



Santa Monica Daily Press

December 10-11, 2005

A newspaper with issues

Volume 5, Issue 24

DAILY LOTTERY

SUPER LOTTO

4 5 6 31 44
Meganumber: 21
Jackpot: \$28 Million

FANTASY 5

2 8 16 27 36

DAILY 3

Daytime: 6 0 9

Evening: 1 8 9

DAILY DERBY

1st: 09 Winning Spirit

2nd: 03 Hot Shot

3rd: 04 Big Ben

RACE TIME: 1:41.73

Although every effort is made to ensure the accuracy of the winning number information, mistakes can occur. In the event of any discrepancies, California State laws and California Lottery regulations will prevail. Complete game information and prize claiming instructions are available at California Lottery retailers. Visit the California State Lottery web site: <http://www.calottery.com>



NEWS OF THE WEIRD BY CHUCK SHEPARD

The body of a 36-year-old woman was found stuck halfway through a rear window in a house in St. Louis in October, the result (according to police) of an unsuccessful burglary attempt; she had asphyxiated, and in the course of her struggle to break free, her pants had somehow come off. And a 42-year-old woman in Frederica, Del., hanged herself from a tree on the Tuesday before Halloween, and though she was spotted at a distance soon afterward, neighbors did not call police for 10 hours, figuring at first that the body was just a Halloween decoration.

TODAY IN HISTORY

Today is the 344th day of 2005.
There are 21 days left in the year.

On Dec. 10, 1964, Martin Luther King Jr. received the Nobel Peace Prize during ceremonies in Oslo, Norway.

QUOTE OF THE DAY

"Originality and a feeling of one's own dignity are achieved only through work and struggle."

FEODOR DOSTOYEVSKY
RUSSIAN AUTHOR (1821-1881)

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Rent Board can't bail out ticked off tenant

BY RYAN HYATT

Daily Press Staff Writer

CITY HALL — A Santa Monica renter who claims he's been charged exorbitant rent to live in a house in slum conditions can't get any satisfaction from local rent control officials.

The Rent Control Board (RCB), reviewing an appeal by the tenant on Thursday, sided with city staff that local government did not have the jurisdiction to intervene in the dispute.

"We'd like to help, but the law doesn't allow us to," said Joel Koury, an RCB commissioner.

City staff, in a report, referred to the state's Coastal Hawkins law, which allows the landlord to establish initial and all subsequent rental rates for tenants signing a lease after Jan. 1, 1996. As a result, city governments have been severely hindered by what they can do to regulate rental rates.

Anthony Schmitt, the tenant in the dispute, moved in 1999 from Venice into the dining room of a small house at 2525 Fourth St. He paid \$440 per month for rent, plus utilities.

In addition to the dining room, the house consists of a living room, two bedrooms, a small sun-room used as a bedroom, a half and full bathroom, a hall, kitchen, garage, basement and an enclosed back porch area. There were six other tenants living in the house when Schmitt moved in.

In 2003, Schmitt discovered the maximum allowable rent for the unit was \$1,500.

Jim Rex, the property's manager, had rental checks paid to him and was in charge of maintenance for the site on behalf of owner Lilly Dowler, an elderly woman. Rex, who began renting the unit as late as 1996, does not live in the house.

See RENT BOARD, page 13



Fabian Lewkowicz/Daily Press

BABY, IT'S COLD OUTSIDE: Former tenants of Lincoln Place in Venice try and keep warm on Wednesday night, one day after they were evicted by a real estate investment company that plans to turn their former complex into luxury condominiums. The tenants vow to camp out until they are let back into their apartments.

Lincoln displaced: Ex-tenants dig in

BY RYAN HYATT

Daily Press Staff Writer

LINCOLN PLACE — Ousted tenants and their supporters have established a "tent city" in front of their former apartment complex, and plan to stay put until their landlord is willing to renegotiate a settlement that will allow them to resume living in their apartments.

Dozens of tenants took to the streets on Tuesday when the largest real estate management company in the country evicted 65 adults and 21 children from Lincoln Place, a 55-year-old post-World War II apartment complex located on the 1000 block of Elkgrove Avenue. Deputies from the Los Angeles County Sheriff's Department assisted the court-ordered evictions.

Since then, some tenants and their supporters have been protesting behind the Ross clothing store on Lincoln Boulevard and California Avenue. They have demonstrated against the evictions by pitching tents, picket signs, lawn chairs and barbecue grills on a corner of Los Angeles city property. They insist they

See DISPLACED, page 14

STATE

In high-stakes world of development, some cities can 'ask for more'

BY CHRISTINA ALMEIDA

Associated Press Writer

LOS ANGELES — Developer Rick Caruso didn't blink when leaders of an upscale Los Angeles suburb made their unusual request: Could the lake

he was planning as part of a multimillion-dollar retail and dining center double as an ice rink?

Caruso spent a few hundred thousand dollars to build the rink — and landed favorable terms on a 90-year-lease for a public lot adjacent to a performing arts plaza.

"It's an expensive undertaking," Caruso said of the rink. "But it's well worth it."

The rink, which opened last month, is one example of how some cities are asking — and get-

See PLANNING PERKS, page 11

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HOROSCOPE

Still frisky, Sagittarius

Santa Monica Daily Press



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)**
★★★★★ Your imagination could be capable of cooking up nearly anything. You might want to do some Christmas cards with notes, or decorate for the holidays. Your caring and ingenuity merge into a powerful duo. Tonight: You're the major factor.

 **TAURUS (April 20-May 20)**
★★★★★ You might enjoy going off by yourself or with just one other person. You could get into your holiday shopping or perhaps visit with a very special friend. Lovers and couples could design a happening to be like their first date. Why not make the most of the convivial but intimate nature of the day? Tonight: Be a duo.

 **GEMINI (May 21-June 20)**
★★★★★ Others want to get together with you. Feelings easily transform into actions. You find that caring might be very easy for others, as well as you, to accept. Listen to news carefully. Encircle yourself with friends. Tonight: A party starts spontaneously. Be ready — it could go to the wee hours.

 **CANCER (June 21-July 22)**
★★★★★ Others look to you for help, support, understanding and perhaps direction. Know that often one person takes your advice and, if it backfires, blames you. Use your discretion here. Your decision makes the difference. Tonight: A must show.

 **LEO (July 23-Aug. 22)**
★★★★★ Your fiery enthusiasm helps everything pan out the way you would like. Do something special for your family or home. Express your caring through planning a warm get-together. Read between the lines. What isn't said might be more important than what is said. Tonight: Follow the music. Let your mind roam.

 **VIRGO (Aug. 23-Sept. 22)**
★★★★★ Someone close touches base with you. One-on-one relating highlights the positives in the relationship. Listen to others more carefully. Your friskiness and playfulness make a big difference. You would prefer to entertain at home. Tonight: How about an old-fashioned date?

 **LIBRA (Sept. 23-Oct. 22)**
★★★★★ You might be more fun and delightful than you realize. The positive responses you get are a direct reflection of where you are coming from. Indulge yourself and a family member. You are another's anchor. Tonight: Say yes. Don't hesitate.

 **SCORPIO (Oct. 23-Nov. 21)**
★★★★★ Act on what you feel rather than hold back, which definitely is a Scorpio trait. Even verbalizing might be exciting. Express your caring so that it counts. Others relax and respond to your efforts. Tonight: Easy does it.

 **SAGITTARIUS (Nov. 22-Dec. 21)**
★★★★★ Your playful manner warms up many different people in your life. Let it all hang out. Your instincts that involve a loving gesture or token of affection hit the bull's-eye. Count on your sixth sense right now. Tonight: Still frisky.

