the circus arts' relevancy in modern society.

Conceived by a new creative team, led by writer and director Dominic Champagne, VAREKAI has played to sold-out audiences, standing ovations and critical acclaim in the first nine cities of its current North American tour. The production is intended to pay homage to the nomadic soul, and honor the spirit and artistry of circus tradition.

The LA Times called VAREKAI "Magnificent and intoxicating... Cirque du Soleil soars with VAREKAI".

Cirque du Soleil has played to more than 30 million spectators in 130 cities across the globe. Just like Cirque du Soleil's seven previous productions, VAREKAI is comprised of an international cast of performers and artists, representing 14 countries.

Following VAREKAI's performances in Los Angeles at STAPLES Center, the show moves to Pomona for a premiere on Thursday, December 4 at Fairplex. These will be the only Los Angeles engagements of VAREKAI. Following the New Year, the show has its premiere in Costa Mesa at the Orange County Fair & Exposition Center on January 16, 2004.

Tickets for VAREKAI are available by calling 1 (800) 678-5440, or online at cirquedusoleil.com.



SMC students sound rallying cry for strapped music program

By Daily Press staff

The Santa Monica College Applied Music Program — a program that provides private lessons to SMC music majors — will hold a benefit concert this month in an effort to save the program, which has lost state funding because of the budget crisis.

The program will consist of an eclectic repertoire, featuring original compositions by SMC students, and voice and instrumental performances by students on piano, guitar, trombone, flute, violin, string bass and more. Styles range from classical to jazz.

Students are rallying to ensure the survival of the program, which has transferred students to such prestigious institutions as UCLA, USC, Boston Conservatory and more.

"The music faculty and the students agreed that this program is too important to abandon, or even to put on hold," said James Smith, music department chair. Smith said the program is operating solely on private funds, including a monetary contribution to the program by each applied music student.

The concert will be held in the SMC Concert Hall, 1900 Pico Blvd. at 8 p.m. on Friday, Nov. 21. Tickets are \$20. For tickets, call (310) 434-3000. For further information, call the SMC Music Department at (310) 434-4323.

College campus spotlight shines on opera, Pinner

By Daily Press staff

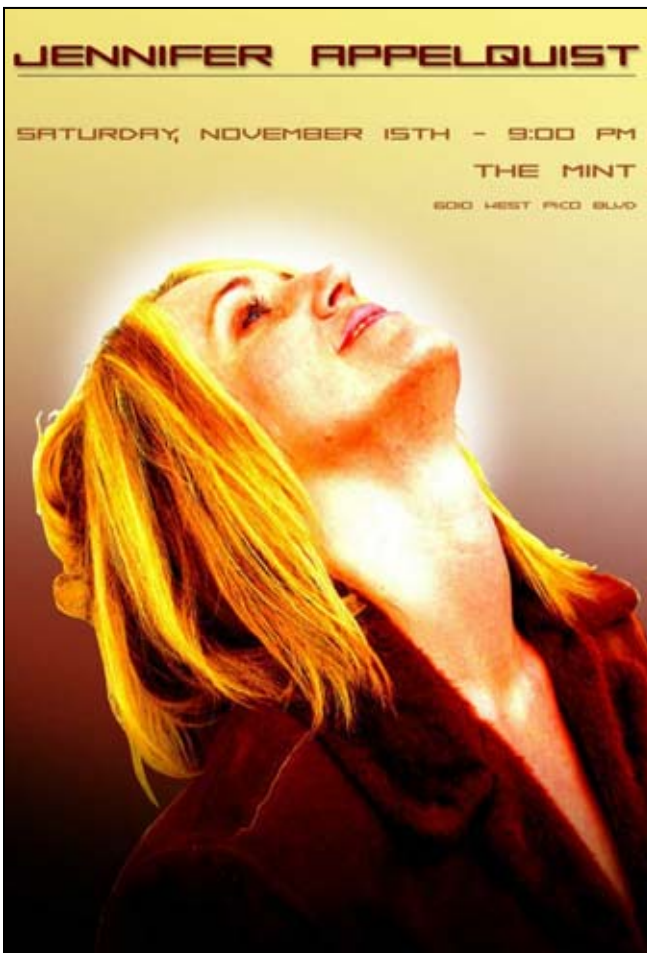
The focus on the Santa Monica College campus next weekend will be opera.

