

FREE

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Carolyn Sackariason/Daily Press

Students recently leave Santa Monica High School, where 26 percent of the entire student body does not live in the city. Overcrowded classrooms have become common district-wide, but remains the worst at the high school.

Gambling millions on smaller classes

District wants fewer non-resident students

BY ANDREW H. FIXMER

Special to the Daily Press

School officials may be willing to lose millions of dollars so they can cut about 300 students a year to combat overcrowded classrooms.

"Permits have enabled the district to maintain a generally upward trend in overall student enrollment over the past several years," wrote administrators in a report that was presented at Thursday's school board meeting. "Unfortunately, the district is nearing or has reached its physical capacity to house more students."

To reduce class sizes, the school board is considering limiting the number

"Unfortunately, the district is nearing or has reached its physical capacity to house more students."

SCHOOL PERMIT ANALYSIS

Increased enrollment from local students, combined with a high number of out-of-district permits granted by the Santa Monica-Malibu Unified School District, has led to the overcrowding.

of non-resident students by placing a moratorium on issuing new permits and retiring old permits as students graduate

See DISTRICT, page 3

Main Street development gets dealt second blow

Developer Howard Jacobs will appeal; continues with lawsuit against city

BY CAROLYN SACKARIASON

Daily Press Staff Writer

The largest development proposal to hit Santa Monica's Main Street in years was shot down Wednesday, after planning commissioners unanimously agreed that the project is just too big.

The 133-unit housing and retail development was proposed for the former Pioneer Boulangerie Bakery site and another plot across the street. Developer Howard Jacobs purchased both parcels just south of Pico Boulevard, and has been trying to get the proposal through the city planning process for nearly two years.

Santa Monica planning commissioners spent about five hours reviewing the project before voting 7-0 to deny it. Nearly all of the commissioners said the develop-

ment, which totals 171,533 square feet, dwarfs the neighborhood and would aesthetically ruin the north end of Main Street.

"I cannot in all good conscience let the unusual, unique, charming and very

good intentions. But she voted against the project because of unknown factors — such as the type of housing and the effects of such a development on traffic. She also feared that a project of that size would make the area look like the south end of

"I cannot in all good conscience let the unusual, unique, charming and very intriguing character of the neighborhood be overwhelmed."

— GERALDINE MOYLE

Santa Monica planning commissioner

intriguing character of the neighborhood be overwhelmed," said Commissioner Geraldine Moyle. "It is simply too huge and you can (determine) whether that's the Titanic or the iceberg."

Commissioner Arlene Hopkins, like other board members, commended Howards' design team for its effort and

Main Street, which is lined, to her distress, with tall buildings.

"It does in a way book end Main Street," she said.

Jacobs plans to appeal the decision to the Santa Monica City Council rather than redesign the plans so that the buildings are smaller.

"The reason we will go to the council rather than the commission is because we believe the commissioners, based on what they expressed, are looking for a reduction in size," he said Thursday. "I really don't understand the value in going back to them."

He said the project is 70,000 square feet under what's allowed by the city code. Building a project much smaller than that isn't economically feasible, he asserted.

Jacobs has proposed two mixed-use buildings on both sides of Main Street. The west-side project, located at 2012-2024 Main Street, (the former Boulangerie site), would have four stories, 107 residential units, a three-level underground parking garage and 12,281 square feet of commercial space at street level.

The east-side parcel, located at 2021-29 Main Street, would include three stories, 26 residential units, a two-level underground parking garage and 6,533 square feet of commercial space at street level.

See JACOBS, page 3

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ARIES (March 21-April 19)

★★★★ Your family or a close friend backs you. You feel you are coming from a strong experience. Reach out to a problem person at a distance. Be more nurturing with the difficult people in your life. Walk in their shoes, and you will gain a deeper understanding of them. Tonight: Put up your feet or think massage.

TAURUS (April 20-May 20)

★★★★ Pressure from a partner could be quite irritating, if not difficult. You should be able to deal with the situation by now. Do what you feel is best for the majority rather than doting on a difficult associate. Confirm meetings; return messages. Tonight: Play the night away.

