

Santa Monica Daily Press

A newspaper with issues



Andrew H. Fixmer/Daily Press

Jasmine Cortez, a Puzzle Zoo employee, stocks shelves Monday after a busy afternoon. Promenade merchants reported an active kick-off weekend to the holiday shopping season during which less expensive merchandise sold well.

Promenade's holiday sales off to solid start

Many merchants remain optimistic

BY ANDREW H. FIXMER
Daily Press Staff Writer

Not even the rain could keep shoppers away this weekend.

Merchants along the Third Street Promenade reported an active weekend after shoppers scoured the outdoor mall for bargains, despite the gloomy weather on Friday — the busiest shopping day of the year.

Many business owners said this year it seems holiday shoppers are looking for inexpensive and more practical items.

Puzzle Zoo Manager Linda Tsukamoto said the toy store has been doing a brisk amount of business over the past several days. Employees on Monday were restocking shelves after shoppers cleaned them out earlier that afternoon.

"We're keeping busy trying to keep our shelves full," she said.

Tsukamoto said the store tends to sell its higher ticket items during the holidays, which has proven true this year as well.

"This is the time when typically our bigger items sell," she said. "We're seeing less of the \$5 to \$10 purchases we usually see and more of the \$100 purchases we see during Christmas time."

At Clothes Minded, a new shop on the

See SALES, page 5

Santa Monica gives chamber a 'heads up' on possible taxes, fees

BY CAROLYN SACKARIASON
Daily Press Staff Writer

Cutting costs aren't the only way the city plans to crawl out of its multi-million budget deficit — raising fees and taxes are also on the minds of elected officials.

Santa Monica City Manager Susan McCarthy met with chamber of commerce officials Monday to give them what she called a "heads up" on possible revenue generators for the city, including raising parking meter fees, parking ticket fines, the bed tax on hotels and business license fees.

And while the increases are only ideas at this point, they could bring in millions of dollars for the city's near-empty coffers. The city faces an \$8 million shortfall this year and a possible \$15 million deficit next year.

In order to close the gap between expenditures and revenues, the city has embarked on a five-year budget projection process that doesn't look too promising if the current economy falters any more than it already has.

The city is trying to remain flexible in its financial position as more acts of terrorism and a looming war with Iraq are on the minds of consumers and business owners, city officials said.

McCarthy spent the first part of her discussion with chamber officials explaining the dire situation the city is in and what cuts have been made from the

budget already. Between \$5 million to \$8 million in services has been slashed and more than \$20 million in capital improvements have been put off to deal with the current economic problems. McCarthy also said the city is examining each department to see how it can run more efficiently and cost effectively.

"We see ourselves very much in a recovery mode and we don't want to do something precipitous to hurt that recovery mode."

— SUSAN MCCARTHY
Santa Monica City Manager

But to address the long term, the city has to begin looking at ways to increase revenues. That could include raising parking meter rates from 50 cents to \$1 an hour in high demand areas, and from 35 cents to between 50 cents and 75 cents an hour throughout the rest of the city.

McCarthy noted that parking meter

See FEES, page 5

Trial of game inventor played out in higher court

City attorney drops milk crate possession charges

BY ANDREW H. FIXMER
Daily Press Staff Writer

The criminal trial of a local game inventor has been delayed until February so he can argue in federal court that it's his constitutional right to do business on the Third Street Promenade.

Stewart Lamle has set up an impromptu card table on the Promenade and sold copies of his game, which is a

cross between Chinese checkers and a tic-tac-toe, for the past three years. Since then, Lamle has racked up more than 35 misdemeanor charges levied by the city for playing his game.

Sixteen of the charges against Lamle were still pending on Monday, when he was scheduled to go to trial. But the city attorney's office decided to drop eight charges for illegally possessing a milk crate, which leaves only eight misdemeanor charges of operating a business without a license. Lamle faces up to four

See TRIAL, page 6

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JACQUELINE BIGAR'S STARS

The stars show the kind of day you'll have:

★★★★★-Dynamic ★★★★★-Positive ★★★-Average
★★-So-so ★-Difficult

ARIES (March 21-April 19)
★★★ You will sit back and smile when you realize the difference one day can make. What you once believed to be untenable, you'll discover could be workable, now that some light has been shed on the different issues. Provide a broader perspective, if needed. Tonight: Flip the channels or hop on the Internet.

LIBRA (Sept. 23-Oct. 22)
★★★★ Do your best to understand what makes a loved one tick. This person could be unusually vague, but it could be important to hear what he or she has to share. Your imagination goes haywire when dealing with loved ones. Tonight: Reach out for a loved one or a friend.

TAURUS (April 20-May 20)
★★★ Charge ahead, knowing what you want to accomplish. A colleague helps to implement what you want. With an associate's help, you might be close to unstoppable. Working with this person helps you obtain more of your long-term desires. Tonight: Make quality time.

SCORPIO (Oct. 23-Nov. 21)
★★★ Treat someone close like a king or queen. Understand more of what you want and expect from someone. You might not always understand a family member's message. Be open to an offhand remark. Run with the ball. Tonight: Your treat.

GEMINI (May 21-June 20)
★★★★ Others seek you out, but situations prove to be more agreeable than previously. Use the present astrological climate to complete a project or to get an OK from others. Let someone else run with the ball, as long as you give the directions. Tonight: Get together with friends.

SAGITTARIUS (Nov. 22-Dec. 21)
★★★★ Your efforts make a difference to someone. Express your caring so that someone can hear it. Your happy, positive side emerges during a conversation. Work on being more direct, kissing away vagueness. Tonight: Your call.

CANCER (June 21-July 22)
★★★ Others give you feedback — though at times vague — that could take you to a new level of understanding. You cannot clarify a situation enough or get enough straight answers. Your hard work creates a better atmosphere at work. Tonight: Share news with a loved one.

CAPRICORN (Dec. 22-Jan. 19)
★★★ Establish a low profile. You might not always have as much control as you would like. Your intuition might tell you something totally different than the present facts. Know when to put a stop to spending, for your sake. Tonight: Get extra R and R.

LEO (July 23-Aug. 22)
★★★★ Don't be intimidated by what an associate considers is an unbeatable idea. What is great in his or her eyes might not work. How you present a problem with its options can determine the success of the project. Tonight: Play the night away.

AQUARIUS (Jan. 20-Feb. 18)
★★★★ You zero in on what is important. You also have an unusual way of drawing others toward you. When surrounded by loved ones and friends, express what you really want. You could be surprised by how easily it can happen. Tonight: Follow the crowds.

VIRGO (Aug. 23-Sept. 22)
★★★ Listen to the basics. Review a matter that is close to your heart. You get feedback from others that might mean a lot. Carefully think through a decision that implicates your personal life as well as your professional life. Tonight: Order in.

PISCES (Feb. 19-March 20)
★★★ Take the lead with others. Understand what you want. Carefully consider your options that involve a work-related matter. You might want to take charge but might not appreciate some of the ramifications. Tonight: A must show.

QUOTE of the DAY

"When it is not necessary to make a decision, it is necessary not to make a decision."

— Lord Falkland (1610?-1643)

Santa Monica Daily Press

Published Monday through Saturday
Phone: 310.458.PRESS(7737) • Fax: 310.576.9913
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LOCAL



CrimeWatch

Transients cause trouble on city streets

By Daily Press staff

■ Five intoxicated Santa Monica transients allegedly beat and stabbed a man on Wednesday, Nov. 20.

At 2:45 a.m. Santa Monica police arrived at Third Street and Arizona Avenue where they found a man severely beaten and stabbed.

Five transients were congregated a short distance away. The victim was able to identify the transients as his attackers before being taken to a nearby hospital for treatment. The police arrested the following alleged attackers:

The suspects are Victor Lee Williams, 18, of Los Angeles.

Andrew Allan Knaak, a 22-year-old white male from Santa Monica.

Frederick Coney Jr., a 22-year-old black male from Santa Monica.

Brandon Shipley, a 30-year-old male black from Santa Monica.

Wayne Charles Richards, a 19-year-old white male from Santa Monica.

All five suspects are transients and all were booked into the Santa Monica Jail.

■ Santa Monica transient Jelani Asad was arrested for allegedly making threats to a woman, police said.

At 6 p.m. on Nov. 20, the victim was sitting on the 2400 block of Main Street when Asad allegedly approached her and demanded money. The victim refused. Asad became angry and began yelling at her. The victim walked away, but Asad followed, allegedly screaming threats at her, police said.

The victim called Santa Monica police, who took Asad into custody.

Asad, a 31-year-old male black transient of Santa Monica, was arrested and booked on charges of criminal threats.

■ Four teenagers robbed two people at gunpoint near the beach two weeks ago.

On Monday, Nov. 18, the victims were walking on the 1900 block of Ocean Front Walk. At about 8:03 p.m. they were approached by four teenage males, one of whom pulled out a handgun and demanded the victims' money.