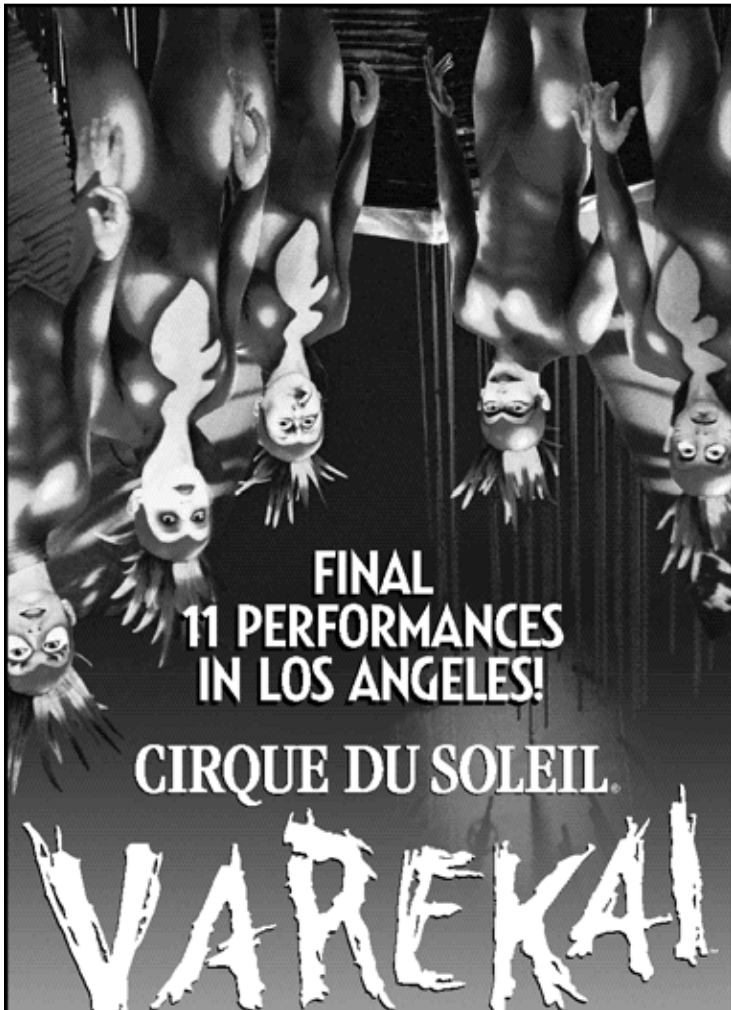
The Emmy Award-winning Santa Monica College Opera Theatre, under the artistic direction of Sue Ann Pinner, will present "An Evening of Opera Highlights" at 8 p.m. on Saturday, Nov. 22 in the SMC Concert Hall, 1900 Pico Blvd.

The concert will feature selections from Mozart's "Don Giovanni," Donizetti's "The Daughter of the Regiment" and Strauss' "Die Fledermaus." It also will feature selections from Moore's "The Ballad of Baby Doe," a popular American opera set during the Colorado Gold Rush that tells the true story of the life of Baby Doe Tabor. Baby Doe, which incorporates American folk melodies, features baritone Jason Payne and soprano Melissa Sills. The accompanist is Hung-Ji Cindy Hsu.

Pinner is an SMC voice professor, professional opera singer and internationally renowned recording artist who won a 2001 Emmy for the video of the SMC production of Faust, which aired on Los Angeles City Channel 36 and City TV Channel 16 in Santa Monica. Pinner was the executive producer and lead performer. She also had leading roles in the TV opera videos of La Boheme and Dialogue of the Carmelites.

Pinner has had leading roles in such operas as the Los Angeles Opera Company's production of Madame Butterfly in The Philippines, and in La Traviata, The Merry Widow and The Marriage of Figaro. Tickets are \$16. Call (310) 434-3000.





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Photo: Vienneque Val Costumes: Etan Ishacka © 2002 Cirque du Soleil Inc.



STATE

CALIFORNIA BRIEFS

Ocean water to be transformed for drinking

By The Associated Press

LONG BEACH — The city broke ground on a seawater desalination plant designed to help quench Southern California's growing population in the next 10 years.

Groundbreaking ceremonies were held Tuesday on the new Seawater Desalination Research and Development Facility at the Los Angeles Department of Water & Power Haynes Generation Station on Los Angeles County land near Seal Beach.

Long Beach is developing the facility, which will be completed in September 2004. The plant will test the so-called Long Beach Method, a patented membrane technology to filter salt and impurities from 300,000 gallons of ocean water daily.

The process uses up to 30 percent less energy than more traditional approaches, officials said. Made cautious by desalination problems in cities such as Tampa, Fla., Long Beach is taking incremental steps toward developing a fully operating desalination facility.

The Tampa Bay desalination plant, built last spring, is supposed to pump out about 25 million gallons of drinkable water a day, but water production has been inconsistent and the plant requires further retooling.

"Our focus is on research so that we're not just developing a plan and building a big plant," said Helen Hansen, board member of the Long Beach Water Department Board of Water Commissioners.

It will cost \$5.4 million to build and run the new research facility, half of which will be funded by the U.S. Bureau of Reclamation.

ER situation in Los Angeles dismal

By The Associated Press

LOS ANGELES — Emergency room gridlock is possible because the closure of health care facilities, the rising number of uninsured people and a growing and aging population has the medical system heading into a "perfect storm," according to a new report.

The report by the Emergency Medical Service Commission, which is holding a public hearing Thursday on the county's emergency medical system, said in a report that the sometimes eight-hour waits in emergency rooms are expected to get longer.

On Jan. 1, a new law designed to improve patient care takes effect. It will limit the number of patients a nurse can care for, but health officials claim a statewide nursing shortage could have the unintended consequence of forcing hospitals to turn patients away or violate the new ratios.

California is ranked 49th out of 50 states in the number of nurses per capita.

The commission report said the law comes at a time of reduced state and federal reimbursements to hospitals that care for Medi-Cal and the county's 2.4 million uninsured patients, shrinking hospital bed capacity and federal requirements for hospitals to prepare for terrorist attacks without adequate funding.

Banner ordered down from PCH

By The Associated Press

HERMOSA BEACH — The city is fighting a California Department of Transportation order to remove a Pacific Coast Highway banner promoting a fund-raising charity effort.