GEMINI (May 21-June 20)

★★★ Family, real estate and domestic matters shake up a relationship. Listen to someone else's perspective. There is something to be gained there. Brainstorm and you will come up with an even better idea or solution. Confusion surrounds communication. Tonight: Handle the basics.

CANCER (June 21-July 22)

★★★★ Your energy sags, though you do manage to finish up all you must. Work with someone on a one-on-one level in order to effectively structure a monetary agreement. Not everyone sees what is going on as you do. Don't even try to explain right now. Tonight: Talk up a storm with friends over bubbly.

LEO (July 23-Aug. 22)

★★★ Deal with finances directly. A risk could backfire. New beginnings happen because of ingenuity - not only on the amorous level, but also the creative level. Pressure builds to a new level and confusion ends up in chaos or uproar. Tonight: Don't do your holiday shopping.

VIRGO (Aug. 23-Sept. 22)

★★★★ You're personality plus, but a family member or roommate might not be swayed. Creativity stems from your ability to make peace and your ability to allow others to express their ideas. In the long run, you will be able to have your way. Avoid passive-aggressive behavior. Tonight: Whatever makes you happy.

LIBRA (Sept. 23-Oct. 22)

★★★ Kick back. Keep an important conversation with a child or loved one quiet. Pressure builds if you try to force your way. Step back and take a deep breath. Discussions could be confusing. Think about the bottom line here. Tonight: Vanish quietly.

SCORPIO (Oct. 23-Nov. 21)

★★★★ Your friends mean a lot to you. Work meetings become not only networking opportunities, but also a full social occasion. Be careful with the spending. Listen carefully to someone you trust about spending. Your intuition plays into your domestic life. Tonight: Whatever makes you smile.

SAGITTARIUS (Nov. 22-Dec. 21)

★★★ Your responsibilities could stress you out, when you would rather do other things. Instead of grumbling or pushing through work, put on your pleasant face and do what you have got to do. You'll gain much more with good will. Tonight: Don't worry about the present confusion.

CAPRICORN (Dec. 22-Jan. 19)

★★★★ Call a friend rather than acting out on a problem. Relax and know that others are under similar pressure. You're also very sensitive at the moment, as you're not reading a situation clearly. Pencil in a movie or a concert where you can escape to later on. Tonight: Vanish.

AQUARIUS (Jan. 20-Feb. 18)

★★★★ Deal with others on a one-on-one level. Have that discussion you have been putting off. Your softer ways work with a disappointing association, whether you decide to allow this tie to become less important, or give it one more chance. Tonight: Go with the flow.

PISCES (Feb. 19-March 20)

★★★ Pressure builds at work. Are you allowing too many personal calls? Learn to say "no" to friends and family. Remember your priorities. Your instincts tell you how to placate an irritated boss or associate. Recognize that you have been pushed to your limits. Tonight: Say "yes" to someone's request.

WEATHER

Today ... Sunny with a high of 73°F. Winds from the Northeast at 15 mph.

Tonight ... Windy with a low of 49°F. Winds from the Northeast at 29 mph.

Tomorrow ... Windy High—69°F Low—47°F

QUOTE of the DAY

“Nothing can prevent you from learning the truth so much as the belief that you already know it.”

— Jon K. Hart

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530 Wilshire Blvd., Suite #200 • Santa Monica, CA 90401

PUBLISHER
Ross Furukawa ext. 104

EDITOR
Carolyn Sackariason ext. 102

PRODUCTION MANAGER
Del Pastrana ext.106

CLASSIFIED REPRESENTATIVE
Angela Downen ext. 101

TEST SUBJECT
Dave Danforth ext. 103



Developer frustrated with government delays

JACOBS, from page 1

Jacobs noted that the commissioners continued to use words like “mass and scale” during their analysis of the project instead of simply talking about its size because they know he is proposing something far smaller than the legal allowance.

“Under the zoning code, it would be illegal to use size so they use ‘scale’ and ‘placement,’” Jacobs said. He added that because the city has height limits, he can’t build a taller but denser building. But likewise, city regulations prevent him from building right up to the street, which would spread the development further on the block and make it appear less massive.

Jacobs cited another telltale indicator that commissioners know he is within city height standards: they referred to the height of the buildings in terms of stories, not feet.

“The comments made about the stories, massing and placement ... they want a smaller project,” he said. “But we are in compliance with the codes in every way.”