 **CAPRICORN (Dec. 22-Jan. 19)**
★★★★★ You exude an unusual gentleness. As a result, more people seek you out than usual. Let friendship become the dominant theme. Expect that others might gather at your place. Tonight: Your pad is where it's at.

 **AQUARIUS (Jan. 20-Feb. 18)**
★★★★★ You might feel as if you want to clear the air. Listen to your intuition if meeting someone. Though this person could be remarkably appealing, he or she could be a problem in the long run. Tonight: Ask questions.

 **PISCES (Feb. 19-March 20)**
★★★★★ A friendship could be turning into more. You might not be ready to make a public announcement. Read between the lines with this person. Detach, and you will really see this transition. Tonight: Your treat.

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COMMUNITY BRIEFS



Photo courtesy

Jerry Rubin, who is turning 62, is ready to roll with his senior discount card from Big Blue.

Rubin in cruise control at 62

By Daily Press staff

“Jerry Rubin’s Big Blue Bus Birthday Bash” will take place Sunday, Dec. 11, the day Rubin, a longtime Santa Monica resident, activist and Big Blue Bus rider, turns 62.

Rubin said he would like his birthday — when he will finally get his Big Blue Bus senior citizen discount card — to be a time to encourage even more people, particularly seniors, to use the bus and Tide shuttle service provided by the award-winning Santa Monica Big Blue Bus.

The free-to-the-public birthday bash and highlighted cake cutting ceremony will take place at 1 p.m. at 1457 Third Street Promenade at the dinosaur fountain area across from the Broadway Deli.

Speakers at the birthday event will include Big Blue Bus administrators and drivers; Santa Monica elected officials; environmental group leaders; and Santa Monica bus-riding residents.

The specially-decorated cake is being provided courtesy of the Broadway Deli. Rubin, who has never had a car, and is a staunch environmental and alternative transportation advocate, urges people to try to drive a little bit less and take the bus a little bit more.

For further information, call the Alliance for Survival at (310) 399-1000.

Holiday fun livens up the season on the Promenade

By Daily Press staff

If you’ve got a family and need some holiday cheer, downtown Santa Monica is the place to be Saturday.

Winterlit 2005 fun on Santa Monica’s Third Street Promenade is a chance for families to come together and share the holiday spirit, event organizers say. Parents can get in some “hassle-free” shopping while the kids play. Kids of all ages will enjoy playing in the snow, riding ponies, a petting zoo, and interactive booths featuring toy play and arts and crafts.

The festivities will run from noon to 4 p.m. on all three blocks of Third Street Promenade, between Wilshire Boulevard and Broadway.

SNOW AND SURF REPORTS

CONDITIONS

DATA PROVIDED BY ONTHESNOW.COM

BEAR MOUNTAIN

NEW SNOW (24 Hrs)	BASE DEPTH	CONDITIONS	RUNS OPEN	LIFTS OPEN
0"	12"-12"	Packed Powder	2	2

MAMMOTH MOUNTAIN

NEW SNOW (24 Hrs)	BASE DEPTH	CONDITIONS	RUNS OPEN	LIFTS OPEN
3"	24"-36"	Packed Powder Machine Groomed Obstacles	65	15

MOUNTAIN HIGH

NEW SNOW (24 Hrs)	BASE DEPTH	CONDITIONS	RUNS OPEN	LIFTS OPEN
0"	12"-24"	Machine Made Hard Packed	8	4

MT. BALDY

NEW SNOW (24 Hrs)	BASE DEPTH	CONDITIONS	RUNS OPEN	LIFTS OPEN
0"	0"-1"	N/A	0	0

SNOW SUMMIT

NEW SNOW (24 Hrs)	BASE DEPTH	CONDITIONS	RUNS OPEN	LIFTS OPEN
0"	12"-12"	Powder Packed Machine Made Machine Groomed	4	4

SNOW SUMMIT

NEW SNOW (24 Hrs)	BASE DEPTH	CONDITIONS	RUNS OPEN	LIFTS OPEN
0"	12"-0"	Powder Packed Machine Made Hard Packed	3	3

JUNE MOUNTAIN

CLOSED

CONDITIONS

WATER TEMP: 59°

DATA PROVIDED BY WETSAND.COM

SWELL FORECAST (1-7FT)

Friday the 9th the WNW swell will start to back down, but size is still expected to hover around waist to chest high. Note that Friday holds a slight chance of rain and possibly some problematic winds at times as well, especially for areas north of LA.

LONG RANGE SYNOPSIS

Significant NW swell hits during the weekend...

NW swell being tracked for late next week...

Rain chances in the forecast..

TIDE FORECAST FOR SANTA MONICA

SATURDAY	LOW TIDE:	11:58AM	0.8FT	11:12PM	1.3FT
	HIGH TIDE:	5:11AM	5.5FT	5:48PM	3.7FT

SUNDAY	LOW TIDE:	12:50PM	0.1FT	11:54PM	1.7FT
	HIGH TIDE:	5:47 AM	5.9FT	6:57PM	3.7FT

MONDAY	LOW TIDE:	1:36PM	-0.4FT	N/A	N/A
	HIGH TIDE:	6:23AM	6.3FT	7:57PM	3.7FT

TUESDAY	LOW TIDE:	12:34PM	2.0FT	2:18AM	-0.8FT
	HIGH TIDE:	6:58AM	6.4FT	8:49PM	3.7FT

WEDNESDAY	LOW TIDE:	1:12PM	2.3FT	2:57PM	-1.0FT
	HIGH TIDE:	7:32AM	6.5FT	9:36PM	3.7FT

SURF AND SNOW QUESTIONS OR COMMENTS? EMAIL ALEX@SMGP.COM



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RESPONSES ON PAGE 4.

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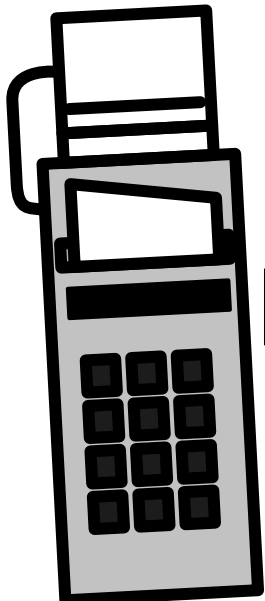
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The QLine

LACK OF SUPPORT FOR CITY MANAGER SEARCH

This past week, Q-line asked:
"Do you support the City Council's choice for city manager? Why or why not?"
 Here are your responses:

☉ "I do not support the City Council's choice for City Manager. We got somebody from San Diego who has a dubious record and we could have used plenty of people from Santa Monica that are very good people and we had to go to San Diego to get a black man. Why didn't we have a white person? Why did we have to get a black man? I don't think the city knows what they are doing. If I had my way every city council man except Bobby Shriver would be out on their ass. Also, if we had all City Council people like Bobby Shriver we would have the No. 1 city in the United States. Right now we must be about the 1,000th city in the United States. We have got to do something about the City Council and not wait for the election."

☉ "I certainly do not support the City Council's choice for City Manager. Anyone with this sort of suspicious background should never have been considered. With some 60 odd candidates for the office this is the best they could come up with? Unbelievable. Some kind of deal or hanky panky is going on, as is typical of this city administration."

☉ "Mr. Lamont Ewell will spend most of his tenure in office attempting to understand the uniqueness of the city of Santa Monica. Santa Monica is comprised with the super-rich and the super-poor, every religion and race known to mankind who are awash with every political opinion, then compounded by heavy traffic, parking problems, and congestion. Good luck Lamont."