Councilman Sam Edgerton said he contacted local state representatives about reversing the Caltrans order declaring illegal the program in which businesses donate money to local charities in return for advertising space across the highway.

"If need be, I'm gonna put it on the agenda to have Caltrans officials arrested if they try to take it down," Edgerton said. "This is our town. They're not going to tell us what kind of banners we can fly."

The airspace near the intersection has been used for years to raise money, including more than \$50,000 for the Hermosa Beach Education Foundation.

On Oct. 14, Caltrans warned the city about the banner and said it must be removed within 30 days or it would face a \$10,000 fine and an additional \$100 a day that the sign remains.

The city took down the banner.

Caltrans said the banner violated state regulations that prohibit banners containing private advertising or political material on state property. Caltrans has jurisdiction over Pacific Coast Highway.

Prosecutors to throw the book at fire looters

By The Associated Press

SAN BERNARDINO — Prosecutors said they would seek stiff sentences for defendants convicted of looting homes during the Southern California wildfires.

Five people were arrested in San Bernardino County, and one man was arrested in San Diego County.

"We don't have any sympathy for these people," Deputy District Attorney Marc Guillory said. "It's shameful that people would take advantage of a life-and-death situation and force officers who could've helped in saving homes or evacuations to risk their own lives to apprehend these looters."

The Sheriff's Department's Twin Peaks station has taken an estimated 45 calls from mountain residents reporting missing property or signs of a break-in, Sgt. Ben Boswell said.

The five alleged looters in San Bernardino County are charged with burglarizing homes shortly after evacuations were ordered.

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STATE

Celebrity PI's arrest is playing out like a B-movie

BY LINDA DEUTSCH AND JOHN ROGERS
Associated Press Writers

LOS ANGELES — A bumbling attempt to scare a newspaper reporter off a story last year has led to a mushrooming federal investigation that has left some of Hollywood's most prominent celebrities along with their lawyers and agents wondering if their phones were tapped.

The affair began June 20, 2002, with a scene that could have been scripted for a B-movie: Los Angeles Times reporter Anita Busch found a dead fish and a rose on the hood of her car, along with a cardboard sign with the word "Stop" taped to her windshield.

Seventeen months later, an ex-convict is awaiting trial in connection with the threats, while the man he says hired him to make them, celebrity private eye Anthony Pellicano, is about to begin a prison sentence for illegally possessing military-style explosives and hand grenades.

But the tale that has Hollywood talking is that the FBI is investigating whether some of the entertainment capital's most prominent people and their lawyers and agents were wiretapped by Pellicano.

Among those who confirmed being approached by authorities is comedian Gary Shandling, who told The New York Times on Friday that the FBI confirmed some of his conversations were taped. His representatives did not immediately return a call from The Associated Press on Tuesday.

One of Hollywood's most prominent celebrity attorneys, Bert Fields, also confirmed that the FBI questioned him about possible wiretapping allegations involving Pellicano. Fields, whose clients over the years have included Tom Cruise, Michael Jackson and Kevin Costner, issued a statement Tuesday saying that, like many Hollywood attorneys, he often hired Pellicano as an investigator.

"I have absolutely no information involving Mr. Pellicano and illegal wiretapping, and any suggestion that I do is complete baloney," Fields said.

One of Fields' partners, attorney Norman Levine, added that federal investigators "apparently have spoken to a number of prominent people in the entertainment community."

He declined to elaborate. FBI officials did not immediately return a call for comment Tuesday. U.S. attorney spokesman Thom Mrozek declined to comment.

At the center of the intrigue is Pellicano, 59, who has provided detective work, security and sometimes acted as spokesman for such stars as Elizabeth Taylor, Michael Jackson and Sylvester Stallone.

The private eye, who is to begin serving a 27-month prison sentence next Monday in the explosives case, declined Tuesday to discuss the investigation.

A one-time "skip tracer" from Chicago who made a living tracking down people who didn't pay their Spiegel catalog bills, Pellicano gained national attention in 1977

when he found the remains of Taylor's third husband, movie producer Michael Todd, after they were stolen from an Illinois cemetery. His success was said to have won the admiration of Taylor and helped facilitate his transition to celebrity private eye.

His next big success came in 1983, when the self-taught expert in analyzing audio recordings and enhancing the quality of surveillance tapes helped former auto maker John DeLorean win acquittal on cocaine trafficking charges. DeLorean was arrested after authorities said he was caught on videotape trying to sell undercover agents drugs to raise millions of dollars to bail out his struggling car company.

As his star rose, the tough-talking Pellicano cultivated an image akin to novelist Raymond Chandler's hard-boiled, swaggering detective Philip Marlowe. He claimed to carry a baseball bat, not a gun, as his weapon of choice and once told the Los Angeles Times: "I only use intimidation and fear when I absolutely have to."

He also boasted of digging into the past of his clients' enemies.

"So they gotta take the same heat that they dish out," he once said.

Hollywood publicist Michael Sands said Tuesday he suspected Pellicano of tapping his phones in 1990 when he was investigating one of Sands' celebrity clients. Sands acknowledged he could never prove his suspicion.

"Anthony Pellicano was one of the detectives all the lawyers in Hollywood liked and

they gave him their business," Sands said. "They wanted his old-style muscle. There wasn't much of that around anymore."