The victims dropped their money and belongings on the sidewalk, which the teenagers grabbed and fled on foot.

They stole cash, a cell phone and a wallet.

The teenager with the gun is described as a black male, 16 years old, 5'10" and 160 pounds. He was wearing a white T-shirt and black pants.

The second suspect is a black male, 16 years old, 5'10", and also was wearing a white T-shirt and black pants.

The other two suspects fit similar descriptions.

With any information regarding these crimes, call the Santa Monica Police Department's Robbery/Homicide Unit at (310) 458-8451.

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Information compiled by Jesse Haley

It's the week after Thanksgiving and that means leftovers; leftover turkey for sandwiches and leftover swell for surfers.

It's a fading northwest today with three to four-foot sets showing along L.A.'s South Bay.

Northern locales like Malibu don't have the necessary exposure to really capitalize on the 300 degree swell, but they still see surf around waist-high on the average, sometimes bigger on the good tides.

Weather-wise it's clear and warm with light onshore winds.

Today, further decrease in activity is expected, although swell hangs around enough for waist- to chest-high surf at good spots.

Surfers on dawn patrol may face problems because of some exceptionally high tides this week, 6 and 7 feet some days (average high tides are between 3 and 4 feet).



Today's Tides:

Low-	12:56 a.m.	1.10'
Hihg-	7:09 a.m.	6.47'
Low-	2:14 p.m.	-0.92'
High-	8:22 p.m.	4.20'

Location	Tuesday	Wednesday	Water Quality
County Line	2-3'/Fair	2-3'/Fair	A
Zuma	2-3'/Fair	2-3'/Fair	A
Surfrider	1-2'/Poor	1-2'/Poor	C
Topanga	1-3'/Fair	1-2'/Fair	B
Breakwater	3-4'/Fair	3-4'/Fair	B
El Porto	2-4'/Fair	3-4'/Fair	B

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The Q Line

The Bayside District Corp., which manages the downtown core, recently spruced up the Third Street Promenade with a new concept called "Winterlit" as part of holiday decor that officials hope will attract people to shop here.

Bayside spent \$400,000 to hire a set designer, who has worked on Steven Spielberg films, to design the street mall. What you see in the center islands of the Promenade and overhead is expected to be the traditional holiday lighting for the

next five years.

This week, Q-Line wants to know, "Do you think the Winterlit theme will help Santa Monica commerce during the holiday season and is it enough of an attraction to draw people here?"

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

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OPINION

LETTERS

Inspired by Wellstone funeral

Editor:

RE: Patrick Howe's AP story (commentary) "Wellstone memorial was political theater..."

Funny, but in any other country, such an impassioned memorial after a popular leader's death would turn into a rally waaaay beyond what happened in St. Paul when Paul Wellstone was honored. In Central and South America, Africa and the Middle East, people would take to the streets and demand change after hearing speeches about a man they revered. Even "funeral violence" is not unheard of in reports about other countries when they demonstrate the hopes they embodied in such a leader.

Only in the U.S. would the Republicans be able to turn the event into "a disgrace" (and thus get enough votes to defeat Mondale by portraying it so negatively), and would Democrats end up apologizing for having real feelings. We know dem Dems are weak. But so are all the journalists (the AP's Howe, NY Times Bob Herbert and LA Times Norah Vincent) who gang up on the Wellstone supporters, failing to see the gathering in the context of leaders and the people who love them at a time in the world when strong action must be taken to turn things around. Wellstone was one of those who wanted to do that.

I watched all three hours of the service on C-SPAN and was inspired to do that too, instead of sitting around feeling embarrassed. It is interesting to see how the media have joined in the criticism, or as Dylan once sang it, "went along for the riiiide."

Hank Rosenfeld
Santa Monica

Watch teachers' overtime

Editor:

Once in a while there comes across a tidbit of information which draws to itself interest. In addition to regularly reading your fine newspaper, I read others, and have a strong interest in factual history. One such (tiny) article appeared recently in the L.A. Times (Nov. 29, 2002). It was about an investigation of three Chicago teachers

by the Chicago Board of Education for their apparently bilking taxpayers out of excessive amounts of money in overtime pay.

Each teacher was said to have taken home over \$60,000 in overtime pay last year alone. On top of their \$80,355, \$73,549, and \$55,277 salaries respectively. All of which brings to mind that they certainly cannot be three teachers alone in the universe who have and continue to practice this rather clever and slick scheme of enriching themselves at taxpayers' expense. Nor can anyone anymore (according to these base salary figures, and the presumption that these same public employees draw in addition to those, very fat and enviable benefit/retirement/pension packages) regard them as in any way as underpaid, unrecognized, and unfortunate. Many are "traditionally" paid higher than others in their line of work to presumably draw the best currently available to a given district. Itself is a questionable practice. Rather, they and any others found to act/cheat as they have anywhere in the country, ought to be subjected to further scrutiny, deeper investigations if necessary, by their local school boards, and perhaps even by law enforcement officials for any other possible associated wrongdoings. It irks me that the three offenders weren't named. Why not? Because they were teachers, ought not be enough to so unfairly immunize them, they wilfully engaged in wrong-ful and public be damned acts! Why not check the records of all teachers overtime — back at least a modest decade of time, instead of merely a year? Is the extremely excessive overtime in question any way associated with the now constant call by educators for more funding for unnecessary duplicity in the programs at schools?

Are not the teachers comfortable with being in the privileged class of the few who enjoy tenure in their employment? Who also can fully retire after a mere 20 years of public service, take on a second or third career thereafter, exacerbating a continually shrinking job market, which some would view as a tad bit of greed. And finally, such subtle and blatant abuses as these by the educated overtime thieves could appear anywhere at any time, so why not take a precautionary look into what could be a hidden problem within your local school district, before you permit anyone to attach something like a \$300 parcel tax to create more programs in the schools which seem to enrich only the teachers?

Thom Trybus
Santa Monica

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

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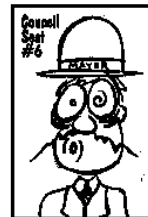


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Santa Monica Daily Press

LOCAL



Officials hear good, bad and ugly of budget woes

FEES, from page 1

rates haven't been raised since 1991. Business license fees, which vary depending on the type of commerce, also haven't been raised in more than a decade, McCarthy said.

The city's bed tax, which is 12.5 percent on the price of a hotel room in Santa Monica, is less than many other cities in the region, she said.

"For the longer term, it's fair to say that we'll look at (increasing) the hotel tax," McCarthy said.

But to what point people will agree to tax themselves is the big unknown. That's why the city is beginning to reach out to the community to gauge support, she said.

"In terms of achieving a vote of the community, obviously there is lower hanging fruit but the city wants to work with the business community and neighborhood groups to look at tolerances," McCarthy said.

"We are looking at everything and we know there is an aggravation factor that could run counter to the overall objective," she said. "We see ourselves very

much in a recovery mode and we don't want to do something precipitous to hurt that recovery mode."

McCarthy acknowledged that if the city was to raise metered parking, parking would have to become more convenient for people. However, based on the fact that cities like Pasadena and Beverly Hills charge more than here, the affluence of Santa Monica should be able to absorb such an increase, she added.

Gorton Vallely, owner of Al's Tire Supply Co. Inc., said raising fees and taxes actually hurts the business owner and could prove counter productive since commerce is what makes the city thrive. He wondered why the city doesn't do more to cut its own expenditures instead of making it more difficult to do business in Santa Monica.

"I haven't heard a tremendous amount of conversation on how to stop the bleeding," he said. "I'm not real happy hearing the numbers coming out of this. The city needs to slow down on spending, cut down on the bleeding and help the business community get stronger."

Smaller, less expensive merchandise selling well

SALES, from page 1

1400 block of the Promenade where nothing costs more than \$15, business has been booming. Managers of the store, which sells name brands at a very low price, said the economy could be boosting their sales.

"In this economic climate people want to spend less," said Robert Finkelstein, the store's director of operations. "People are looking for a good deal, but then they're always looking for a good deal."

Finkelstein said while the store has been in business for little more than two weeks, the location already has proved profitable.

"We've far-exceeded our expectations here," he said. "This has been phenomenal as far as I'm concerned."

"I think we've found a grand-slam location."

At Midnight Special, a bookstore on the 1300 block of the Promenade, business has been slightly better than last year. Margie Ghiz, the store's owner, said sales have improved 1 to 2 percent over last year.

The bookstore announced in July that it would move off the Promenade by March because the store couldn't afford to pay the location's sky-rocketing rents. No new location has been finalized, Ghiz said.

"But it's been a very good year," she

said. "Ever since we announced we're moving people have been coming in from all over the Los Angeles region."

At The Jewel Shop, which is near the intersection of the Promenade and Santa Monica Boulevard, owner Tony Ayoub said his more expensive items aren't moving as quickly as he would like.