The effort to bring the “right” project into the public review process has gone unnoticed by city planning staff, said Jacobs, who filed a lawsuit against the city in early November. He claims the city has dragged its feet in completing the environmental impact report on the proposal. It’s supposed to be done within 12 months, according to state law.

It took a year and a half for the city to get the 500-page report completed. The city has contended state regulations represent guidelines, not rules.

Jacobs claims that the delay has cost him millions of dollars because he has had to continue to pay interest on his debt, as well as \$82,000 a month in maintenance expenses.

The developer claims that the Santa Monica City Council put the project in jeopardy when it delayed hiring a consultant to complete the environmental impact



Carolyn Sackariason/Daily Press

The proposed location for a 133-unit housing and retail development on Main Street is the abandoned Pioneer Boulangerie Bakery. One Santa Monica resident said the area feels ‘depressing and dirty.’ Santa Monica Police came to the site Thursday after homeless people were found living in the empty building.

report in April of 2000. At the time, the city told him that the report would be done in July of 2000 and before the planning commission in February of 2001. The contract with EIP Associates, the West Los Angeles-based consulting firm hired by the city, wasn’t signed until December. Jacobs was told the project would be reviewed by the planning commission in May or June of 2001. But its final review came this month. Jacobs said Thursday that he was told the appeal will be reviewed in

late January by the city council.

“What’s particularly frustrating is the staff has had the plans in the current form for two years,” he said, adding the commissioners’ comments Wednesday didn’t even address the analysis in a report they have been awaiting for nearly two years. “We have been begging (city staff) for years to tell us what needs to be changed. The whole idea for staff to review it is so the developer can do it right the first time.”

Non-resident kids make up 21 percent of student body

DISTRICT, from page 1

or leave the district.

However, school officials said non-resident students currently enrolled in the school district will be allowed to finish out their education in Santa Monica.

District officials hope by limiting the number of non-resident students entering the school system over the next nine years, they will be able to cut 300 stu-

dents annually — a loss of \$1.5 million in state funding per year — until an average class size of 27 students is achieved.

According to the school district’s report, non-resident kids currently make up nearly 21 percent of the student body and bring in about \$12.8 million annually for the school system.

To make up for the dramatic decrease in funding, the school district will have

the difficult task of finding new ways to make up for the lost revenue.

Five years ago, the school district was under-funded and unable to cope with the financial weight of educating its students. So in order to raise money, the school board allowed many out-of-district students to enroll in Santa Monica. With the increased enrollment, came extra money from the state.

Now the school district boasts some of the top test scores in the state and a wide array of classes and extra curricular activities.

In October, the school board asked the administration to study ways of decreasing class size and the impact it could have on the school district’s financial health, which prompted the district analysis. The board’s decision was not known before press time Thursday.

Housing affordability improves across California

By the Associated Press

LOS ANGELES — Driven by low mortgage rates, the number of California households able to afford their own home grew to 34 percent in October, according to an industry study released Thursday.

The 3 percent increase from the same period a year ago represents the biggest jump in more than a year in the Housing Affordability Index, released monthly by the California Association of Realtors.

Even though more than one-third of California households can now afford to own a home, that’s still far below the national average of 59 percent.

The biggest factor in the affordability increase has been the Federal Reserve’s ongoing interest rate cuts, which have pushed down mortgage rates.

“Mortgage interest rates fell more than one percentage point in October compared to a year ago, which has helped offset an 8.5 percent increase in the median price of a single-family

home in California,” Robert Bailey, president of CAR, said in a statement.

The results from CAR reflect a wide range of California home prices region to region.

San Francisco remained the most expensive county in the state, where a family needed a minimum income of \$130,375 in October to afford the median priced home of \$515,060. Just 16 percent of households could afford to buy a house, although that number represents an improvement over last year, when only 11 percent of the population could buy.

The most affordable area in the state in October was Kern County, where 62 percent of households could afford their own home. The median home price was \$105,789.

The greatest year-to-year regional improvement in October was in Santa Clara County, the heart of Silicon Valley, where affordability climbed 12 percentage points to 30 percent, as the median home price fell to \$481,000 amid the tech downturn from \$527,220 a year earlier.