Busch was looking into a connection between actor Steven Seagal — known for his martial-arts moves in films like "Under Siege" and "Exit Wounds" — and reputed Mafia associate Julius Nasso when she was threatened.

The two were business partners until a falling out, and Seagal has testified that mobsters threatened his life after he ended the relationship. Nasso has sued the actor for breach of contract.

Both Seagal and Pellicano have denied any involvement in threatening Busch.

Alexander Proctor, an ex-convict and one-time drug dealer, was charged with threatening the reporter and is awaiting trial. Authorities have said Proctor implicated Pellicano in the scheme, which prompted them to search his office. It was there they found the explosives and transcripts of the purported wiretapped conversations.

The search also led the Los Angeles Police Department to suspend with pay a veteran officer, Sgt. Mark Arneson, after authorities said they found documents in Pellicano's office linking the detective to Arneson.

Police officials said a subsequent review of LAPD computer records connected Arneson to people Pellicano was investigating and showed he had accessed Busch's driver's license and car registration information.

DID YOU KNOW?: Ronald McDonald made his first national television appearance in 1967.

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STATE

LA archdiocese battles to keep church records on abuse from public

BY LINDA DEUTSCH

AP Special Correspondent

LOS ANGELES — An effort to investigate sex abuse by priests in the nation's largest Roman Catholic archdiocese has grown into a lengthy and complex legal battle buried under layers of secrecy.

In a case pending before a California appellate court, the Archdiocese of Los Angeles is trying to keep out of public view a judge's ruling on whether a grand jury investigating clergy abuse can see church personnel records.

A tentative ruling in the matter already has been issued by a retired judge who is working as a "special master" dealing with some aspects of the case. But that ruling is sealed — along with all the underlying documents.

Because the material could eventually be viewed by grand jurors, retired Superior Court Judge Thomas F. Nuss has ruled that everything relating to them must be sealed. He also has decided that all hearings in the case must be conducted in private.

Nuss was appointed by the judge assigned to the case to take over some of the massive workload created by it. His job has been to review thousands of pages of church personnel documents, then decide whether they have to be turned over to the grand jury. By order of the court, he's being paid \$350 an hour by the archdiocese.

The case has astounded some legal experts for its level of secrecy.

"They better have something important to cover up," Loyola Law School professor Laurie Levenson said. "Otherwise, they are wasting a lot of good will. The more secret it is, the more tarnished the church will become."

The Los Angeles County District Attorney's office and a team of media lawyers are challenging the archdiocese in the case, which is scheduled for a hearing Monday before the California Second District Court of Appeals.

Lawyers for the archdiocese say their effort is not a cover-up, but rather a simple matter of law.

They are asserting a First Amendment privilege of freedom of religion, an extension of priest-penitent confidentiality to cover communications between priests and their superiors, and adherence to the grand jury process that mandates secrecy. The archdiocese's attorneys characterize the legal battle over the church documents as "religious persecution."

"The relationship between priest and church is a familial relationship, such as the husband-wife privilege. It goes to the heart of the ability to function as a church that has a celibate priesthood," archdiocese attorney J. Thomas Hennigan said. "These men, otherwise isolated from society, need a place to be able to discuss their innermost problems that is secure. It's not an effort to protect pedophiles."

But the priest-superior claim is a subject of fierce dispute.

"I'm unaware of any law that says anytime a priest talks to anyone in the church it's covered by privilege," Levenson said.

Los Angeles County prosecutors and the media lawyers also say the religious

persecution argument is "nonsensical" in a case involving access to official court records. They argue that there are no grand jury rules covering proceedings outside the grand jury room.

"This may well wind up in the Supreme Court," said attorney Kelli Sager, who represents the Los Angeles Times and the Los Angeles Daily Journal. Both seek access to the Nuss tentative decision — and open hearings in his court before his final ruling.

"Contrary to the position taken by the archdiocese ... the public's right of access to criminal proceedings and records cannot be avoided merely by intoning the phrase 'grand jury' as if it has some talismanic effect," Sager said in a brief.

Lawyers for the archdiocese said Cardinal Roger Mahony has been in favor of openness but was overruled by his legal advisers.

"It was his lawyers that told him there was a limit to what he can and can't do," Hennigan said. "He doesn't have a choice regarding certain categories of documents."

Last May, Mahony pledged to turn over church documents, at the time saying, "We want every single thing out, open and dealt with, period."

Hennigan and his colleague, Donald F. Woods Jr., said Mahony and the church are facing hundreds of civil suits in which the internal documents could play a role if they are revealed. Plaintiffs' lawyers believe the documents may show that priests admitted their abuse, and will provide insight into how the church hierarchy responded.

The circumstances bear similarities to those in Boston, where the sex abuse scandal erupted in 2002, quickly spreading nationwide.

Church lawyers there continually made the same "primate privilege" argument that the Los Angeles Archdiocese is making — but judges ordered the Archdiocese of Boston to turn over the personnel documents.

The files showed church officials allowed accused abusers to shuffle between parishes, and the resulting public outrage hastened the resignation of Cardinal Bernard Law as archbishop.

Woods, however, said the comparison is misplaced because the Boston church documents were released by church attorneys due to overwhelming "media pressure."