**"We're keeping
busying trying to keep
our shelves full."**

— LINDA TSUKAMOTO
Manager of Puzzle Zoo

"They are buying smaller items, nothing on a big scale," he said. "But that's been true since 9-11. Hopefully, we'll do more business in smaller items."

Still, Ayoub said jewelry purchases are typically made in the last few weeks of the holiday season, and this year could potentially be very good.

"I'm focusing on what's most popular and keeping prices affordable — that helps," he said. "These days, the price goes before the item."

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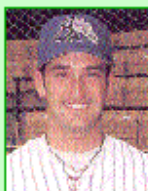
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LOCAL □ STATE

Street performer policy challenged in federal court

TRIAL, from page 1

years in jail and \$8,000 in fines if convicted.

"That was to make it easier to settle the business charges when it comes back in February," said Deputy City Attorney David Fairweather. "Hopefully by then it will have run its course through the higher courts."

Lamle's attorney, Paul Mills, has appealed an earlier state court decision that ruled that the city's policy is valid. Those appeals are still being considered by state and federal courts.

Mills said the state court may not allow him to argue the constitutionality of the city's policy before a jury.

"I think that we really want to get to the constitutional issues as soon as possible because that's what the case is really about," he said. "There seems to be some issues as to whether the state court will allow us to put those issues before a jury. I think they will resist it and we're not sure we'll be able to get them in front of a jury otherwise."

Lamle's demonstration of the game is not considered a performance by the city, which refuses to grant Lamle permits or a business license.

Lamle has argued when it comes to selling his invented game on the Promenade, the city is accusing him of breaking laws that don't exist. And because nearly half of all the milk crate citations issued by local police in the past two years are against Lamle, he believes the city has targeted him for prosecution.

It is illegal to possess a milk crate in California because it is the property of the milk company.

So far, neither Lamle nor Mills have persuaded a judge to agree with their arguments. And because Lamle refuses to settle, the case is likely headed for a jury trial.

Fairweather said he hopes with the milk crate citations out of the way, Lamle

will plea bargain with the city. The city attorney's office has said it would drop seven of the eight business license violations if Lamle pleads guilty to the remaining charge.

Under that scenario Lamle could avoid a long jail sentence and the city would win by preventing Lamle's return to the Promenade.

**"I think that we really want
 to get to the constitutional
 issues as soon as possible
 because that's what the
 case is really about."**

— PAUL MILLS
 Attorney

Lamle hasn't expressed interest in the arrangement.

"I think if we could get the city to change their licensing practices so that the city wasn't leaving itself in control of who can say what on Third Street ... then yeah, I think we might be able to settle it," Mills said.

Mills said Lamle is in a bind because the city will not issue him a performer's permit unless he has a business license, but city officials refuse to give him a business license unless he has a storefront or a cart.

Without that issue being addressed by the city, a settlement isn't likely, Mills said.

"We have never gotten any sensible, legal justification for his repeated arrests and refusal of granting him a business license," he said. "If they get right with the Constitution, it's true we could settle the case."

Million-dollar heists in L.A.

By The Associated Press

LOS ANGELES — There's a spike in Southern California freight heists with bandits making off with \$2 million worth of product each day.

Thieves steal just about anything, from rigs loaded with cigarettes, electronics and prescription medicine to toothpaste, a load of broken egg shells and even a trailer full of dead pigs hanging from hooks, the California Highway Patrol said.

"We've seen them steal loads of fruit. You name it and they've stolen it," said CHP Sgt. John Antillon, who heads a unit targeting cargo thieves in Southern California.

Cargo theft is a \$600 million a year enterprise in the Los Angeles region. Nationwide, cargo thieves will steal up to \$20 billion in goods this year, authorities said.

Reports of truck hijackings and warehouse burglaries have risen steadily over the past five years in Southern California, where ports, interstate highways and warehouses make the region a veritable candy store for thieves.

The biggest boom has come in Ontario, Fontana, Rialto, San Bernardino and the high desert, Antillon said.

"The thefts are increasing and they're spreading farther east," he said.

A cargo thief who steals a truckload of computers or burglarizes a warehouse with \$1 million in merchandise may face three or four years behind bars, while a drug trafficker caught with \$1 million worth of dope could go away for 10 to 20 years.

"There aren't serious enough consequences for the crimes," said Bob Ghan, president of the Western States Cargo Theft Association. "You go out and steal a trailer with \$2 million of stuff in it and you may get probation."

Ghan said his association, which comprises business, security professionals and law enforcement officers, is working to lobby for legislation that would create specific laws targeting cargo theft.

STATE



Ruling blocking offshore oil drilling is upheld

BY DAVID KRAVETS

Associated Press Writer

SAN FRANCISCO — A federal appeals court Monday upheld a ruling that blocks potential oil and natural gas exploration off the central California coast, saying the area can't be drilled until the California Coastal Commission approves the work.

The unanimous decision by a three-judge panel of the 9th U.S. Circuit Court of Appeals blocks any attempt to drill off the coast of San Luis Obispo, Santa Barbara and Ventura counties. Some estimates say there is enough oil there to run California's refineries for two years and natural gas for five months of the state's demands.

Oil exploration off California's coast has been a contentious issue since a huge oil spill in 1969 that soiled the Santa Barbara and Ventura county coast. Offshore rigs account for roughly 20 percent of the state's petroleum production.

No new oil platforms have been built off California's coast since 1994. No exploratory oil drilling has been conducted since 1989.

California sued to block efforts that could lead to exploration days after President Clinton's Interior Secretary, Bruce Babbitt, extended the petroleum companies' offshore leases in 1999 as they were set to expire.

The lawsuit contended that Babbitt's decision was subject to review by the state under a federal law giving California authority to determine whether offshore petroleum activity in federal waters is consistent with the state's coastal protection plans.

Under the Coastal Zone Management Act, amended in 1990, Congress gave states a say in any activity affecting coastal communities, the appeals court said.

The San Francisco-based appeals court upheld U.S. District Judge Claudia Wilken, who last year ruled that the federal government illegally extended the oil companies' 10-year leases without first determining that the extensions were "consistent with California's coastal management program."

The Justice Department argued that the law did not give California a say when it came to extending the leases, the first step required before an application for exploration and drilling can commence.

Hugh Vickery, an Interior Department spokesman, said Monday that the government was reviewing the decision.

Wilken ordered all leases terminated until the federal Minerals Management Service complies with her order, a decision upheld by the appeals court.

The governor appoints four of the 12 members of the California Coastal Commission. If Davis has his way, the commission would scuttle the federal government's attempt to renew the leases. Davis has pledged to lobby the commission to reject the deal if the court's ruling ultimately is upheld.

"The court's ruling is essentially a big stop sign to Washington. They should take the hint and halt further attempts to exploit California's spectacular coastal resources," Davis said. "Today's decision is a victory for all Californians, the environment and states' rights."

Drew Caputo, a Natural Resources Defense Council lawyer who sued the federal government along with California, agreed with Davis.

"The threat to the coast from these oil leases is serious. In order to protect the coast, these leases need to go away," he said.

This year, the Bush administration announced plans to protect Florida's coast by spending \$120 million to buy oil and gas rights in the Everglades and \$115 million to pay oil companies to stop drilling plans in the Gulf of Mexico.

The administration has rejected requests from Davis to extend the same protections to the Golden State, prompting Davis to say he would defend California's coast all the way to the U.S. Supreme Court.

Oil companies have paid \$1.25 billion for the 40 leases, each covering about a nine square-mile expanse of ocean. The leases were issued between 1968 and 1984. Four of them expired in 1999.

Toyota, Honda deliver first zero-emission hydrogen cars

By The Associated Press

IRVINE — Toyota and Honda on Monday delivered their first market ready zero-emission hydrogen-powered fuel cell vehicles.

The University of California got the first two Toyota Motor Sales USA Inc. hydrogen fuel-cell vehicles, which have a range of 180 miles and a top speed of 96 mph.

In Los Angeles, Honda Motor Co. delivered its first street-certified hydrogen-powered fuel cell car to Mayor James K. Hahn. The City of Los Angeles is leasing five Honda fuel cell test vehicles for "real world" driving by city staff.

Honda President Hiroyuki Yoshino handed the keys to Hahn during an afternoon news conference.

UC Irvine and UC Davis got the Toyotas in what was described as the first step in a plan to establish California fuel-cell "community" partnerships of government, business and higher education that

will tackle product, infrastructure and consumer-acceptance challenges.

The universities are at the forefront of fuel-cell vehicle research, development and implementation.

The vehicles delivered Monday were the first of six Toyota fuel-cell cars leased to the two campuses as part of the program to bring refinements and improvements. Four additional vehicles will arrive next year with each car leased for 30 months.