Areas in state that are most expensive and affordable

By The Associated Press

Five most affordable counties to own a house in California, with percentage of who can afford to own, and median home price:

- Kern, 62 percent, \$105,789.
- San Bernardino, 54 percent, \$148,295.
- Fresno, 53 percent, \$124,627.
- Stanislaus, 44 percent, \$170,123.
- Merced, 43 percent, \$138,823.

Five least affordable areas to own a home in California, with percentage of who can afford to own, and median home price:

- San Francisco, 16 percent, \$515,060.
- Contra Costa, 17 percent, \$484,558.
- San Mateo, 19 percent, \$586,500.
- Marin, 20 percent, \$639,344.
- Santa Cruz, 20 percent, \$475,000.

Source: California Association of Realtors

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The Santa Monica Daily Press is a free newspaper that is circulated throughout all six commercial zones within the Santa Monica city limits.

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Santa Monica Boulevard Locations:

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LOCAL COMMUNITY BRIEFS

Ring the bell for help

By Daily Press staff

The Salvation Army will begin its red kettle campaign on Friday, Dec. 14. Locked kettles are placed at various locations throughout Santa Monica. Organizations and businesses are encouraged to adopt a kettle for a shift, a day, or a week. The Salvation Army provides immediate aid during times of need, long term-solutions to the problems of homelessness and hunger, unemployment and job training programs. The Salvation army is in need of volunteer bell ringers to staff the kettles. Interested individuals should contact Brian West at (310) 451-1358.

‘Most expensive’ nativity scene ready to be lit

By Daily Press staff

Beginning in 1953, Santa Monica has been the home to one of the most extensive nativity scenes exhibited on the West Coast. Once again, there will be 14 life-size exhibits along Ocean Avenue at the Palisades Park in Santa Monica. Walking or driving south on Ocean Avenue near Santa Monica Boulevard visitors are able to see and hear the story of Jesus’ birth and early childhood. The opening celebration ceremony is Sunday, Dec. 9 at 3 p.m. The scenes will be up from Dec. 8 through Jan. 3.

Hanukkah celebrated today

By Daily Press Staff

Join Hershel the Puppet and friends for Hanukkah stories and songs today at Dec. 7 at 4 p.m. in the main library auditorium at 1343 6th Street, (at Santa Monica Boulevard). The program is free and recommended for children ages 4 and up. For more information call the children’s department at (310) 458-8621.

Local kids’ drawings on display

By Daily Press staff

The Santa Monica Public Library has announced about 300 drawings by local children are currently on display in the main library children’s department at 1343 6th Street, (at Santa Monica Boulevard). The drawings were submitted as part of a city-wide bookmark contest done in conjunction with the Santa Monica Malibu Unified School District, in which children were asked to design a bookmark with the “Get Carried Away ... Read!” the winners are as follows:

Grades K-1

First Place: Shari Kiana Ratcliff

Second Place: Cami Berry

Grades 2-3

First Place: Jovan Johnson

Second Place: Steven Gordon

Grades 4-5

First Place: Maisy McVicar

Second Place: Caer Fergusen

All first- and second-place entries will be made into bookmarks, soon to be available at all open branches of the Santa Monica Public Library. For more information call the children’s department at (310) 458-8621.

Harry Shearer hits 19th year on KCRW

By Daily Press staff

Le Show airs Sundays at 10 a.m. on 89.9 FM/KCRW Santa Monica and is archived on-line at KCRW.com. Le Show is a weekly hour-long romp through the worlds of media, politics, sports and show business, leavened with an eclectic mix of music, hosted by satirist, producer, actor, author, film-maker and all-purpose man, Harry Shearer. The program is distributed on satellite by KCRW, and is heard on nearly 50 public radio stations across the country, as well as NPR Worldwide, XM Satellite Radio Channel 150, and on shortwave at WBCQ. Harry Shearer, a Los Angeles native, has been the host/producer of Le Show on 89.9 FM KCRW Santa Monica since 1983.

Scrooge needs some spirit

By Daily Press staff

Grumpy Ebenezer Scrooge is at it again and needs a healthy portion of some good old-fashioned holiday spirit. So he’s coming back to downtown Santa Monica for the 2nd Annual Holiday Open House & “Sale Fit for Scrooge,” on Saturday, Dec. 8 and Sunday, Dec. 9 from 2 p.m. to 7 p.m.