Meanwhile, Los Angeles County Deputy District Attorney William Hodgman, who heads the office's sex crimes unit, maintains an office piled high with files on alleged priestly molesters. But they will never be prosecuted because of a U.S. Supreme Court ruling in June.

That ruling overturned convictions in some cases and ordered others to be dropped. It said states cannot retroactively extend statutes of limitations on prosecution of old molestation cases.

The district attorney's office is seeking the church documents now in part to determine whether they show evidence of more recent sexual abuse of minors.

Hodgman has one case pending against a priest that was filed within the statutory limit and hopes some others can be salvaged. The church documents, he said, could assist in his investigation.

STATE □ NATIONAL

Immigrant registration criticized by the ACLU

BY GILLIAN FLACCUS

Associated Press Writer

LOS ANGELES — Thousands of immigrants — mostly Middle Eastern men — must reregister with the government by the end of the year under a homeland security policy that civil rights advocates say has confused and alienated its targets.

Critics say not one terrorist was identified among the 83,519 immigrants who registered voluntarily with the government starting in November 2002, although officials alleges several had unspecified links to terrorist organizations.

The first wave of immigrants, who signed up last year, must have reregistered between Nov. 5 and Dec. 26, officials said.

"The people who volunteered and came forward had nothing to hide," Ranjana Natarajan, an attorney with the American Civil Liberties Union of Southern California, said at a news conference this week.

The registration is required under federal security guidelines adopted following the Sept. 11, 2001, attacks. Men and boys aged 16 and older from Iran, Iraq, Libya, Sudan and Syria were required to register in the first wave. Those from other countries, including Afghanistan, Somalia and Indonesia, were required to register in subsequent months. The last group had to register by last April 25.

Immigration officials said that nationwide, 177,260 people have registered under

the program, including 93,741 at ports of entry and 83,519 at immigration offices.

The government began deportation proceedings against nearly 14,000 of the immigrants because they had committed a crime or had overstayed their visa, said Virginia Kice, spokeswoman for U.S. Immigration and Customs Enforcement.

More than 140 had criminal backgrounds and a small number were found to have links to terrorist organizations, she said. She did not have more information about those links or the number of people implicated.

"Clearly, one of the things we learned in the wake of Sept. 11 was there was very little integrity to our immigration system," Kice said. "We didn't have a good accounting of who was here and who had left. That was one of the motives for establishing this system."

Sarah Eltantawi, a spokeswoman for the Los Angeles-based Muslim Public Affairs Council, said that in many cases those detained had applied for visa extensions and were awaiting paperwork from immigration officials.

They were detained because of the inefficiency of the federal government, she contended.

"The men who got up at 5 a.m. and who were standing in line are hardly the men we're trying to get as terrorist suspects," Eltantawi said. "They were following the rules."

Environmental groups seek to reinstate ban on road-building

BY JACK SULLIVAN

Associated Press Writer

WASHINGTON — Environmental groups should not be allowed to challenge a Wyoming federal judge's decision to strike down a ban on road-building in remote areas of national forests, Justice Department lawyers contended in court papers filed this week.

A lawyer for the eight groups that are arguing for the ban to be reinstated said the Bush administration is "trying to make sure that the public can't stand up for" the roadless rule.

"This administration has been opposed to the roadless rule since before it even came to office," said Jim Angell of Earthjustice, which represents the groups.

The Justice Department defended the roadless rule in federal court in Wyoming but did not appeal U.S. District Judge Clarence Brimmer's decision to strike it down in July.

The environmental groups had intervened in the case and did appeal. They are asking the 10th U.S. Circuit Court of Appeals to reinstate the rule, which blocked road construction in 58.5 million forest acres nationwide as a way to stop logging and other commercial activity.

President Clinton created the rule in the final days of his administration. It affects 3.5 million acres in Wyoming.

In his ruling, Brimmer said Clinton's rule was a "thinly veiled attempt" to create wilderness areas without congressional action.

In a friend-of-the-court brief, the Justice Department argued that since it

was an executive branch rule Brimmer struck down, only the executive branch should decide whether his decision should be appealed.

"Private persons should not be permitted to use the judiciary to interfere with this core function of the United States," they wrote.

"The Roadless Rule is not compelled by the Constitution or by any applicable statute," the lawyers wrote. "Absent such a mandate, (the Forest Service) was just as free to decide what regulations would be issued and remain in force as ... to decide what statutes it would create and retain."

Environmentalists say the roadless rule is an important protection for dwindling public lands. The timber industry and Republican lawmakers criticize it as overly intrusive and even dangerous, saying it could leave millions of acres exposed to catastrophic fire.

Brimmer was the second federal judge to strike down the rule. The first decision, made in a lawsuit filed in Idaho in 2001, was overturned in December by the 9th U.S. Circuit Court of Appeals, based in San Francisco.

Angell noted that the Justice Department did not take a position in the appeal of the Idaho case, making its position in the Wyoming case "a new and even more aggressive effort to prevent the roadless rule from surviving."

The issue could go before the U.S. Supreme Court if the ruling from the Denver-based 10th Circuit differs from that of the 9th Circuit.

The rule also has been challenged in federal courts in Alaska, North Dakota, Utah and the District of Columbia. a

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INTERNATIONAL

Israeli, Palestinian heads discuss need for peace after Cabinet is sworn in

BY MOHAMMED DARAGHMEH
Associated Press Writer

RAMALLAH, West Bank — With a Palestinian political crisis resolved, Palestinian and Israeli officials said Thursday they expect their leaders to meet for peace talks.