☉ "It's too early to tell but it seems the City Council jumped the gun and did not include the public in the process nor try to make this an open process. And it seems the City Council may have made a bad choice for somebody that going with pro-labor who has at least not helped San Diego drive down any financial problems. So, we'll see."

☉ "Well, I applaud the city of Santa Monica for the giving the job to a black man because I think it's about high time and I applaud the City Council. I'm usually not a big supporter of the City Council, with the exception of Bobby Shriver, but I think this time they made the good and wise choice in this gentleman."

☉ "No, I don't think the City Council made a very good choice with this new City Manager. I mean it took us awhile to get rid of the last guy that was mixed up in a lot of corruption. The City Council don't even use their brains when they are doing anything."

Look at the mess they have the city in. Eventually, it will show up and they will have to get rid of him and it's a lot of money thrown down the drain. The whole place needs a good clean up, it's starting to stink too much."

☉ "I think it's too early to tell about the choice for the new City Manager but it is evident that the City Council, once again, has forgotten that they are elected to represent the citizens of Santa Monica and not just their own interests. Once again, they have forgotten that this needs to be an open process in every respect and that they are to set policy, not micro-manage."

☉ "Absolutely not. The choice should have been made on a candidate of unquestionable integrity and this is not the case. A person from out of state would have been preferable, one not connected with the California political mob. Santa Monica needs to see the resumes submitted by other candidates and see why they were ignored for this powerful position. All I can say that this is another case of partners in crime."

☉ "Any city with a competent City Council and a sharp City Hall staff would have thoroughly vetted any candidates for city manager. Certainly to the point where there was no room for suspicion. But our City Council's foremost concern is that affirmative action be the No. 1 important reason for hiring someone. Mr. Ewell may yet turn out to be a fine candidate for City Manager but his resume is filled with many jobs of short duration. It usually takes two to five years to terminate a substandard managerial person because of negotiated contracts. Former City Manager McCarthy worked her way up through different departments in City Hall. We have someone from outside the city. He of course is the wrong gender but comes in second by being a minority. None of this should even matter except for our City Council's ongoing quest to flood City Hall with affirmative action hires. Either by gender or racial profiling. If the No. 1 job concern is low income housing, Mr. Ewell will have to grow a thick spine and dealing with all the council's mistakes: traffic, parking, bums, the pier, the mall, hedges and big brother."

☉ "There should have been public input. This would have been the perfect time to switch to an elected and accountable mayor, rather than an appointed City Manager. This probably postpones that possibility for another couple of years."

This just in: We're great



MODERN TIMES

BY LLOYD GARVER

What's next? Is the Administration going to produce its own fake news like "The Daily Show" and call it news? The latest revelation that a public relations firm — The Lincoln Group — has been paid by the Pentagon to plant news stories that are favorable to the U.S. in Iraqi papers would be shocking if it weren't so predictable. It's not that long ago that the Administration admitted paying U.S. columnists to write pro-Administration columns. President Bush publicly abandoned this practice, but so far, he hasn't taken responsibility for doing the same thing abroad.

The outrageousness of planting stories in Iraqi newspapers is, obviously, heightened because this occurs at the same time that we are supposedly encouraging Iraq to promote freedom — and a true and free press is the cornerstone of that freedom. If this manipulation of the press continues, how will we ever know what is a legitimate news story or column and what is something paid for by the government? How will we know when they are sneaking their own words into stories?

Obviously, this column is not something the government would ever pay for, and we, I mean, they don't "sneak" words into stories.

We seem to be abandoning the principle that the best way to get other countries to adopt the ways of a free and democratic society is to set a good example for them. For instance, if we want Iraqis to have free speech, we can't call Americans who oppose the war traitors.

Check Garver's passport. I'll bet he's been to Red China. And check his cabinets. I'll bet he owns some Red China.

We can't use the excuse, "The other side uses propaganda in news stories, so why shouldn't we?" We're supposed to be better than they are.

We are better than they are. We are good and they are evil.

Look at the Administration's attitude towards torture. When other countries engage in torture, it is barbaric and a crime against humanity. When we do it, it's "necessary for our security."

The United States does not engage in torture. At the same time, we have reservations about agreeing to abandon this important tool of ours.

And not surprisingly, the planted sto-

ries aren't even working in terms of winning the hearts and minds of the Iraqi people. When Muhammad Abdul Jabbar, editor of one of the major Iraqi papers was asked if the Pentagon's program of fake news was effective, he replied, "I would spend the money another way."

Don't worry, Muhammad. We're spending it all kinds of ways.

It may be a cliché to say that "truth is the first casualty of war," but how many more times can it be mortally wounded? Remember WMDs? Remember the alleged connection between Iraq and Al Qaeda? Remember Colin Powell pointing to all those "threats" at the U.N.? The Bush Administration is certainly not the first to disseminate false information, whether on purpose or because of shamefully bad intelligence. But aren't you tired of hearing things that you know aren't true?

Colin Powell is not a member of the current Administration. Currently, he is a private citizen who has served his country honorably, at least until we hung him out to dry.

We've been told over and over again how well the war in Iraq is going, and yet American casualties mount. We're told that we're winning the war against terrorism as the number of terrorists increase. President Bush has said repeatedly that we must "stay the course." Recently, there have been some calls to start thinking about pulling out of Iraq. First the Administration viewed those calls as unthinkable. But after checking the polls, they began to choose their words more carefully. Now, there are a lot of people who would bet that significant troops will be pulled out before the 2006 Congressional elections. What will the Administration tell us when they pretend that the two events are unrelated?

We do not allow polls or elections to dictate policy. On the other hand, we feel it's important to be responsive to the wants of the people.

So, the next time you're in the supermarket and you see one of those newspapers with a headline like, "Woman Gives Birth To Three-Headed Dog," don't laugh too loudly. That story probably has about as much credibility as whatever's on the front page of The Iraqi Daily News.

There is no such newspaper — at least not on the U.S. payroll.

(Lloyd Garver has written for many television shows, ranging from "Sesame Street" to "Frasier." He also has read many books, some in hardcover. He writes the "Modern Times" column for CBSnews.com and a weekly column for SportsLine.com. He can be reached at smdp@lloydgarvermoderntimes.com.)

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COMMENTARY



GUEST COMMENTARY BY ALEX EPSTEIN

Destined to lose by ignoring reality

Four years ago, Enron Corporation — No. 7 on the Fortune 500 — filed for bankruptcy, culminating a collapse that shocked America.

It is commonly believed that Enron fell because its leaders, eager to make money, schemed to bilk investors. The ethical lesson, it is said, is that we must teach — or force — a businessman to curb his selfish, profit-seeking “impulses” before they turn criminal.

But all this is wrong.

Enron was not brought down by fraud. While the company committed fraud, its fraud was primarily an attempt to cover up tens of billions of dollars already lost — not embezzled — in irrational business decisions. Most of its executives believed that Enron was a basically productive company that could be righted. This is why chairman Ken Lay did not flee to the Caymans with riches, but stayed through the end.

What then caused this unprecedented business failure? Consider a few telling events in Enron's rise and fall.

Enron rose to prominence first as a successful provider of natural gas, and then as a creator of markets for trading natural gas as a commodity. The company made profits by performing a genuinely productive function: linking buyers and sellers, allowing both sides to control for risk.