The open house takes place throughout downtown Santa Monica, and includes great savings, treats in every store and free gift-wrapping for all. In fact, the event will be so much fun that even Scrooge will get the Christmas spirit and share his good will by randomly paying for the purchases of holiday shoppers throughout the weekend.

Scrooge is joined by the Cratchett’s in a humorous adaptation of Dickens’ “A Christmas Carol” performed Saturday on Third Street Promenade at 3 p.m. and 4:30 p.m. with encore presentations in Santa Monica Place at 3:45 p.m. and 5:15 p.m.; and on Sunday on Third Street Promenade at 3:00 p.m. and 3:45 p.m. with encore presentations in Santa Monica Place at 4:30 p.m. and 5:15 p.m. This performance is produced and performed by members of Mystery Event Theater. Carolers, bell-ringers and an organ grinder add to the traditional Christmas atmosphere as well as a performer’s holiday showcase.

For more information, visit us at www.santamonicaplace.com or www.downtownsm.com.



Crazy gunman opens fire in factory

BY TOM COYNE
Associated Press Writer

GOSHEN, Ind. — A man opened fire Thursday at the simulated-wood factory where he worked, killing a co-worker and wounding several others before committing suicide, authorities said.

One person was slain inside the Nu-Wood Decorative Millwork plant and a SWAT team later found the gunman with an apparently self-inflicted gunshot wound. A gun was near his body.

"He was dead when they found him," Elkhart County Sheriff's Capt. Julie Dijkstra said.

The gunman had apparently just been fired or was about to be fired, she said. His name and those of his victims were not immediately released.

Six people were wounded, State Police Sgt. Brant Klemm said. He described most as "walking wounded," and one victim in critical condition was upgraded to serious condition late Thursday.

Workers told authorities an automatic weapon was

used and some injuries appeared to be shotgun wounds.

Earlier, the mayor and hospital administrators said they feared 30 to 35 people had been shot. Corporate reports show that's about how many people are employed at Nu-Wood.

Tammy Funderburk of nearby New Paris said she spoke briefly by cell phone with her 18-year-old son, who worked at the factory and escaped uninjured.

"He saw the gunman coming and he had a big rifle," Funderburk said. "He saw the gunman shooting people and he ran out the back door as fast as he could."

The shooting jolted this northern Indiana community of 29,000 about 100 miles east of Chicago. An elementary school kept its pupils inside and Goshen College, a small school run by Mennonites, told students and faculty to stay indoors.

Alerted by a 911 call from another business nearby, police and SWAT teams surrounded the factory and cordoned off the industrial park on the edge of town. Twelve nearby plants were evacuated, and more than a dozen ambulances lined up near the complex.

"The place is smothered in cops," Chris Barouska, a parts manager at a neighboring Ingersoll-Rand factory, said as authorities scrambled to find the gunman. "Completely surrounded."

By late afternoon, people were leaving the building with their hands on their heads and rescue crews removed people on stretchers.

Nu-Wood makes a polyurethane-based product that resembles white pine and is used as decorative trimming by homebuilders and remodelers.

According to Dun & Bradstreet, the company employs 35 people and reported \$3.1 million in sales last year. Nu-Wood changed its name from GR Plastics Inc. earlier this year and leases 40,000 square feet at the Goshen building.

Herb Stein, a Nu-Wood manufacturer's representative who works out of his home in Akron, Ohio, said it was not a typical factory.

"It's not like an assembly line situation," he said. "Everyone knows each other, and everyone intermixes with each other."

Fate of Taliban leader lies at heart of surrender deal

BY LAURA KING
AP Special Correspondent

KABUL, Afghanistan — Among the Taliban, Mullah Mohammed Omar's word was always law. Now, as the purist Islamic movement collapses, its leaders are desperately trying to salvage safety for the bearded, one-eyed cleric who led them to rule — and to ruin.

Cornered in their last military stronghold of Kandahar, the southern Afghanistan city that is also their spiritual home, the Taliban are offering to lay down their weapons — but at a price.