Such a summit could help end months of deadlock over implementation of the U.S.-backed "road map" peace plan.

Palestinian prime minister Ahmed Qureia said Thursday he is ready for a meeting with his Israeli counterpart, Ariel Sharon, but only if it yields results.

He criticized Israel's continued travel restrictions in many Palestinian areas of the West Bank and Gaza Strip. "If Israel respects our people and our president and lifts the siege and closure, I think the road will be open for this government to be successful," Qureia said after the first meeting of his Cabinet.

The Palestinian Cabinet was sworn in Wednesday, in a ceremony that ended two months of political wrangling over control of the Palestinian security forces.

Israeli Foreign Minister Silvan Shalom told Israel Army Radio that he expects Qureia and Sharon to meet within 10 days. Israeli media said the meeting would likely take place after Sharon returns from a trip to Italy early next week.

Shalom said he already has prepared a "positive agenda" that he hopes to implement quickly. He said the plan is "meant to ease on the Palestinians and the Israelis" and lead to substantive negotiations.

The closures have prevented many Palestinians from moving between cities and kept them from reaching schools, offices and hospitals. Israel says the closures are needed to prevent attacks on its cities.

Qureia disclosed that an international donors conference scheduled in Rome next Tuesday has been postponed until Dec. 12. He did not give a reason for the delay. The international community sends about \$1 billion a year to the Palestinians. The funds are used for humanitarian projects and help prop up the Palestinian Authority, which would otherwise cease to function.

The Palestinian finance minister, Salam Fayad, had stayed home for several days in protest over the deadlock between Qureia and Arafat. Fayad will be the key figure at the conference, presenting the Palestinian budget for 2004.

Qureia's new Cabinet took office after receiving a vote of confidence from the parliament. The approval ended a two-month vacuum that followed the resignation of Qureia's predecessor, Mahmoud Abbas, on Sept. 6.

Qureia and Arafat, addressing parliament before the vote, blamed Israel for the violence, but called for an end to the

bloodshed.

Qureia called for a cease-fire and quick implementation of the "road map", which calls for a halt to violence and a series of steps leading to an independent Palestinian state in 2005.

In the meantime, the peace plan requires that Palestinians dismantle violent groups and the Israelis halt settlement construction in the West Bank.

Speaking to Canadian fund-raisers Wednesday evening, Sharon repeated a peace offer to the Palestinians, although he did not refer directly to the new Cabinet.

"We are prepared to make painful compromises for the sake of real peace," he said, but ruled out compromises over security issues. He did not elaborate.

Arafat's presence as the power behind the Qureia government troubled both Israel and the United States. They had called for sidelining Arafat and turning authority over to Qureia and his government.

Qureia only succeeded in forming a Cabinet after leaving Arafat with control over security forces. Israel has accused Arafat of supporting terrorism and has demanded that Palestinian security forces be consolidated under one authority.

While still opposed to Arafat, the Israelis appeared open to prospects of accommodation with the new Palestinian government, possibly reflecting public impatience with the Sharon's government's inability to restore calm.

A Palestinian was sent from the West Bank to Gaza by the military. Moshref Bethor arrived in Gaza early Thursday, Palestinians said, the second Palestinian to be expelled this week.

Israeli officials, speaking on condition of anonymity, said he had agreed to go to Gaza for two years instead of serving time in jail. Bethor told The Associated Press he had no idea he was being taken to Gaza. He said he thought he was being taken to a different detention facility for further questioning.

To many Palestinians, expulsion from their land, even to an area under Palestinian control, is a punishment more severe than imprisonment.

Israeli Defense Minister Shaul Mofaz, visiting Washington, proposed to build an industrial area for the Palestinians on the edges of the West Bank border, a ministry spokeswoman said. The plan would provide some 120,000 jobs for Palestinians, she said.

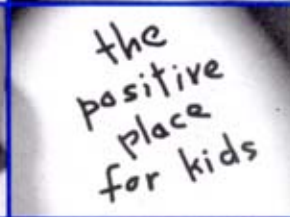
The idea, she said, is to improve the economic situation of the Palestinians and improve Israeli security. Israel has a similar industrial zone along the border with Gaza.

If the proposal wins American support, the spokeswoman said, Israel would present it to the Palestinians. There were no details on how the Americans reacted.

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NATIONAL □ INTERNATIONAL

WORLD BRIEFLY

Man was on verge of blowing up clinics

By The Associated Press

MIAMI — A Florida man was on the brink of carrying out plans to bomb abortion clinics after casing targets, studying bomb-making and buying material that could be used in an attack, according to the FBI and court documents.

Stephen John Jordi, 35, made his first appearance in federal court Wednesday. FBI agents lured him to a meeting aboard a boat late Tuesday; he jumped overboard and was arrested when pulled from Biscayne Bay with the help of the Coast Guard a half-hour later, FBI officials said.

Jordi was in the final stages of plans for imminent attacks, U.S. Attorney Marcos Jimenez said. A criminal complaint filed Wednesday said Jordi cased several South Florida clinics and discussed bombing one in Macon, Ga.