Unfortunately, the company's leaders were not honest with themselves about the nature of their success. They wanted to be “New Economy” geniuses who could successfully enter any market they wished. As a result, they entered into ventures far beyond their expertise, based on half-baked ideas thought to be profound market insights. For example, Enron poured billions into a broadband network featuring movies-on-demand — without bothering to check whether movie studios would provide major releases (they wouldn't). They spent \$3 billion on a natural-gas power plant in India — a country with no natural gas reserves — on ludicrous assurances by a transient Indian government that they would be paid indefinitely for vastly overpriced electricity.

The mentality of Enron executives in engineering such fiascos is epitomized by an exchange, described in New York Times reporter Kurt Eichenwald's account of the Enron saga, between eventual CEO Jeff Skilling and subordinate Ray Bowen, on Skilling's eventually failed idea for Enron to sell electricity to retail customers.

An analysis of the numbers, Bowen had realized, “told a damning story ... Profit margins were razor thin, massive capital investments were required.” Skilling's response? “You're making me really nervous ... The fact that you're focused on the numbers, and not the

underlying essence of the business, worries me ... I don't want to hear that.”

When Bowen responded that “the numbers have to make sense ... We've got to be honest (about whether) ... we can actually make a profit,” Eichenwald recounts. “Skilling bristled. ‘Then you guys must not be smart enough to come up with the good ideas, because we're going to make money in this business.’ ... (Bowen) was flabbergasted. Sure, ideas were important, but they had to be built around numbers. A business wasn't going to succeed just because Jeff Skilling thought it should.”

But to Skilling and other Enron executives, there was no clear distinction between what they felt should succeed, and what the facts indicated would succeed — between reality as they wished it to be and reality as it is.

Time and again, Enron executives placed their wishes above the facts. And as they experienced failure after failure, they deluded themselves into believing that any losses would somehow be overcome with massive profits in the future. This mentality led them to eagerly accept CFO Andy Fastow's absurd claims that their losses could be magically taken off the books using Special Purpose Entities. After all, they felt, Enron should have a high stock price.

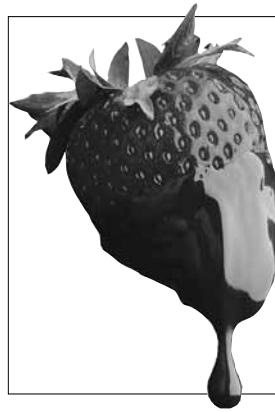
Smaller lies led to bigger lies, until Enron became the biggest corporate failure and fraud in American history.

Observe that Enron's problem was not that it was “too concerned” about profit, but that it believed money does not have to be made: It can be had simply by following one's whims. The solution to prevent future Enrons, then, is not to teach (or force) CEOs to curb their profit-seeking. The desire to produce and trade valuable products is the essence of business — and of successful life.

Instead, we must teach businessmen the profound virtues money-making requires. Above all, we must teach them that one cannot profit by evading facts. The great profit-makers, such as Bill Gates and Jack Welch, accept the facts of reality — including the market, their finances, their abilities and limitations — as an absolute. “Face reality,” advises Jack Welch, “as it is, not as it was or as you wish ... You have to see the world in the purest, clearest way possible, or you can't make decisions on a rational basis.”

This is what Enron's executives did not grasp — and the real lesson we should all learn from their fate.

(Alex Epstein is a junior fellow at the Ayn Rand Institute in Irvine. The Institute promotes the ideas of Ayn Rand, best-selling author of “Atlas Shrugged” and “The Fountainhead.”)



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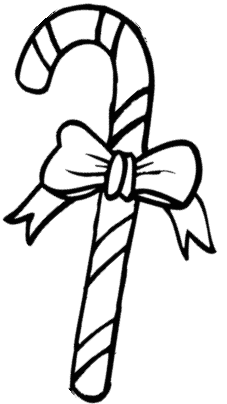
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STATE BRIEFS

School in a bind over teacher’s actions

By The Associated Press

EL MONTE — A teacher who allegedly tied three third-graders to their chairs was placed on leave while police and school officials investigate.

Two boys and one girl in the teacher’s class at Maxson Elementary School were allegedly pinned down with computer cords — tied at the waist or legs for about five minutes each — to keep them in their seats on Tuesday, police Detective Eric Youngquist said.

“The teacher was concerned about the children walking in the classroom,” Youngquist said.

Mountain View School District officials said the teacher, whose name wasn’t released, was placed on paid administrative leave while the district conducts its investigation.

District director of special projects Alan Morier said the students involved are still in school. The teacher was taken out of the classroom “so if it is true, we don’t want to make it uncomfortable for anyone,” Morier said.

The Police Department is also investigating the allegedly incidents, said Youngquist, adding the teacher could eventually be charged with misdemeanor or felony child abuse or emotional abuse.

Film L.A. Inc.: Can you dig it?

By The Associated Press

LOS ANGELES — The area film permit organization is shedding its cumbersome, bureaucratic name to a punchier monicker.

The Entertainment Industry Development Corp., a quasi-governmental organization designed to streamline location permits for filmmakers, will now be known as Film L.A. Inc.

“Now, you actually know what they do,” Mayor Antonio Villaraigosa said Thursday.

The change also helps the nonprofit freshen its image after a scandal involving former EIDC chief Cody Cluff, who pleaded no contest to using the group’s money for personal use. He was placed on three years’ probation and ordered to pay back \$80,000.

“We want to let the world know we are a renewed organization,” Film L.A. President Steve MacDonald said. “There has been a tremendous amount of work done by our staff, the board and others to improve our finances, operations and corporate governance so that Film L.A. can more effectively keep production here, where it belongs.”

Monitor wants monitors to keep eye on cops

By The Associated Press

LOS ANGELES — The federal monitor overseeing Police Department reform wants video cameras installed in squad cars to document officer treatment of minorities.

Federal monitor Michael Cherkasky made the recommendation to the City Council and the Police Commission on Thursday. Many departments use video cameras in patrol cars and the LAPD experimented with them in the 1990s.

The Police Department decided not to use video cameras because the thousands of cumbersome videotapes were hard to store and would have required warehouses with retrieval systems, Councilman Bernard C. Parks said. Parks was police chief at the time.

Cherkasky said digital video can now store video cheaply and retrieval is easy, so warehousing should no longer be an issue.

Police Chief William J. Bratton said in May that he was interested in placing cameras in some 1,200 patrol cars but that he saw it as a long-term project.

The LAPD has operated under a federal consent decree since 2001, after the Rampart corruption scandal in which officers were accused of framing suspects and committing crimes.

Woman files sexual assault suit versus police

By The Associated Press

SANTA ANA — A Mexican woman who alleges she was sexually assaulted by an on-duty Anaheim police officer has filed a federal lawsuit claiming her civil rights were violated.

The lawsuit, filed Thursday in U.S. District Court, alleges that the 40-year-old undocumented immigrant was assaulted on Nov. 11 by Bradley Wagner, a 30-year veteran of the department.

Wagner, who retired the day of his arrest, has pleaded not guilty to forceable oral copulation, oral copulation under the color of authority and false imprisonment.

“It’s really the most disgusting thing a man can do to a woman — threaten a woman’s children so he can have his way with her,” said Federico Sayre, the woman’s attorney.

Jennifer L. Keller, who represents Wagner, said she believed the woman filed the lawsuit hoping to get a shortcut to obtain permanent U.S. residence status.

John Nicoletti, an Anaheim city spokesman, said he hadn’t read the suit and couldn’t comment.

Wagner, 58, is free on \$150,000 bond.

STATE



Privacy advocate asks court to expand case

BY PAUL ELIAS
Associated Press Writer

SAN FRANCISCO — A wealthy Libertarian who is fighting a requirement that airline passengers show identification before traveling asked a federal appeals court Thursday to broaden the scope of his battle to cover other forms of commercial transportation.