The vehicles are based on the Toyota Highlander five-passenger mid-size sport utility vehicle. Its hydrogen fuel-cell system features four 5,000-psi hydrogen fuel tanks.

Hydrogen gas feeds into the fuel-cell stack where it is combined with oxygen, and the chemical reaction of combining hydrogen and oxygen to form water generates a peak of 90 kilowatts of electricity. The electricity powers a 109 horsepower electric motor to charge the vehicle's nickel-metal hydride batteries.

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Santa Monica Daily Press



STATE

Runnion's accused killer waives preliminary hearing

BY CHELSEA J. CARTER

Associated Press Writer

SANTA ANA — The man accused of kidnapping and murdering 5-year-old Samantha Runnion on Monday waived his right to a court hearing to determine if there is enough evidence for him to stand trial.

Alejandro Avila, 27, agreed to waive his preliminary hearing after an Orange County Superior Court judge denied his request for a continuance to give his attorneys more time to review DNA evidence.

Judge F.P. Brisenio ordered Avila to return on Dec. 16 for re-arraignment, the start of proceedings setting the stage for trial.

District Attorney Anthony Rackauckas said later at a press conference that prosecutors were seeking the earliest possible trial date but that he expected the defense to seek further delays.

Samantha was abducted July 15 as she played with a friend outside her Stanton home. Her naked body was found the next day along a highway between Orange County and the Riverside County community of Lake Elsinore. She was sexually assaulted and asphyxiated.

Avila is charged with one count of kidnapping, two counts of lewd acts on a child under 14 and one count of



Associated Press

Alejandro Avila, right, is escorted from the Orange County Jail in Santa Ana on Monday. Avila is accused of kidnapping and killing 5-year-old Samantha Runnion.

murder. He also faces three special circumstances, which make him eligible for the death penalty.

In court, the judge told Avila's defenders that he found insufficient evidence to delay the hearing. Avila then agreed to waive his preliminary hearing.

Avila's attorney, Denise Gragg, asked Avila in open court if he understood that by waiving the hearing he was giving up the right to see the evidence against him and question witnesses before going to trial.

"Are you willing to give up all those rights?" she asked. "Yes," he said.

The agreement came after attorneys for Avila told the judge they needed more time to review the DNA evidence.

"The DNA evidence in this case does not give a clear-cut result," said public defender Phil Zalewski. He told the judge that although experts had completed the scientific study of the DNA, "there's a whole 'nother matter with interpretation."

"This is not a case we have a single source of DNA," Zalewski said.

The Runnion case was one of four child abductions that frightened the nation this year. The others included Danielle van Dam in San Diego County, Elizabeth Smart in Utah and Cassandra Williamson in Missouri. Danielle, Samantha and Cassandra were killed; Elizabeth remains missing.

Councilwoman seeks a restraining order against a colleague

By The Associated Press

LAKE FOREST — A longtime city councilwoman has filed for a restraining order against a colleague, saying she fears for her life after being accosted at City Hall.

Councilwoman Kathryn McCullough requested the restraining order shortly before the Nov. 5 election, saying she was verbally and physically assaulted by Councilman Peter Herzog in two separate incidents.

"I don't feel safe anymore," McCullough said in court documents. "I cry for no reason, and I am reluctant to go places for fear that he is going to go off the next time and kill me."

McCullough, 60, said the dispute is over her choice of political allies on the City Council. A hearing on the petition was scheduled for Dec. 18.

"This is out of left field," said Herzog, 47. "I never yelled at her or used profanity. We've had disagreements like most

elected officials, but nothing leading to these absurd kind of incidents."

McCullough said Herzog shouted at her during a California League of Cities reception in July and then "grabbed and pulled" her arm after a Sept. 17 council meeting.

The altercation outside council chambers caused tendon damage in her wrist, McCullough said.

Councilwoman Marcia Rudolph said McCullough is not seeking a restraining order that would apply during council

meetings or other official functions — although the alleged assaults have occurred during such events.

The dispute has not affected either council member's official duties, said Mayor Richard Dixon.

"This is a private matter between two individuals, and it's not impacting the city or the City Council meetings," Dixon said. "No one says they have to be best friends and hang out socially to do the job they are elected to do."



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NATIONAL



Immigrants made up over half of U.S. labor force growth during past decade

BY GENARO C. ARMAS
Associated Press Writer

WASHINGTON — Immigrants accounted for over half the growth in the nation's labor force the past decade, filling openings in factories and textile mills, restaurants and other blue-collar industries, according to a private analysis of government data.

The immigrant influx was felt throughout the country but was especially vital in the Northeast, where the new U.S. residents comprised nearly all of the net increase in the labor force there, said the report released Monday by the Center for Labor Market Studies at Northeastern University.

The study of Census Bureau figures between 1990 and 2001 also found that recent immigrants helped fill openings that required more education such as in engineering firms and the high-tech industry.

"What immigration has really done is expand the base at the bottom and to a lesser extent help" fill openings near the top end of the scale, said one of the study's authors, Northeastern University economist Paul Harrington. "This is a story of a long-term shift in the reliance of foreign sources for labor in the United States."

The findings are in line with previously released Census Bureau data showing a 57 percent increase in the foreign-born population during the 1990s to about 31.1 million. During the same period, the Hispanic population grew to rivals blacks as the nation's largest minority group.

Between 1990 and 2001, the civilian labor force grew by nearly 16 million to 141.8 million. Half that growth was due to immigrants who entered during the period of soaring economic growth for the nation.

New immigrants made up 79 percent of the increase in the male civilian labor force, versus 30 percent of the increase

among women.

Steven Camarota, a researcher with the Center for Immigration Studies, said the report failed to note other effects of the immigration surge such as increases in school enrollment and on public assistance rolls. Immigrant families tend to have higher rates of poverty than those families headed by a U.S.-born resident.

Allowing immigrants to flood low-skilled occupations may also hold down wages since there are more people competing for jobs, said Camarota, whose group favors some limits on immigration. "Where is the net benefit for natives? It's not clear."

Harrington said federal and state lawmakers must make more of an effort to connect labor market and immigration policy as immigrants become a more vital source of economic growth.

How the Sept. 11, 2001 terrorist attacks had on immigrant trends in the labor force is unclear, though the recession that started earlier the year probably did not have a widespread effect, Harrington said.

"This recession was more of a high-end recession in areas like high-tech, than previous declines" and had less of an effect on lower-skilled jobs, he said.

Among other findings:

■ Over 22 percent of immigrants who arrived since 1990 worked in service occupations, compared with 19 percent of the total foreign-born population and 13 percent of native-born workers.

■ Another 13 percent of recent immigrants worked on assembly lines or as machine operators.

The report used a wider definition of "immigrant" than the government typically uses since it also included arrivals from Puerto Rico, the U.S. Virgin Islands and other U.S. territories, in addition to foreign countries.

er," Golisano said Monday about his heavy spending.

Golisano, who also sought the governor's office in 1994 and 1998, said he would not rule out a fourth run in 2006.

"That's considered a good downpayment on the future," he said. He added: "I think we've created a political force now."

Golisano is the founder of a payroll processing company that serves mainly small businesses. He co-founded New York's Independence Party in 1994.

Unofficial returns show Golisano winning fewer than 640,000 votes of the more than 4 million cast. That works out to more than \$115 per vote.

"He spent a lot of money with surprisingly little impact," said Blair Homer of the New York Public Interest Research Group, a frequent critic of heavy spending on political campaigns. "It shows how tough it is for third parties to have an impact."

In this year's other high-spending campaigns for governor, Democrat Gray Davis spent at least \$68 million in winning a second term in California, while Democrat Tony Sanchez spent at least \$59 million of his own money on an unsuccessful bid to become governor of Texas.

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N.Y.'s Golisano breaks record for non-presidential spending

BY MARC HUMBERT
AP Political Writer

ALBANY, N.Y. — Billionaire B. Thomas Golisano spent more than \$73.9 million on his losing third-party bid for governor, breaking the non-presidential spending record set last year by Michael Bloomberg when he got elected mayor of New York, according to campaign reports filed Monday.

The businessman's spending pushed the total price tag for the New York governor's race above \$137 million, eclipsing the record \$130.5 million spent on the 1998 contest for governor of California.

Republican Gov. George Pataki easily won a third term against Democratic state Comptroller H. Carl McCall.

Updated spending reports for Pataki and McCall were not immediately available Monday. But by Oct. 25, the governor had already spent more than \$38 million, and McCall more than \$14 million. Former federal Housing Secretary Andrew Cuomo spent about \$11.5 million before quitting the race a week before the Sept. 10 Democratic primary.

"I don't feel bad about it whatsoever,"



NATIONAL

Lawyers declare that Guantanamo Bay detainees have rights

BY PETE YOST
Associated Press Writer

WASHINGTON — Declaring that foreigners captured in the war on terrorism have rights, attorneys for detainees held without charges at Guantanamo Bay Naval Base pleaded for help Monday from a skeptical federal appeals court.