On Tuesday, Jordi and an FBI source bought gasoline cans, flares, starter fluid and propane tanks — including a large one filled with propane gas, the affidavit said. The source also provided Jordi a .45-caliber pistol, silencer and empty magazines in exchange for \$200, the affidavit says. Jordi was arrested later that day.

Jordi was charged with solicitation to commit a crime of violence; distribution of information relating to mak-

ing and using explosives for arson; and possession of an unregistered firearm or destructive device.

Case against suspected sniper mounts

By The Associated Press

VIRGINIA BEACH, Va. — Jurors have listened to three weeks' worth of evidence against sniper suspect John Allen Muhammad, while his defense team has demanded their attention for all of two hours.

It appeared as though that's all the jury would have to consider, as closing arguments were expected to begin in the 42-year-old's trial Thursday, with the jury possibly getting the case later in the day.

Meanwhile, about 20 miles to the east in Chesapeake, opening arguments were expected to get under way in the trial of his alleged accomplice, 18-year-old Lee Boyd Malvo.

Muhammad's attorneys say Prince William County prosecutors have not proven that their client was the triggerman in the killing of Dean Harold Meyers at a Manassas-area gas station on Oct. 9, 2002. Short of that, they say, jurors cannot sentence him to death under Virginia law.

Prosecutors have said it doesn't matter who fired the

shot that killed Meyers because Muhammad used his paternal influence over Malvo to create a killer willing to follow his orders.

Malvo is accused of killing FBI analyst Linda Franklin outside a Home Depot Oct. 14, 2002, in the Falls Church area. He also faces the death penalty if convicted.

Rumsfeld mulls makeover in Asia

By The Associated Press

TUMON, Guam — The Pentagon is ready to "test various ideas" with Asian allies on changing the make-up and basing of American combat forces in Japan, South Korea and elsewhere in the region, Defense Secretary Donald H. Rumsfeld said Thursday at the outset of a six-day Asia tour.

In an interview en route to this U.S. island territory, Rumsfeld declined to offer any specifics other than to say the Pentagon might want access to more or different locations in Asia and the Pacific.

His trip, to include stops in Japan and South Korea, is his first to Asia since becoming defense secretary in January 2001. The last defense secretary to visit was William Cohen in March 2000.

Ex-Iraqi officials: Saddam saved face by pretending to keep WMDs intact

BY GEORGE GEDDA

Associated Press Writer

WASHINGTON — Maybe Saddam Hussein only wanted to save face.

Perhaps he really did dispose of his forbidden weapons but declined to admit it because some of his neighbors would stop deferring to him if they knew the truth.

President Bush dismisses the theory, but his chief weapons inspector in Iraq, David Kay, doesn't.

For months, the administration has been saying that, at the time U.N. weapons inspectors returned to Iraq last winter, Saddam certainly did not behave like a man who had nothing to hide. The conclusion, therefore, was that his arsenal — or at least much of it — was still intact.

So the United States, along with Britain and other coalition partners, decided to go to war last March based on Saddam's show-them-as-little-as-possible attitude toward the U.N. inspectors, plus intelligence findings suggesting that Iraq was indeed awash in unconventional weapons.

Now, according to The Washington Post, several high-ranking Iraqi detainees have told U.S. interrogators that Saddam was engaging in a ruse when he left the impression last winter that doomsday weapons were still in his arsenal.

A Nov. 3 Post story reported that several high-ranking detainees have said "they believe that Hussein was afraid to lose face with his Arab neighbors. Hussein concluded, these prisoners explained, that Saudi Arabia, Kuwait, the United Arab Emirates and other countries paid him deference because they feared he had weapons of mass

destruction. Hussein was unwilling to reveal that his cupboard was essentially bare."

The assertions of the detainees are not new. Kay acknowledged last month that some Saddam loyalists had told his weapons inspection team the same thing. Kay saw that as one of five or six possible explanations as to why no weapons had turned up after several months of searches. Kay is expected to issue a final report next year.

Secretary of State Colin Powell has said there was enough in Kay's lengthy interim report last month to convince him that the administration's prewar assertions about Saddam's weapons arsenal were on the mark.

"What we now know as a result of David Kay's efforts confirms that Hussein had every intention of continuing his work on banned weapons despite the U.N. inspectors, and that we and our coalition partners were right to eliminate the danger that his regime posed to the world," Powell has said.

Bush agrees. "Saddam Hussein is a man who hid programs and weapons for years," he says. "He was a master at hiding things."

But a Post interview with an Iraqi general not in the custody of the U.S. military corroborated the account of

the detainees.

Maj. Gen. Walid Mohammed Taiee, 62, chief of army logistics as the war approached earlier this year, told the Post: "From a military point of view, if you did have a special weapon, you should keep it secret to achieve tactical surprise. ... But he (Saddam) wanted the whole region to look at him as a grand leader."

Taiee also said Saddam believed the United States might be deterred from attacking Iraq if it concluded that the Iraqis had all the weapons they are thought to have had.

If that is the case, it was a colossal miscalculation by Saddam. The administration was not deterred at all, and the regime essentially was defeated in six weeks.

The news, of course, has not been good for the administration since then, with at least 140 Americans killed during a period euphemistically described as "postwar."

Bush is now portraying the American commitment in Iraq as part of an effort to promote democracy in the Middle East. That rationale has been mentioned before, but not with the current emphasis.