The request to expand John Gilmore's case was made during arguments before the 9th U.S. Circuit Court of Appeals, which is considering his argument that identification demands at airports are illegal searches that violate his right to travel freely throughout the United States.

A lower court judge had earlier rejected Gilmore's case and U.S. government lawyers have refused to confirm or deny a federal law or regulation requiring IDs at airports even exists. Government attorneys say they are barred from disclosing the existence of security-related regulations.

Judge Richard Paez, one of the three appellate jurists hearing the case, called the government's actions "odd" and fellow panelist Judge Stephen Trott accused government lawyers of "playing cat-and-mouse" with the purported identification requirement.

Still, Trott appeared skeptical that demands for identification amounted to illegal searches.

"It's an inquiry, it isn't a search," Trott said.

U.S. Justice Department lawyer Joshua Waldman told the panel that anyone who objects to providing identification at airports can travel another way.

"(Providing identification) promotes the right to travel by protecting everyone's safety," he said.

But Gilmore's lawyer, James Harrison, called airplanes "unique and irreplaceable forms of travel." Harrison also argued that popular alternatives to air travel such as Amtrak make similar identification

demands.

He asked the judges to not only reverse the lower court's dismissal of the case, but also asked to expand the case's scope to include all commercial transportation outfits that require identification.

The three judges will rule on the case later.

Gilmore is a San Francisco resident who made millions as a founding employee of Sun Microsystems Inc.

He also is an active member of the Libertarian Party and a co-founder of the Electronic Frontier Foundation, a civil liberties group concerned with Internet privacy issues.

On July 4, 2002, Southwest Airlines employees at Oakland International Airport barred Gilmore from boarding a flight to Baltimore after he refused to produce a government-issued, photo identification.

He also refused to allow security personnel to pat him down and search through his luggage instead of providing ID.

Gilmore went through a similar experience with United Airlines employees at San Francisco International Airport later that same day. Both airlines said they were following federal directives.

Gilmore, who hasn't flown domestically since, sued the government and both airlines in federal court, alleging among other things that the identification requirement violates his right to freely assemble because he can't travel by air.

Gilmore arrived in court Thursday wearing Birkenstock sandals and a small pin on his lapel that read "Suspected Terrorist."

That same pin prompted a British Airways pilot to kick Gilmore off a London-bound flight in 2003.

"I'm doing this because I love America," Gilmore said outside court Thursday. "And I want it to get better, not worse."

STATE BRIEFS

STATE BRIEFS, from page 6

Shoppers can feel more secure

By The Associated Press

VENTURA — Two large Ventura County malls have each received \$50,000 homeland security grants.

The grants to The Oaks mall in Thousand Oaks and the Pacific View mall in Ventura are part of nearly \$13 million allocated by the California Office of Homeland Security this year to boost law enforcement preparedness.

Much of the money has been earmarked to improve security in places that draw large crowds.

The Oaks and Pacific View malls will use the grants to upgrade radio equipment and link their video surveillance systems to local police and the Sheriff's Department.

Ventura County has received more than \$8 million in homeland security money to buy equipment and train emergency responders, said Susan Duenas, program administrator for the county Office of Emergency Services.

There goes the neighborhood

By The Associated Press

SANTA PAULA — The City Council approved construction of 2,155 homes in the city's north end, the Santa Clara River Valley community's largest-ever housing development.

The council's 4-0 vote Wednesday allows Dallas-based Centex Homes to begin construction on about 800 acres in Fagan Canyon. The project includes two elementary schools, 50 acres of parkland and 25,000 square feet of retail space.

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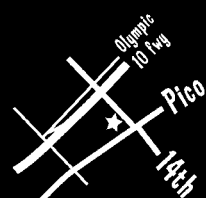
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STATE

Port ship pollution gets new regulations

BY TERENCE CHEA
Associated Press Writer

SAN FRANCISCO — State air regulators on Thursday approved new regulations to curb pollution from cargo ships, cruise liners and other large vessels that enter state ports, making California one of the first states to regulate emissions from oceangoing ships.

The California Air Resources Board also passed new rules to reduce emissions from the cranes, fork lifts, tractors and trucks that move cargo at state ports. Both sets of regulations are scheduled to take effect in 2007.

Environmental groups praised the board's actions, but ship operators questioned whether California had the right to regulate ships beyond state waters.

The new regulations, unanimously approved by the six-member board in Sacramento, are aimed at cutting emissions at ports in Los Angeles, Long Beach, Oakland and Stockton where increasing air pollution poses a health risk to workers and nearby residents.

"Clearly, the goal is to protect public health," agency spokesman Jerry Martin said. "We want to stem the public health threat as quickly and efficiently as we can."

One set of regulations will restrict emissions of particulates and gases such as sulfur dioxide and nitrogen oxides from the 1,900 oceangoing vessels that make 10,000 stops at California ports each year.

Ships will be required to switch from large diesel engines to smaller auxiliary engines that run on cleaner-burning fuel once they come within 24 miles from the California coast. The regulations were projected to reduce particulates by 75 percent and sulfur dioxides by more than 80 percent in 2007.

The regulations will apply to all ships calling at state ports, where an estimated 90

percent of the docking vessels are foreign.

The other set of regulations will require emissions reductions from cargo handling equipment and vehicles through cleaner fuels and other pollution control measures.

Environmental groups applauded the board's decision to regulate ship engine emissions at a time when state officials anticipate a dramatic increase in port traffic from ships carrying imports from China and other Asian nations.

"It's very good news for the air quality of California," said Teri Shore, clean vessels campaign director for the Bluewater Network. "These SUVs of the seas will now burn cleaner fuels in California waters, and fewer people will get sick or die prematurely so Americans can buy inexpensive shoes, clothes and computers."

The Pacific Merchant Shipping Association, which represents 90 percent of the West Coast's cargo shipping business, supported the cargo handling regulations, but opposed the ship pollution regulations. PMSA officials said its members were already taking measures to reduce engine emissions, and the U.S. government — not individual states — should set regulations for oceangoing vessels.

"We have a fundamental problem with the fact that the state of California is trying to regulate extraterritorially," said Mike Jacob, a PMSA vice president. "They're trying to tell us how to operate beyond California."

The shipping association planned to voice its opposition during the 15-day public comment period.

The Air Resources Board earlier this month released a report that found that California's cargo industry produces enough pollution to cause 750 premature deaths each year and result in thousands of asthma attacks, lost work days and school absences.

Angel Island restoration preserves dozens of Chinese immigrant poems

BY LOUISE CHU
Associated Press Writer

ANGEL ISLAND, Calif. — Cold, damp barrack walls, weathered from years of neglect, stand as a reminder of the detainment center that housed thousands of Chinese during the early 1900s on this mountainous island in the middle of San Francisco Bay.

Beneath layers of chipping gray paint, however, is a nearly forgotten piece of the human story — one of longing, disappointment, fear and rage, etched as poems into the decaying wood panels by immigrants held for weeks or months during enforcement of Chinese exclusionary laws.

"I'm heartsick when I see my reflection, my handkerchief is soaked in tears," reads one poem carved in Chinese characters on a first-floor wall. "I ask you, what crime did I commit to deserve this?"

This and dozens of other poems have been the focus of a \$50 million, three-phase state parks restoration project underway at the Angel Island Immigration Station on the 470-acre island. A mix of federal, state and private money is funding the project.

Before work began in August, a team of scholars combed the station's barracks and hospital, locating every visible piece of writing on the walls. It's the first-ever attempt at creating such a record, and scholars are using it to find out more about the life of detainees.