Under the still-murky terms of a surrender accord announced Thursday by the Taliban and tribal leaders opposing them, Omar's safety would be guaranteed. The leader of Afghanistan's incoming interim government, Hamid Karzai, said it still hadn't been decided whether the Taliban leader would be arrested, as the United States demands.

President Bush quickly let it be known he wouldn't countenance any deal that left Omar — who refused to hand over Osama bin Laden, chief suspect in the Sept. 11 terror attacks — at liberty.

"The president believes very strongly that those who harbor terrorists must be brought to justice," said White House spokesman Ari Fleischer. Asked whether Bush believed that category included Omar, he replied: "Yes."

In seeking to strike a deal, the Taliban have very little leverage. Kandahar has been under intense American bombardment for nearly two months, and a contingent of more than 1,000 U.S. Marines is backing up anti-Taliban tribal forces who

have been advancing on the city.

Even so, the Pashtun tribesmen closing in on Kandahar have little desire for a battle to the death with the Taliban, their ethnic kin. And the surrender pact tests the prestige of Karzai, picked only a day earlier by Afghan factions as head of an administration that will govern for six months while a new post-Taliban order is forged.

Throughout the confrontation over bin Laden, Omar has been a highly visible yet profoundly enigmatic figure.

From his customary seclusion in Kandahar — where his young disciples coalesced to form the Taliban movement — the 41-year-old cleric issued pronouncements that were sometimes contradictory and confusing, but never strayed from an essential message: The Taliban would not yield.

Earlier this month, he described the struggle for Kandahar as an opportunity for martyrdom — one that he urged his fighters to seize.

Karzai said as part of any deal to save himself, Omar would have to renounce terrorism. The United States replied, in essence, that such a renunciation would be too little, too late.

Defense Secretary Donald H. Rumsfeld said in Washington that the Bush administration would not accept any deal that allowed Omar to remain free and "live in dignity" anywhere in the region.

And he suggested that any accord that failed to bring Omar to account could lead to an abrupt end to American support for anti-Taliban tribal forces.

"Our cooperation and assistance with



Associated Press

U.S. Marines from the 15th Marine Expeditionary Unit from Camp Pendleton, Calif., walk through a dust cloud as they patrol outside Camp Rhino in southern Afghanistan, Thursday. The Marine task force is operating in southern Afghanistan in support of Operation Enduring Freedom.

those people would clearly take a turn south if something were to be done in respect to the senior people in that situation that is inconsistent with what I have said," Rumsfeld said.

The Taliban, unsurprisingly, portrayed the offer to surrender Kandahar as a self-sacrificing move on Omar's part.

"Mullah Omar has taken the decision for the welfare of the people, to avoid casualties and to save the life and dignity of Afghans," the Taliban's former ambassador to Pakistan, Abdul Salam Zaeef, said in the Pakistani capital.

Hours before the surrender accord was announced, Karzai had told The Associated Press he would offer amnesty to ordinary Taliban fighters — but not to Omar, the man who once declared himself

Amir ul-Momineen, or true leader of the Muslim faithful.

As the Taliban came to prominence — and moved on to raw, unchecked power — Omar rarely strayed far from his roots. He seldom left his compound on the outskirts of Kandahar. The outside world was not welcome; he rarely met anyone who was not a Muslim. Almost no photographs of Omar exist.

Left one-eyed by a shrapnel shard to the face during the fight against the Soviet Union, Omar is largely unschooled except in the Muslim holy book, the Quran — though the Taliban's critics have always claimed the movement's unyielding interpretation of Islam did not have true origins in Quranic teachings.

Marijuana smoker sues Delta for kicking him off flight

By the Associated Press

FORT LAUDERDALE, Fla. — A man who legally uses marijuana for medicinal purposes is suing Delta Air Lines for kicking him off a plane because he was carrying the drug.

Irvin Rosenfeld, a stockbroker from Boca Raton, filed suit Wednesday in federal court, claiming the airline violated federal protections for people with disabilities.

Rosenfeld, 48, suffers from a rare and painful bone disease and finds relief in smoking marijuana, which is prescribed by

a doctor and grown for the government. Every day, he smokes up to 12 marijuana cigarettes to fight tumors.