Sixteen people from Australia, Britain and Kuwait, some captive for more than a year, are seeking "the most modest of rights ... we want access to an impartial tribunal," said attorney Thomas Wilner.

The three-judge panel questioned whether it has authority to intervene and whether the prisoners jailed by the U.S. military at Guantanamo Bay, Cuba, are entitled to some form of due process. Two of the three judges ruled three years ago that a foreign entity without property or presence in the United States has no constitutional rights.

A. Raymond Randolph, appointed to the appeals court by President Bush's father, is one of the judges hearing the Guantanamo case, as is Stephen Williams, who was appointed during the Reagan administration. Both were part of the panel in the case three years ago. The third judge hearing the detainees' case is Merrick Garland, a Clinton appointee.

The United States has been involved in many wars in its history, "but this is the first time we have sacrificed the rule of law," said attorney Joe Margulies, who is representing 12 Kuwaitis.

"The government says no court in the world may hear from my clients," Margulies said. "Guantanamo is unique. It is utterly outside the law."

The detainees' families have gone to the appeals court because U.S. District Judge Colleen Kollar-Kotelly ruled four months ago that the Guantanamo prisoners are not in the United States and thus do not fall under the jurisdiction



J. Scott Applewhite/Associated Press

Michael Ratner, president of the Center for Constitutional Rights, right, and lawyers for detainees being held at the U.S. naval base in Guantanamo Bay, Cuba, speak with reporters outside the U.S. District Court in Washington, D.C., after challenging the government's actions in a federal appeals court on Monday. Joining Ratner are attorneys Joe Margulies, left, and Thomas B. Wilner, center.

tion of federal courts. Seized by the United States in the Spanish-American War and leased from Cuba for the past century, Guantanamo is a 45-square-mile area on the southeastern tip of Cuba now holding nearly 600 detainees from more than 40 countries, including about 60 Pakistanis and some 100 Saudi Arabians. None of the detainees have been allowed to see their families or to have access to attorneys. A handful of Afghan and Pakistani detainees have been sent home from Guantanamo after being cleared of terrorist suspicions.

Those in the court case were picked up

in Afghanistan and Pakistan following the Sept. 11 attacks.

The detainees' situation is "identical" to that of German nationals held in Landsberg prison in Germany who were denied access to U.S. courts in a 1950 Supreme Court ruling, said Deputy Solicitor General Paul Clement.

Unlike the detainees at Guantanamo, the German nationals were charged and convicted before a U.S. military tribunal, the lawyers for the Guantanamo detainees pointed out.

The detainees are being held at Guantanamo Bay for two reasons — to get

them away from the battlefield and to facilitate intelligence gathering, said Clement. He said that investigators go back to the detainees for additional questions as the U.S. gathers more information from newly captured members of al-Qaida.

In arguments that lasted an hour and a half — three times the scheduled 30 minutes — the appeals judges pointed to one of their own rulings in 1999 that related to terrorism. In it, the appeals court ruled that it was not for the judges to decide whether organizations hostile to the governments of Iran and Sri Lanka committed terrorist acts. The groups were seeking to be removed from the State Department's list of terrorist organizations.

The 1999 ruling by Randolph and Williams stated that "a foreign entity without property or presence in this country has no constitutional rights, under the due process clause or otherwise."

The government says it is of no legal significance that the detainees coming to the appeals court for assistance are from countries friendly to the United States.

The 12 Kuwaitis were in Afghanistan doing charity work and weren't there to fight, their families have said.

British Muslims Asif Iqbal, who is in his early 20s, and Shafiq Rasul, who is in his mid-20s, flew to Pakistan and then to Afghanistan just days before the Sept. 11 attacks.

There is little doubt that Australian David Hicks, 26, had joined the Taliban when he was captured by U.S.-backed Northern Alliance forces in Afghanistan. Australian Prime Minister John Howard has said. Hicks' family denies that he trained with al-Qaida.

Australian Mamdouh Habib, 47, was captured by U.S. forces in Pakistan on suspicion of links to al-Qaida. Habib's wife denies any al-Qaida connection. The couple have four children.

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INTERNATIONAL



United Nations teams search Iraqi missile nerve center

BY CHARLES J. HANLEY
AP Special Correspondent

BAGHDAD, Iraq — It was combed over by inspectors, then blasted for days by U.S. air attack. But four years later the Karama ballistic design plant is still a focus of world concern, a place where new U.N. inspectors Monday conducted their longest search yet, looking for signs of outlawed Iraqi missiles.

After six hours in the well-guarded Baghdad compound, they departed, and the plant's deputy director said all went well. "They didn't find anything," Brig. Mohammed Salah told reporters.

The inspectors, as usual, had no immediate comment for waiting journalists. But a U.N. report later Monday said some equipment of interest at Karama was missing. The Iraqis said some of the missing equipment had been destroyed in U.S. air attacks and some had been transferred.

It was the fifth day of renewed arms inspections after a four-year break. Until Monday, the longest inspections had been running about four hours, some much shorter.

The inspections come under a new U.N. Security Council mandate requiring Iraq to shut down any nuclear, chemical or biological weapons programs as well as any facilities to build missiles with more than the 90-mile range allowed under U.N. resolutions after the 1991 Gulf War.

A second U.N. team, of nuclear inspectors, visited industrial sites north of Baghdad on Monday.

Inspectors in the 1990s eliminated tons of Iraqi chemical and biological weapons and the equipment to make them, dismantled Iraq's effort to build nuclear bombs, and destroyed scores of longer-range Iraqi missiles. Those inspectors didn't believe they found all of Iraq's weapons of mass destruction, however.

President Bush threatens to wage war on Iraq — with or without U.N. sanction — if it doesn't disarm. Bush indicated Monday he wasn't impressed with Iraq's cooperation thus far, saying inspectors don't have the duty or ability to uncover weapons of mass destruction hidden in the vast country, but that Iraq has a responsibility to provide evidence of total disarmament.

"So far, the signs are not encouraging," Bush said in a



Nasser Nasser/Associated Press

Iraqis look on as the vehicles of U.N. weapons inspectors leave after a visit to an alcohol factory in Khan Bani Sa'ad, 30 kilometers (20 miles) northeast of Baghdad on Monday.

toughly worded speech at the Pentagon.

Other governments say that only the Security Council can authorize such an attack on Iraq, in a situation not involving immediate self-defense. The presidents of Russia and China, two of those governments, issued a statement Monday calling for a peaceful resolution of the U.S.-Iraqi showdown.

Iraq faces a Sunday deadline to fully disclose and document the status of its weapons-related programs, but Iraq's ambassador to the United Nations, Mohammed Al-Douri, said the declaration could be ready as early as Wednesday.

"There will be nothing surprising," Aldouri said. "We have repeated our position several times that we have nothing hidden."

In London, U.S. Deputy Secretary of Defense Paul Wolfowitz said the United States wants to disarm Iraq without war but that the threat of force is vital to ensure that Saddam's regime realizes its survival is at stake.

Wolfowitz and other administration officials were to meet in London with Iraqi opposition representatives.

Sherif Ali bin al-Hussein of the Iraqi National Congress said the talks would cover the possibility of war with Iraq and any future administration there.

The showdown flared in Iraqi skies again Monday. The U.S. military said its warplanes bombed an air-defense site in northern Iraq after being fired upon by Iraqi forces while patrolling the "no-fly zone" Washington has declared in the area. Iraqi officials later said "civil and service installations" had been hit; they did not mention casualties.

The military-run Karama General Co. complex, hidden behind 9-foot-high walls in Baghdad's Waziriya district, has long been known as a nerve center for Iraq's missile development programs. In the Iran-Iraq war of the 1980s, area residents said, a missile fired from Iran landed squarely in the compound. In December 1998, over a few days, the U.S. military fired 18 cruise missiles into Karama.

Earlier in the 1990s, U.N. inspectors determined that Karama engineers had developed the guidance and control system for the "stretch Scud," the Soviet-made missile Iraq modified as the al-Hussein, doubling its range to 400 miles. The Iraqis fired some 90 missiles at Israel and Saudi Arabia during the Gulf War.

In their wrap-up report, the earlier U.N. inspectors said Karama had been converted by 1998 to work on missiles of 90-mile range or less — the U.N.-imposed limit. They had not destroyed any equipment, they said, but the site was put under continuous camera surveillance.

That monitoring regime collapsed in 1998 as Iraq and the inspectors argued over access to sites and U.S. spies within the U.N. operation. When the inspectors were withdrawn in December 1998, the United States and Britain launched air strikes against Karama and other Iraqi targets. Evidence of that devastation, tons of debris, still lies in a heap at Karama, which continues operations.