Until now, the most comprehensive account was the 1980 book "Island," which published more than 100 Angel Island poems, said Charles Egan, a Chinese Studies professor at San Francisco State University and a lead scholar on the new project. But the collection, based on 1930s-era manuscripts by two detainees who reportedly copied poems off the walls, never was physically corroborated.

The project located most of those poems and found about 60 new ones.

Meanwhile, park contractors are busy restoring the station to the way it looked in the days when it was known as the Ellis Island of the West, the main gateway for immigrants crossing the Pacific.

From 1910 until fire destroyed part of the station in 1940, it processed about 1 million immigrants, including 175,000 Chinese.



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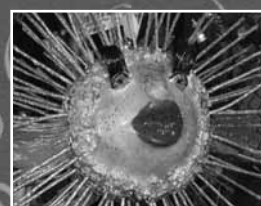
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Activists work to thwart the hiring of illegals

BY PETER PRENGAMAN

Associated Press Writer

LAKE FOREST — The white van eases into a liquor store parking lot and is swarmed by 30 Hispanic day laborers who begin intense job negotiations with the driver. Within seconds, another wave of people descend on the van. Mostly white and middle-age, they snap pictures as they cite federal labor laws.

"If you hire illegal workers, we'll put your picture on the Internet," warns Robin Hvidston, a property manager who became an immigration activist after being alarmed by the number of Hispanics she saw in her Orange County community.

"I hire the legals," the driver, who later identifies himself as Iranian, replies in broken English.

"But these people are not legal," retorts protester Gerry Nance, handing the driver tax and employment eligibility forms. "You must check all this to be sure."

The driver shakes his head and drives off. The would-be workers return to the wall of the liquor store, disappointed but hopeful the protesters will leave so they can hook a day's wages.

Frustrated by the federal government's response to illegal immigration and worried that undocumented workers are depressing wages, conservative immigration reform groups are broadening their focus from the U.S.-Mexico border to the workplace — in Southern California, Texas, Illinois, Virginia and elsewhere.

Their method: Take photos of construction bosses and anyone else picking up day laborers, then post the photos on Web sites such as www.wehirealiens.com and www.operationshameonyou.org, sometimes including home addresses and license plate numbers of people who have picked up day laborers. They also turn their footage into immigration officials.

Their objective is twofold — shaming businesses into not hiring undocumented workers and forcing the government to enforce immigration law.

"We knew we would need a two-pronged approach to force the government to deal with this issue," said Chris Simcox, a former school teacher who co-founded the Minutemen, which began civilian border patrols in Arizona a year ago and is now focusing on employers. "Now we want to videotape, expose and embarrass the businesses breaking the law."

Simcox and others say it's obvious when an employer is hiring illegals, though they acknowledge they often don't have proof.

The tactics anger business owners, who are threatening lawsuits.

"These are just a personal attacks and they are all false," said Elias Zepeda, accounts manager for Strong Terminators, a termite company in Downey that appears on wehirealiens.com. "That's why we are talking to lawyers."

Zepeda said the company does not hire undocumented workers.

A dozen other businesses with pictures on such sites declined comment, though

another owner who did talk briefly denied hiring illegal workers and said he was preparing a slander lawsuit against wehirealiens.com.

While immigration authorities have made efforts to strengthen border security by hiring thousands more agents, illegal workers are rarely picked up on the job, and businesses hiring them are almost never fined.

An average of 200 workers nationwide were arrested each week during the 1990s, but that dropped to about eight a week by 2003, the last year of available data.

Conservatives alarmed by illegal immigration realize that going after businesses may be even more important than strengthening the border, said Mark Krikorian, executive director of the Center for Immigration Study, which favors less immigration and stricter enforcement.

"These startup groups suggest an increasing sophistication in the immigration debate," Krikorian said.

U.S. Immigration and Customs Enforcement officials evaluate the groups' tips and footage, but often the reports cannot be verified, said Bill Riley, ICE's chief of work site enforcement.

"We'll ask them, 'How do you know they are illegal?'" said Riley. "If they say, 'They look foreign,' that obviously isn't enough."

Riley said the agency was focused on national security and worker safety — if a tip didn't touch either, it's a lower priority.

Though too early to judge their impact,

camera-toting protesters do appear to limit the number of workers picked up on any given day.

During three hours at the recent morning protest organized by a group called the Fire Coalition in Lake Forest, an Orange County city 50 miles south of Los Angeles with a large Hispanic population, only one employer ignored the protesters and picked up a day laborer.

About a dozen construction company vehicles entered the parking lot, only to pull away quickly.

"Nobody gets work on the days they come," said Fernando Gomez, a day laborer. "They don't let the bosses even come up to us, but you know their kids are not going to do this hard work."

Gomez, 30, from Michoacan, Mexico, said he and most day laborers he knows came to the U.S. illegally.

"But someday we will be legal," he said. "We just want to work. We didn't come to do anything bad to anybody."

Drivers of some passing cars honked and gave words of encouragement to the protesters, while others unleashed vulgarities.

"Why don't you guys get a life," yelled a Hispanic man who pulled into the liquor store parking lot. "It's Maria cleaning your toilet and Pedro doing the landscaping at your house. Accept it."

The comments set off a screaming match between the man and two protesters.

"People needing labor can hire through temporary agencies," said Nance, 51, an unemployed factory worker.

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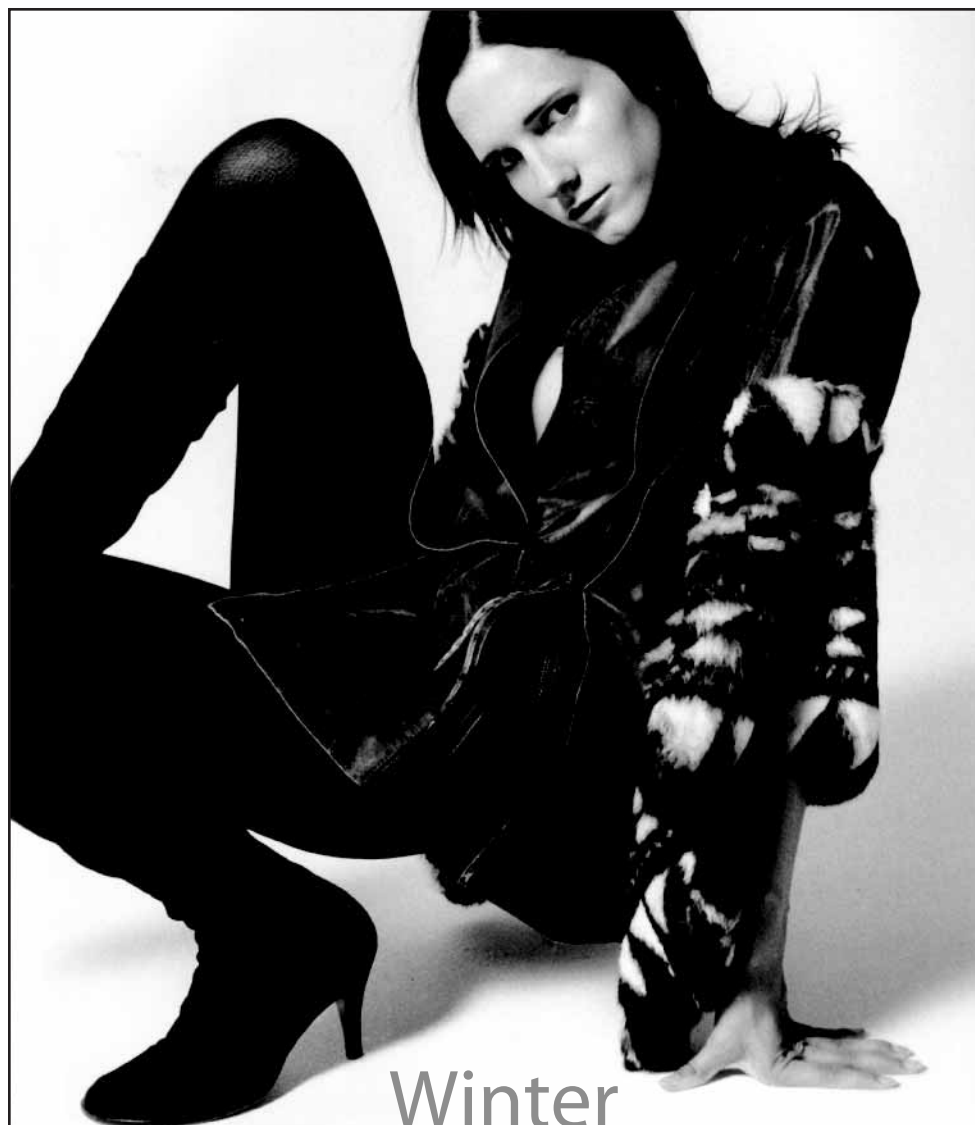
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Giving lip service