In March, he was kept from boarding a Delta flight from Fort Lauderdale to Washington, D.C., where he was to attend a U.S. Supreme Court session on possible expansion of medicinal marijuana use. Officials told him he had to leave the marijuana behind or get written permission from every state he was flying over.

Rosenfeld's attorney, Christopher Sharp, said refusing to seat his client on the airliner was like kicking a diabetic off the

flight for carrying hypodermic needles and insulin.

"We're not putting any price tag on this, but Delta's exposure in this is considerable," Sharp said.

Rosenfeld is one of a handful of people in the country receiving marijuana from the federal government because of unusual diseases. He has smoked government-provided marijuana for nearly 30 years and says without the drug, his condition would become so painful that he could not walk and could hemorrhage.

Under the federal Air Carriers Access

Act of 1986, Delta had to specify in writing why Rosenfeld could not board the airplane and why he was thought to be a threat to the safety of those on board, Sharp said. The airline did not do that, he said.

A Delta spokeswoman said she was unaware that any Americans were permitted to smoke marijuana.

"Under federal law, marijuana is an illegal drug, and I'm not aware of any medical use exception of the nature he claims or of any private citizen having a right to possess it in the United States," Katie Connell said.

CLASSIFIEDS



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BACK PAGE

Nevada high court won't reinstate money-laundering case

BY BRENDAN RILEY

Associated Press Writer

CARSON CITY, Nev. — The Nevada Supreme Court refused Thursday to reinstate a money-laundering case against Las Vegas golf course developer and professional gambler Billy Walters and three other men.

The high court rejected arguments by the state attorney general's office that Clark County District Judge Mark Gibbons erred in tossing out a grand jury indictment in the case last year. It was the third such indictment to be rejected.

In addition to Walters, the Supreme Court decision favors his security chief Jimmie Hanley, his computer chief Daniel Pray, and John Tognino of New York.

Justices said the state's evidence showed that Walters' business had "considerable contact with an alleged bookmaker in New York," and he and the other three men frequently transferred large

sums in casino accounts.

"While such circumstantial evidence allows an inference of money-laundering in connection with illegal gambling, the

Justices said prosecutors told grand jurors that the four men were only charged with money-laundering, but "did nothing to curtail the flood of immaterial testimo-

tions in that city.

The judge said there was no allegation that the Walters defendants were associated with organized crime, and it's possible the testimony inflamed the grand jury that subsequently returned the indictment.

Richard Wright, attorney for the four men, said prosecutors "totally ignored" Nevada law on grand jury proceedings — laws that provide much better protections for defendants than federal law.

Prosecutors contended the men were involved in a conspiracy with out-of-state bookmakers to place illegal bets and then transport the winnings back to Nevada.

The attorney general said that Walters had a Las Vegas phone-room operation that made up to 12,000 calls a month out of state to illegal bookies. Investigators believed Walters had Hanley handle the cash sent back to Nevada on winning bets, and had Pray maintain the betting records.

"While such circumstantial evidence allows an inference of money-laundering in connection with illegal gambling, the state's evidence ... is marginal."

— NEVADA SUPREME COURT

state's evidence ... is marginal," the court said.

The Supreme Court also criticized prosecutors for introducing prejudicial testimony about organized crime activity in New York.

ny concerning organized crime families."

The unanimous decision upholds the lower court's ruling that prosecutors erred in letting New York City Police Detective Edward Galanek give grand jurors a rambling tutorial on organized crime opera-

L.A. intersections cameras produces 12,000 tickets

By the Associated Press

LOS ANGELES — Cameras installed this year to catch red light runners at just eight intersections have produced 12,000 citations, police officials said.

In comparison, without such cameras available, there were 25,000 red light violation tickets issued last year at the other 4,300 intersections in the city.

Eight more red light cameras are to be

installed within the next four months.

"It appears to be very productive," police Sgt. John Gambill told the City

"It appears to be very productive."

— SGT. JOHN GAMBILL
LAPD

Council's Public Safety Committee on Monday. A drop in red light violations at five of the eight intersections is proof

that the program is working, Gambill said.

Police also announced Monday that the city and the company installing the camera system, Affiliated Computer Services, agreed on the remaining locations for the still cameras.

The firm is seeking a change in the way it is paid. It wants a flat fee for citations issued, rather than a fee for each ticket resulting in conviction.

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