On the other hand, less is being heard these days, at least from the administration, about those elusive weapons of mass destruction.

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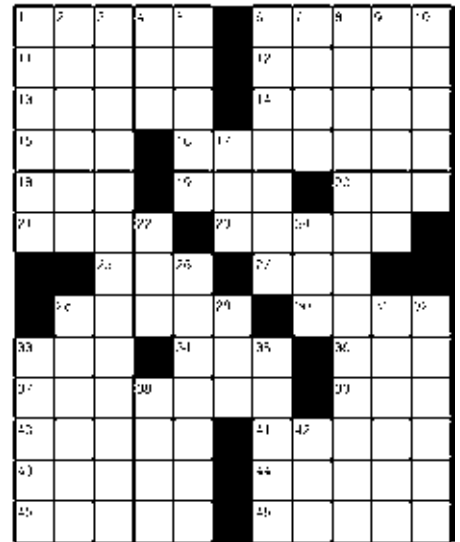


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PEOPLE IN THE NEWS

Twin playmates hot over Flynt's use of sex photos

By The Associated Press

■ **LOS ANGELES** — Former Playboy playmates the Barbi Twins have sued porn king Larry Flynt to prevent his use of sexually explicit photos of the sisters.

The lawsuit, filed Monday in Superior Court, claims that someone gave Flynt photos taken by Shane Barbi's husband, actor Ken Wahl. The photographs, taken earlier this year, show "intimate sexual acts between the twin sisters," the lawsuit said.

"They've had some nude photos before but ... this is not the kind of work they want to do anymore," said their lawyer, Jeff Le Beau.

"They were photographs that her husband took but he had nothing to do with putting them out. They were private photos," Le Beau said.

Calls left with lawyers for Flynt weren't immediately returned this week.

The man who sold the pictures to Flynt also wrote an article describing the contact between Shane and Sia Barbi during the photography session, according to the lawsuit.

The women want the photos back and do not want them published in any of Flynt's publications. They also are seeking unspecified damages.

The twins claim the photos will damage their career, which now includes hosting a health talk show, publishing their own health magazine and distributing various health product lines.

Both women appeared on a national TV show two years ago and acknowledged they had suffered from bulimia.

■ **NASHVILLE, Tenn.** — Country singer Wynonna Judd was charged with drunken driving early Thursday after a city police officer stopped her speeding Land Rover close to Music Row.

The arrest report states Judd had an odor of alcohol

about her, watery eyes and dilated pupils, and she didn't remember how many drinks she had consumed.

Officer Carey John Adkerson said Judd consented to a breath test and registered a blood alcohol level of 0.175 percent — more than twice the 0.08 percent legal definition of drunken driving.

The officer said he stopped the vehicle because it was traveling 47 miles per hour in a 30-mile-per-hour zone.

Judd, who began her career as half of the mother-daughter act The Judds, posted the standard \$500 bond for a first offense and was released.

The 39-year-old singer said in a written statement that she had been celebrating her impending wedding and a friend's birthday "and clearly let my excitement get the best of me."

"I know there is never a situation where drinking and driving is acceptable and I take full responsibility for my error in judgment."

Judd plans to marry longtime bodyguard D.R. Roach later this month.

A driving under the influence conviction can result in punishment ranging from a fine to community service to 48 hours in jail.

"What the World Needs Now Is Love," Judd's first album in three years, debuted at No. 1 on the Billboard country music chart in August.

■ **CHARLESTON, S.C.** — Former 2 Live Crew leader Luther Campbell has avoided jail after pleading guilty to an obscenity charge for a performance at a North Charleston nightclub last year.

The Miami-based rapper pleaded guilty last month to aiding and abetting another person to expose body parts in a lewd and lascivious manner, prosecutor Walter Bailey said this week.

Circuit Judge James Williams suspended the maxi-

mum six-month jail sentence in favor of banishing Campbell from making paid performances in South Carolina for the next five years.

Two other charges were set aside, but can be reinstated if Campbell performs in South Carolina for a fee within the next five years, Bailey said.

The other warrants charged Campbell with engaging in obscene activity and putting on an obscene show, Bailey said.

Campbell's lawyer, Glenn Churchill, said the 42-year-old rapper could make an unpaid appearance in South Carolina. Campbell often appears around the country at voter registration drives and discussions on the First Amendment, the lawyer said.

■ **LINCOLN, Neb.** — Ted Turner has added to his ranch holdings in Nebraska's Sandhills, the Lincoln Journal Star reported Thursday.

The founder of CNN bought two ranches last week for about \$5.3 million, bringing the land he owns in the Sandhills to nearly 316,000 acres, the newspaper said.

Turner bought the 14,019-acre Wright Ranch for \$3.57 million on Nov. 4, according to the Cherry County assessor's office. Three days later, he bought the 6,883-acre U Cross Ranch for \$1.75 million, according to the assessor's records.

Both ranches sold for about \$255 an acre. They are in southeast and south-central Cherry County next to Turner's 54,200-acre Spike Box Ranch.

Turner raises about 9,000 bison in the Sandhills. He owns ranches in Cherry, Garden and Sheridan counties.

Earlier this year, Turner bought the 21,000-acre Dan Hill Ranch in Sheridan County. He paid nearly \$5.4 million for the property, also for about \$255 an acre, according to the Sheridan County register of deeds.

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