Fabian Lewkowicz/Daily Press

Nestor Torres, a Latin Grammy-winning jazz flautist, performed from his latest work in progress, "Prayers & Meditations for Peace," at Santa Monica College on Thursday. Torres also took part in a discussion on how music and education can work towards world peace.

Cities know they have what developers want

PLANNING PERKS, from page 1

ting — perks from developers who see gold in rejuvenated urban cores and other high-demand areas. Motivated by reduced redevelopment funding and armed with improved negotiating savvy, select communities nationwide are getting concessions from public-private partnerships.

Cities "realize they have something developers want," said Maureen McAvey, senior resident fellow with the Urban Land Institute. "They are able to ask for more."

It's more than just roads, sewer lines — and ice rinks. Other pending projects include restoration of a church in San Jose and a new elementary school in Chicago.

It used to be cities doing the giving.

As the West was being settled, towns desperate to grow threw land and grants at railroad companies that could make or break them. These days, some cities still use a range of incentives to attract developers. But particularly in booming markets, the pendulum has moved the other way.

On Chicago's waterfront, developers agreed with a city alderman's suggestion to incorporate an elementary school as part of their \$4 billion Lakeshore East project.

"We felt that as part of a village concept, that a school is very important," said Joel Carlins, president of Magellan Development Group, which co-owns the 28-acre project.

In San Jose, builders of Parkview Towers were told they would need to restore a century-old church to buy land owned by the city's redevelopment agency for two residential high-rises.

The redevelopment agency could not have made such a request if San Jose hadn't been one of the nation's most competitive real estate markets, according to Martin Menne with MCM Diversified, a co-partner on the project.

Restoration of the Greek revival-style church will cost about \$5 million — a mere slice of the \$120 million total development cost. Developers will own the vacant church, which they may lease as office space.

In the past, cities were desperate to lure developers from booming suburbs. Then came urban renewal, when communities

looking to tackle blight ended up razing entire neighborhoods, said William Klein, director of research for the American Planning Association, which has 37,000 members including city planners.

Now cities are looking beyond distressed neighborhoods when it comes to redevelopment.

"What we do today is more sophisticated, more comprehensive in its scope," Klein said. "It's about looking at the entire city."

For cities, cuts in federal funding have made it harder to redevelop long-neglected areas without public-private partnerships. The Community Development Block Grant program, for instance, was cut 5 percent in fiscal year 2005 to about \$4 billion — compared to about \$4.4 billion in 1994. And earlier this year, President Bush proposed combining it with 18 other programs, reducing total spending by more than \$1 billion.

Those cuts can hit hardest in cities where the market is more bust than boom — the very places where officials need developers the most.

"You talk to the mayor in Cleveland, Detroit, Pittsburgh You ask them if they have any sway over developers and whether they can do the things you just said," said Jeff Finkle, president of the International Economic Development Council.

That contrasts with hot markets, particularly those with downtowns that are attracting former suburbanites.

"Where you have very strong growth and a strong market, the city is in a stronger position to negotiate," said McAvey, the Urban Land Institute fellow who specializes in city redevelopment.

And there's an added impetus for city officials who may be looking for good press by extracting benefits from developers at little or no cost to taxpayers.

"It's wonderful to be able to go into your district to say, 'I helped get this new school, this new park, this new ice skating rink,'" McAvey said.

Not that developers are hurting by making such concessions.

"There's always a public benefit," said Klein with the planning association. "And there's rarely an instance where the developer doesn't benefit as well."

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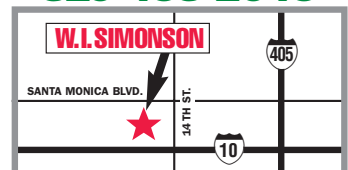
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LOCAL



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Fabian Lewkowicz/Daily Press
Kathryn Moore, a Santa Monica College student, performs a mallet solo during the Percussion Ensemble Concert that was held under the direction of professor Matt Altmire this week.

Case raises questions over rent control laws

RENT BOARD, from page 1

In 2004, Schmitt also rented the garage, basement and sunroom, which brought his total rent to \$1,150 a month. There were four other tenants, each paying hundreds of dollars in rent, Schmitt said. Despite the fact the tenants were paying well over the maximum allowable rent, much needed maintenance work wasn't being done to the property, according to Schmitt.

Schmitt's testimony included a laundry list of items needing attention. Documents and photographs he provided showed broken windows, doors, plumbing problems, leaks, deteriorated paint inside the home, and substandard electrical outlets.

Rex said in his testimony that he agreed with Schmitt there were a few things in

the house that needed to be fixed.

Schmitt, who has subsequently moved out of the house, told the RCB on Thursday he was appealing city staff's earlier decision to not make a decision on the case because Rex's previous testimony had indicated he would take care of the property's maintenance needs, but never did.

Schmitt said he was continuing his fight at the RCB level because he believed it wasn't fair that Rex — who may be pocketing hundreds of dollars of rent money each month — failed to take care of the home.

"Is a new law needed to protect subtenants from neglect and slum conditions?" Schmitt asked the RCB. "The photos and testimony are clear, and it seems the rent control office can allow itself the authority to alter slumlords in Santa Monica."



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Gone, but not forgetting

DISPLACED, from page 1

will remain as long as they can, or until Apartment Investment Management Co. (AIMCO) — the Denver-based landlord that plans to redevelop Lincoln Place into condominiums — is willing to offer a settlement similar to the one tenants previously turned down.

Lincoln Place, a garden-style campus of 52 buildings built in 1950, was originally backed by the Federal Housing Authority to support World War II veterans and their families. However, it's always been privately owned. Once offering 795 affordable apartments, the 35-acre site has been largely abandoned in the face of an ongoing legal debacle that began shortly after 1992, when a redevelopment plan was introduced that called for 850 units, most of which would be market-rate condominiums.

For years, the two sides have been embroiled in litigation, with recent settlements being offered by AIMCO and subsequently declined by the tenants. In October, Los Angeles City Councilman Bill Rosendahl and Mayor Antonio Villaraigosa organized a meeting with AIMCO and Lincoln Place tenants to resolve the dispute. However, that meeting failed because tenants didn't trust AIMCO's offer.