Recent U.S. and British intelligence reports say the Iraqis have probably reconstructed a dozen or more al-Husseins from odd parts. The reports also contend Iraq is working on new missiles with even longer range, and is extending the range of its new al-Samoud missile — a Karama project — beyond the approved limit.

U.N. Report: Reducing fertility is key to tackling poverty

BY EMMA ROSS
AP Medical Writer

LONDON — Educating girls and improving women's access to family planning and other sexual health services are crucial to fighting poverty, according to a United Nations report released Tuesday.

According to the U.N. Population Fund, some of the largest gaps between the world's rich and poor are seen in reproductive health, giving poor women and their families fewer opportunities to break out of poverty.

"There is a vicious circle that links fertility with poverty," the agency's executive director Thoraya Obaid told The Associated Press.

The report cites new evidence showing that people in poor countries do choose to have fewer children if given the chance.

Since 1970, developing countries that have lowered their fertility rates and slowed population growth have registered faster economic growth, it said.

About one-fifth of the surging economic growth seen in the so-called Asian Tiger countries during the 1980s and early 1990s was attributable to their population and reproductive health programs, the report said.

Obaid said that Brazil, where fertility has been declining for the last 50 years, was another success story, with Mexico and other Latin American following its example.

The population fund stressed that devoting money to the health, education and advancement of women and girls was vital to such achievements

"To fight poverty, you can't just talk about economic growth by itself. You need to have investment in the social sector in the area of health and education, so that that it can contribute to economic growth," Obaid said.

With improved general health care and education, children are more likely to survive infancy, which makes women more comfortable having fewer children.

Poverty, poor health and fertility remain highest in the least developed

countries, where the population has tripled since 1955 and is expected to nearly triple again over the next 50 years, according to the "State of World Population 2002" report.

The report said nearly 19 percent of the world's population in 1980 lived in absolute poverty.

Had all countries reduced net fertility by five per 1,000 during the 1980s, as many Asian countries did, that rate would have fallen to 12.6 percent over the

decade, the findings showed.

The report said rich countries contributed less than a quarter of the money spent on basic reproductive health programs in the developing world and only paid half the sums of money they pledged.

Developing countries contributed 76 percent of the total and about 73 percent of what they pledged to spend.

Total spending on such programs in 2000 was \$10.9 billion, some \$6.1 billion less than what was promised.

American convicted for arson deaths in Monaco

BY JOHN LEICESTER
Associated Press Writer

MONTE CARLO, Monaco — An American male nurse was convicted Monday in the arson deaths of billionaire banker Edmond Safra and a nurse, and sentenced to 10 years in prison.

Ted Maher was convicted of arson leading to death. The 1999 fire in this wealthy Mediterranean enclave also killed one of Safra's other nurses, Vivian Torrente.

The prosecution had requested 12 years in prison for Maher. The charges carried a maximum penalty of life in prison.

"He directly caused the deaths of Mrs. Torrente and Mr. Safra," said head prosecutor Daniel Serdet. "He trapped the victims."

The defense said Maher did not intend for Safra and the nurse to die. His intention was merely to trigger the fire alarm and pose as Safra's rescuer.

"Stupidity is reprehensible, but it is not a crime," Sandrine Setton, one of the defense lawyers, said in closing arguments.

Setton argued the charge against Maher should be reduced to involuntary manslaughter.

Maher has been held in Monaco's prison for the last three years. The fire and trial have been a sensation in Monaco, which prides itself with providing a safe, security and luxurious environment for the rich and famous in this Mediterranean enclave.

For most of Monday's session, Maher sat still in the dock, looking gaunt and tired as he listened to a translation of the pro-

ceedings from French into English. Toward the end of the day, he gave a tearful final word in his own defense.

He called Safra "the best employer I ever had," and said he did not mean to cause his death or the death of the other nurse.

"What's happened is and always will be a terrible accident," said the former Green Beret, reiterating earlier testimony, in the hours before the verdict.

Maher's wife was in court, as was Safra's widow. Safra, the 67-year-old founder and principal stock owner of the Republic National Bank of New York, had Parkinson's disease and required constant care.

He paid Maher \$600 a day. Maher, originally from Auburn, Maine, told prosecutors it was "the most beautiful job" he had ever had.

Maher also said Safra's chief nurse belittled him and he feared losing his job. Just six weeks after arriving in Monaco, he hatched the idea of setting the fire to ingratiate himself with his boss and earn a promotion.

In testimony, Maher called the Dec. 3, 1999, blaze a "terrible accident" and said he never meant to harm his employer.

Lawyers for Safra's widow, Lily, say Maher should be judged for his actions, not his intentions.

On Monday, the prosecutor described how Maher cut himself with a knife and then set a fire in a wastepaper basket. He called for rescue and told authorities that two masked intruders were in the apartment.



SPORTS

Raiders take out Jets, 26-20

BY GREG BEACHAM

AP Sports Writer

OAKLAND — On a night when Tim Brown made history, Jerry Rice still made his mark.

Brown got his 1,000th career reception, and Rice caught the go-ahead touchdown pass as the Oakland Raiders' venerable receiving duo led them to a 26-20 victory over the Jets on Monday night, snapping New York's four-game winning streak.

Thanks to Rich Gannon and his corps of receivers, the Raiders (8-4) won their fourth straight and tied San Diego atop the AFC West. Rice and Brown are 1-2 in career receiving yardage after Brown passed James Lofton in the second half.

Brown, who has spent all 15 seasons of his career with the Raiders, became the third man in NFL history with 1,000 receptions on a short catch in the third quarter. He passed Lofton several plays later, finishing with nine catches for 99 yards.

Gannon was 32-of-43 for 351 yards, tying an oft-achieved NFL record with his ninth 300-yard game of the season. After New York pulled within 23-20 on Wayne Chrebet's 13-yard TD catch with 5:32 left, Gannon led a drive ending in Sebastian Janikowski's fourth field goal with 1:12 left.

Chad Pennington moved the Jets to the Oakland 35, but Rod Coleman sacked Pennington before his last-ditch heave was

intercepted by Rod Woodson as time expired.

The loss left the Jets at 6-6, denying a chance to tie for the AFC East lead. Miami and New England lead New York and Buffalo by one game.

With their second four-game winning streak of the season — and a four-game losing streak sandwiched in between — the Raiders now play at San Diego on Sunday with the division lead at stake.

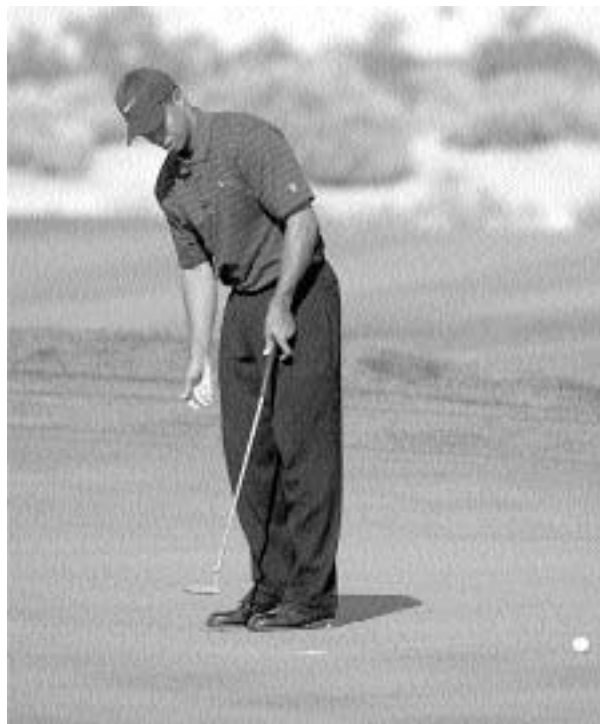
Not to be outdone by his teammate and long-time friendly rival, Rice caught a 26-yard touchdown pass and got his NFL-record 14th 1,000-yard receiving season. Running back Charlie Garner also had nine catches for 60 yards.

In their third trip to the Coliseum in a year, the Jets didn't have enough offense or pass defense to stay with the Raiders and silence the Black Hole's furious fans. New York's hadn't allowed a quarterback to pass for 300 yards in its last 30 games — the longest streak in the NFL.

Pennington, whose promotion coincided with the Jets' strong resurgence after a 1-4 start, was 22-of-34 for 265 yards. Chrebet and Jerald Sowell caught touchdown passes, but the Jets managed just two drives of substance all night — one of them in the waning minutes.

After playing two late-season games in front of the Raider Nation last winter, the Jets said they weren't intimidated. Cornerback Aaron Beasley proved it late in the first half by turning around to scream at the fans who train a steady stream of profane pater at the visitors' bench each week.

Missed it by that much



Doug Benc/Associated Press

Tiger Woods misses a short putt for birdie on the 13th hole on Sunday, during the Skins Game at the Landmark Golf Club in Indio, Calif.

BCS Standings List — Through games of Nov. 30

By The Associated Press

	Assoc. Press	USA/ESPN	Poll Avg.	Comp Avg.	Schedule Str	Rank	L	Sub Total	QWin	Tot.
1. Miami	1	1	1.0	1.33	30	1.20	0	3.53	0.0	3.53
2. Ohio State	2	2	2.0	1.67	21	0.84	0	4.51	-0.5	4.01
3. Georgia	4	4	4.0	3.67	9	0.36	1	9.03	0.0	9.03
4. Southern Cal	5	5	5.0	3.00	1	0.04	2	10.04	-0.2	9.84
5. Iowa	3	3	3.0	4.67	47	1.88	1	10.55	0.0	10.55
6. Washington St.	7	7	7.0	8.33	26	1.04	2	18.37	-0.7	17.67
7. Oklahoma	8	9	8.5	7.67	25	1.00	2	19.17	-0.3	18.87
8. Kansas St.	6	6	6.0	10.67	52	2.08	2	20.75	-0.7	20.05
9. Texas	9	8	8.5	9.00	22	0.88	2	20.38	-0.1	20.28
10. Notre Dame	11	13	12.0	6.17	14	0.56	2	20.73	0.0	20.73
11. Michigan	13	11	12.0	9.00	2	0.08	3	24.08	0.0	24.08
12. Colorado	12	12	12.0	10.67	10	0.40	3	26.07	-0.1	25.97
13. Penn St.	10	10	10.0	14.17	13	0.52	3	27.69	0.0	27.69
14. Florida St.	16	18	17.0	15.00	3	0.12	4	36.12	0.0	36.12
15. West Virginia	15	16	15.5	18.33	40	1.60	3	38.43	0.0	38.43

	AH	RB	CM	KM	NYT	JS	PW
1. Miami	2	1	1	1	2	1	2
2. Ohio State	1	2	2	2	3	2	1
3. Georgia	3	3	4	4	4	4	4
4. Southern Cal	5	5	3	3	1	3	3
5. Iowa	4	4	5	6	5	5	5
6. Washington St.	10	10	9	7	16	7	7
7. Oklahoma	7	6	8	9	14	8	8
8. Kansas St.	16	11	13	10	8	12	10
9. Texas	9	7	7	11	12	9	11
10. Notre Dame	6	8	6	5	15	6	6
11. Michigan	8	18	10	8	9	10	9
12. Colorado	11	13	12	12	6	11	12
13. Penn St.	13	16	15	15	11	16	15
14. Florida St.	14	26	14	14	20	14	14
15. West Virginia	19	17	19	19	17	20	19

EXPLANATION KEY

Poll Average — The average of The Associated Press media poll and USA Today-ESPN coaches poll. Others receiving votes are calculated in order received.

Computer Average — The average of Anderson & Hester, Richard Billingsley, Colley Matrix, Kenneth Massey, New York Times, Jeff Sagarin and the Peter Wolfe rankings. The computer component will be determined by averaging six of the seven rankings. The lowest (worst) ranking will be disregarded.

Schedule Rank — Rank of schedule strength compared to other Division I-A teams of actual games played divided by 25. This component is calculated by determining the cumulative won/loss records of the team's opponent (66.6 percent) and the cumulative won/loss records of the team's opponents' opponents (33.3 percent).

Losses — One point for each loss during the season.

Quality Win Component — The quality win component will reward to varying degrees teams that defeat opponents ranked among the top 10 in the weekly standings. The bonus point scale will range from a high of 1.0 points for a win over the top ranked team to a low of 0.1 for a victory over the 10th-ranked BCS team. The final BCS standings will determine final quality win points. If a team registers a victory over a team more than once during the regular season quality win points will be awarded just once. Quality win points are based on the standings determined by the subtotal. The final standings are reconfigured to reflect the quality win point deduction.

Note: Teams on NCAA probation (i.e. not eligible for postseason competition) are not listed in the BCS Standings. Teams with victories over teams on probation will receive appropriate quality win points.

USC nears BCS selection

BY ANDREA SZULSZTEYN

AP Sports Writer

A big win against Notre Dame has all but guaranteed Southern California a berth in a Bowl Championship Series game. And the loss left the Irish needing a little luck to make it that far.

The Trojans (10-2) moved up two spots to No. 4 in the latest BCS standings, released Monday. Miami (11-0) and Ohio State (13-0) remained the top two teams, and Georgia (11-1) moved up one spot to No. 3.

Miami has 3.53 points, and win against Virginia Tech (9-3) at home Saturday gives it a berth in the Fiesta Bowl to play Ohio State for the national championship on Jan. 3.

Ohio State has 4.01 points and Georgia has 9.03 points. Oklahoma (10-2) dropped four spots to No. 7 after losing 38-28 to Oklahoma State. If Miami loses and Georgia beats Arkansas (9-3) in the SEC Championship game Saturday, the Bulldogs would play the Buckeyes for the national title.

The final BCS standings will be released Sunday.

Iowa (11-1), which remained No. 5, needs help to guarantee itself a BCS spot.

The Trojans beat Notre Dame 44-13 and moved up for several reasons. Their poll average went down one point from 6 to 5, and their computer average was lowered from 5.33 to 3.0 this week. USC also has the No. 1 strength of schedule in the country and received a 0.2 bonus-point deduction for the win

over Notre Dame.

USC looks like it will make a BCS bowl in any situation. The top three BCS teams automatically receive a BCS berth. The top four BCS teams are guaranteed a BCS berth if the first three are automatic qualifiers. Miami and Ohio State already have qualified automatically after winning the Big East and Big Ten, respectively.

Here are several scenarios, assuming Miami beats Virginia Tech. If Georgia defeats Arkansas, the Bulldogs would win the SEC and USC would then receive an at-large BCS selection. If Georgia loses, USC would move up to No. 3 and be guaranteed a spot.

Regardless of what happens with Georgia, USC also would automatically qualify for the BCS as the Pac-10 champion if Washington State loses to UCLA.

It gets a bit more complicated for Iowa. If Georgia loses and Washington State loses to give USC the Pac-10 title, Iowa would receive an at-large BCS berth. If Georgia loses and Washington State wins the Pac-10, Iowa would not be guaranteed an at-large berth even though it would be ranked No. 4 because USC would not be an automatic qualifier.

Notre Dame also is alive for a BCS selection, but barely. The Fighting Irish are No. 10 in the latest standings. In order to be eligible for a major bowl, they have to stay in the top 12.

The BCS formula uses the AP media and coaches' polls, computer polls, strength of schedule, won-loss record and a bonus-point system.

Deanna Robinson and her insurance company filed a lawsuit in Atlanta in August against Kellogg's, alleging that the poor design of Pop Tarts is the reason one burst into flames in her toaster two years ago, igniting a house fire that did more than \$10,000 in damage. Kellogg's has had to defend Pop Tarts' flammability before, in New Jersey and Ohio lawsuits (which it settled) and against newspaper columnist Dave Barry, who wrote of his experience of inducing 30-inch-high flames from Pop Tarts in his own toaster.



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Loews Broadway Cinema
1441 Third St. at Broadway
Solaris (PG-13) 12:00, 1:15, 2:30, 3:45, 5:00, 6:15, 7:30, 8:45, 10:00.
The Emperor's Club (PG-13) 11:00, 1:40, 4:20, 7:00, 9:40.
Ararat (R) 11:15, 2:00, 4:45, 7:45, 10:30.

Mann Criterion
1313 Third St.
The Ring (PG-13) 12:45, 4:00, 7:15, 10:20.
Punch-Drunk Love (R) 11:45, 2:15, 4:50, 7:30, 10:15.
Harry Potter and the Chamber of Secrets (PG) 12:00, 1:00, 3:30, 4:30, 7:00, 8:00, 10:30.
Extreme Ops 11:30, 2:00, 4:45, 7:35, 10:10.
Friday After Next (R) 12:15, 2:45, 5:15, 7:45, 10:25.

AMC Theatre SM 7
1310 3rd Street
Santa Clause 2 (G) 1:35, 4:00, 7:10, 9:45.
8 Mile (R) 2:00, 4:45, 7:30, 10:10.
Treasure Planet (PG) 1:05, 3:05, 5:10, 7:20, 9:35.
Die Another Day (PG-13) 1:25, 3:45, 4:25, 7:25, 9:20, 10:15.
Adam Sandler's Eight Crazy Nights (PG-13) 1:00, 1:40, 3:15, 5:25, 7:00, 7:45, 9:55.
Wes Craven Presents: THEY (PG-13) 1:15, 3:20, 5:35, 7:55, 10:05.

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

Laemmle Monica
1332 2nd St.
Real Women Have Curves (PG-13) 1:00.
Rabbit Proof Fence (PG) 12:15, 2:40, 5:05, 7:30, 9:55.
The Quiet American (R) 1:45, 4:20, 7:00, 9:40.
El Crimen del Padre Amaro (R) 1:30, 4:20, 7:15, 10:05.

Aero Theatre
1328 Montana Ave.
Femme Fatale (R) 5:00, 7:30, 10:00

Today

Ongoing support groups for people 55 and older. Current openings in, So, What Are You Going to Do With the Rest of your Life? Tuesdays, 10:00 to 11:30am. Center for Healthy Aging, 2125 Arizona Avenue. Sliding scale fee. Not drop-in groups. Phone interview required. Call Information and Referral. (310)576-2550.

Dodd Art Gallery showing Dafne Nesti "Paintings" and Dodd Jolsapple "New Works". Nov. 17th through Dec. 16th, 5pm to 8pm, 1650 20th Street, Santa Monica. For more information please call (310) 828-5825.

BEREAVEMENT SUPPORT GROUPS AT SMC'S EMERITUS COLLEGE. Santa Monica College offers free bereavement support groups in the summer session through it's Emeritus College, a widely praised program designed for older adults. Two support groups will meet Tuesdays on an ongoing basis. One group will meet from noon to 1:50 p.m. and the other from 7 p.m. to 8:50 p.m. For information and registration, call Emeritus College at (310) 434-4306.

Crossroads Schools in Santa Monica invites local musicians (grades 3-7) to

join orchestra rehearsals. Rehearsals are ongoing and are held each Tuesday of the school year, from 3:15 to 4:15. Students may join at anytime. Cost is free, students must bring their own instruments. 1714 21st Street, SM. For more information please call (310)829-7391

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

Santa Monica College Emeritus College Band invites adult musicians who play a band instrument to join the band. Rehearsals are held each Tuesday evening in the Band room at Lincoln Middle School, 14th and California Streets from 7pm to 9:15pm. Concerts are given during the year. For more information call (310)474-5271.

Unurban Coffee House presents Stitch 'n' Bitch every Tuesday evening. Chicks, yarn, coffee & chat. 7:30pm to 9:30pm. 3301 Pico Blvd. (310)315-0056.

Wednesday

Farmer's Market every Wednesday and

Saturday, 9am to 2pm, Arizona between Second and Fourth Streets. Come and enjoy one of the largest and best farmer's markets in California!

Santa Monica Public Library presents Preschool Story Time, every Wednesday at 11:15am, 1343 Sixth Street. Stories for children between the ages of three and five who are ready to participate on their own. (310)458-8600

Puppetolio! presented by the Santa Monica Puppet & Magic Center. All ages, 3 and up. This musical revue features marionettes, ventriloquism, magic and more. Shows are always followed by a demonstration, Q & A, and a tour of the Puppet workshop and Museum. Saturdays and Sundays at 1pm and 3pm. Wednesdays and Holidays at 1pm. Seats are \$6.50. 1255 2nd Street in Santa Monica. Reservations/Information (310)656-0483. www.puppetmagic.com

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

Ongoing support groups for people 55 and older. Current openings in Parents of Adult Children. Wednesdays 2:00 to 3:30. Center for Healthy Aging, 2125 Arizona Avenue. Sliding scale fee. Not drop-in groups. Phone interview required. Call Information and Referral. (310)576-2550.

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Calendar items are printed free of charge as a service to our readers. Please submit your items to todaypaper@smdp.com for consideration. Calendar events are limited by space, and will be run at the discretion of the Calendar Editor.

KEEP YOUR DATE STRAIGHT

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



BACK PAGE



18 wheelers get trading cards

By The Associated Press

CHIPPEWA FALLS, Wis. — Several truckers' wheels are on the trading block, and they don't mind a bit.

The truckers' rigs are being featured in the third edition of the "18 Wheelers Truck Trading Cards" put out by Photo Card Specialists of Eau Claire. Each card comes with a full description of the featured truck.

"I guess it's an honor," said Jeremy Hoffman, who lives in Menomonie and operates Midwest Motors in Hallie with a business partner.

His featured rig is a two-toned, blue and gray Peterbilt with a 600-horsepower engine. The man who did the trim painting on the truck asked if he could submit a photo for the card series and Hoffman agreed.

"It's just like baseball cards and football cards," said Jack Norton, who said people have asked him to autograph the card for his 1999 Kenworth truck.

One card shows a yellow Kenworth dump truck that Terry Nelson, of Jim Falls, owns and drives for Chippewa Trails Trucking. The truck features a horse's head and two feathers, which stretch back from the head and become flames, said Stephanie McNamara, an administrative assistant for Chippewa Trails.

The latest edition of the truck card series, with 98 cards, sells for \$19.95.

Surgeon sings on the job

By The Associated Press

PITTSBURGH — Dr. Ronald Johnson is a breast cancer surgeon, but he does some of his best work with his voice.

The 44-year-old staffer at Magee-Womens Hospital in Pittsburgh is drawing kudos from patients for his musical bedside manner. He sings during rounds and sometimes asks his patients to join him to break the ice.

"The message is that your doc is a human being and not a robot," said Johnson, who croons tunes from Bruce Springsteen, Kenny Rogers and others. "It makes everybody relax. I don't wear a grim face."

"He's just a delightful man," said Angie Lutton of Monroeville, whom Johnson treated for breast cancer two years ago. "I would hear him coming to the room and there was always a song."

Johnson said he learned the importance of bedside manner from Dr. Scott Williams, another breast cancer surgeon who was his mentor.

"This guy would sit down with a patient. He didn't seem to be in a hurry at all," Johnson said. "He would ask unrelated questions like, 'Where do your kids go to school?'"

That approach didn't work for Johnson, so he developed his own style. For example, patients seemed to perk up if he sang Rogers' "Lucille" during rounds.

"I'd walk into a room singing and I'd hear a patient say, 'My doc is singing today, and the news must be good,'" Johnson said.

Santa's been stolen

By The Associated Press

MESICK, Mich. — With less than a month until Christmas, authorities are investigating a Santa-napping.

A 7-foot dancing Santa that sings "We Wish You a Merry Christmas" to admirers has been stolen from in front of a business called The Red Barn, owner Cheryl Harder told the Cadillac News for a Friday story.

"I think (the people who stole the Santa) would have had to load him into a truck," Harder said. "It probably would have taken two people. There were tire tracks and I found beer bottle caps by the sidewalk."

The 100-pound Santa, which was first reported missing Wednesday, is worth about \$1,000. Harder is offering a \$100 reward for its return.

The Wexford County Sheriff's Department is conducting an investigation.

"I think they will drive around and see if they can see a big old Santa Claus standing somewhere," she said.

Army medics get a magic glove

By The Associated Press

RANCHO CUCAMONGA — With just the touch of a glove, medics may soon be making life-and-death decisions on the battlefield.

Titan Corp. is developing a "sensor glove" designed to record and transmit patients' vital signs almost instantly to doctors who are helping make decisions on medical treatment from half a world away.

The glove, which would be worn by medics in the field, would record an injured soldier's pulse rate, body temperature, blood pressure and blood-oxygen level. The information would be relayed to doctors using wireless technology.

"This will help military medical teams save lives in the field," said Wil Williams, a Titan spokesman.

Funding for the device's research was included in a \$355 billion spending bill approved by President Bush in October.

Meet Wolfgang!

Holiday Dessert Party & Book Signing

When: Sunday, Dec. 15th

**Book Signing
and Holiday Dessert Party
2:00 pm - 5:00 pm**

Where: **WOLFGANG PUCK**

1323 Montana Avenue
Santa Monica, CA

Price: Book Signing - Open to public

Holiday Dessert Party
includes dessert buffet and
a copy of "Live, Love, Eat!"
\$30 per guest

Advance reservations are required.
Reservations for Holiday Dessert Party



Special
Price!

Live, Love, Eat! Wolfgang Puck's recipes and stories from his life in the kitchen. A must-read for anyone who loves to cook. Available for a limited time only. \$19.95 (regular price \$24.95). Order now!

Wolfgang Puck is a culinary icon. His recipes and stories from his life in the kitchen are a must-read for anyone who loves to cook. Available for a limited time only. \$19.95 (regular price \$24.95). Order now!

(310) 454-0250

Blue Cross of California Kids Safe Day 2002



present an afternoon of fun, food
prizes and child safety.

**Saturday, December 7, 2002
11:00 a.m. — 3:00 p.m.**

Madison Campus

Santa Monica College (SMC)
1310 11th Street, Santa Monica
protect your children

FREE photos & fingerprinting — to keep
records of your kids.

FREE DNA kits—for parents to retain.

FREE kids' safety tips.

FREE eye exams.

FREE food and entertainment.

FREE prizes and raffle.

Meet special guests Nathan Fillion
and Adam Baldwin!

**Santa Monica Police K-9!
See Police Cars and Fire Trucks!**

For more information call, 310.575.1927