Patti Shwayder, AIMCO's senior vice president of communications, said her company has taken steps above and beyond what is required by law in order to



Fabian Lewkowicz/Daily Press

Elizabeth Colores (right), a Lincoln Place tenant for 12 years, protests along with her 6-year-old son, Gabriel Medina (middle), and her sister, Maria Luisa (left), who said she would go on a hunger strike until the matter is resolved. Luisa will be evicted in March — the next phase of the eviction process.

assuage the tenants.

Hundreds of Lincoln Place tenants have settled privately with AIMCO. They received as much as \$10,000 in relocation money, Schwayder said.

For those who've wanted to keep their homes, Shwayder said AIMCO was prepared to provide as many as 180 Lincoln Place households with apartments at the

new site, in which they would pay below market rent for life. In addition, 50 more units also were to be designated as historical and would not be redeveloped, under the terms of the settlement.

As a condition of the settlement, tenants would have had to agree to let AIMCO build more than 1,000 units and stop suing AIMCO over disputes.

Due to years of distrust, tenants said they were unable to make that promise, and refused the offer.

Rosendahl, Villaraigosa and the Grassroots Venice Neighborhood Council have pledged to deny giving any development concessions to AIMCO if they lock

See DISPLACED, page 15



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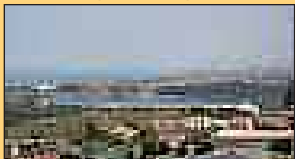
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LOCAL



Fabian Lewkowicz/Daily Press

Linda Zazueta (left), a tenant of Lincoln Place since 1968, speaks with neighbor Lucy Siam, 77. Zazueta stayed outside all night in a makeshift tent city on Wednesday after being evicted.

Ousted tenants ready to cut losses

DISPLACED, from page 14

out tenants. Tenant organizers contend in a press release that AIMCO has extracted development concessions from Los Angeles without community input, and in violation of state and city environmental laws.

Further, the evictions are in clear violation of the tenant protection conditions of the only approved development plan for the site, tenants said. They claim Los Angeles City Attorney Rocky Delgadillo has refused to issue an injunction against the evictions while a resolution is worked out.

However, tenants say that, despite the previous setbacks to settle the dispute, they are ready to accept an offer.

AIMCO's previous offer, which would have allowed 180 households to stay, is an option they say they would accept.

"We just want our homes," said Barabara Eisenberg, a tenant and organizer. "That's all we ever wanted."

It's believed 80 households remain at Lincoln Place. Consisting of the elderly and disabled, they have until March to leave. One of them is Lucy Siam, a senior who moved to Lincoln Place in 1974.

On Tuesday, Siam sat in a lawn chair, wrapped up in a blue vest, sipping wine from a Dixie cup and watching the cars pass.

"I don't have any place to go, so now I'm taking it day by day," she said.

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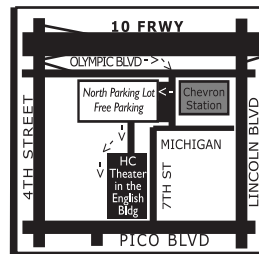
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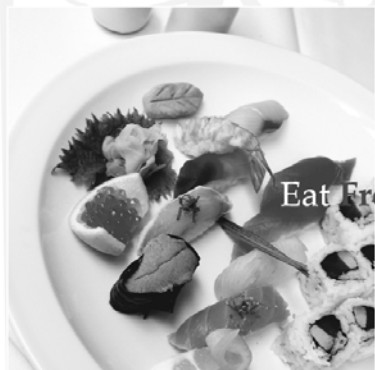
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NATIONAL

Consumers' optimism bodes well for retailers

BY JEANNINE AVERSA
AP Economics Writer

WASHINGTON — People are feeling better about the economy and their own financial situations, a hopeful sign they'll act more like Santas than Grinches while holiday shopping.

The RBC CASH Index, based on polling by Ipsos, showed that consumer confidence clocked in at 85.5 in December, the second-highest reading of this year.

The pickup builds upon the rebound in consumer confidence staged in November, when the index jumped to 81. That revival came after confidence had been stuck in the doldrums in September and October, reflecting worries about sky-high energy prices and other fallout from the Gulf Coast hurricanes.

Economists attributed the December improvement to a retreat in gasoline prices, a ramp up in hiring and solid growth being logged by the overall economy.

"I think shoppers will be in a better frame of mind and may be more inclined to spend. It should be a reasonably merry Christmas," said Bill Cheney, chief economist at John Hancock Financial Services. "I imagine shoppers are feeling pretty good about the holiday even if there is some background insecurity driven by heating bills."

The fresh consumer confidence reading came after a string of good economic news.

Last week, the government reported the economy added 215,000 jobs in November, a clear sign businesses got back in the hiring groove after a two-month hurricane-spawned lull.

Another government report last week showed the economy grew at an energetic 4.3 percent rate in the July-to-September quarter despite the hurricanes' ill effects. Many economists are confident solid economic momentum is being maintained in the current October-to-December quarter.

Against this backdrop, the National Retail Federation is predicting holiday sales this year will increase by a solid 6 percent from last year.

Still, just how generous shoppers may be feeling during the holidays will be influenced in part by how much home heating bills — pushed up by record high natural gas prices — crimp household budgets, analysts said.

Despite the December rise in consumer confidence, it is still lower than it was last December, when consumer confidence stood at 93.9.

At present "consumers are cautiously optimistic," said Lynn Reaser, chief economist at Bank of America's Investment Strategies Group.

The confidence index is benchmarked to a 100 reading on January 2002, when Ipsos, an international polling firm, started the gauge.

Economists track confidence for indications about consumers' willingness to spend, an important factor in overall economic activity.

"It certainly doesn't hurt that sprits are bright as people think about their holiday spending plans," said Carl Tannenbaum, chief economist at LaSalle Bank. "We're back to good job creation," he said. That's a key factor in supporting consumer spending.

The biggest over-the-month improvement came from a measure looking at consumers' economic expectations over the next six months, including conditions where they live or work and their own financial positions.

That expectations measure rose to 53.9 in December, up from 44.5 in November. This gauge, which faltered dramatically in September and fell into negative territory, has risen since then but is well below the 70.5 reading registered in December 2004.

Consumers' feelings about jobs remained buoyant at 116.5 in December, following a strong reading of 119.8 in November. A year ago, this measure was at 111.1

A gauge looking at consumers' sentiments about current economic conditions rose to 92.8 in December. That was up from 91.1 in November, but was down from 102.7 in December 2004.

Another measure tracking consumers' feelings about making a purchase, saving and other investment decisions increased to 89.5 in December from 82.8 in the prior month. A year ago, this gauge stood at 99.2.

Recent polls generally show President Bush — whose job approval ratings sank early this fall to some of the lowest of his presidency — doing a little better on economic issues and his overall performance.

The highest confidence reading of this year came in January, at 92.5. With December's reading, confidence closed 2005 on a solid note.

The overall consumer confidence index for December was based on results of 1,002 adults surveyed Monday through Wednesday about their attitudes on personal finance and the economy. Results of the survey had a margin of error of plus or minus 3.1 percentage points.

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NATIONAL



Nuclear research site accidents alarm some

BY CHRISTOPHER SMITH

Associated Press Writer

BOISE, Idaho — When a propane line sprang a leak last month at a federal nuclear research complex in the Idaho desert, hundreds of workers were evacuated and officials made regular announcements on the status of the danger until the problem was fixed hours later.

But dozens of smaller, "near-miss" episodes occur each year without public notification at the Idaho National Laboratory, where the U.S. Department of Energy wants to begin producing plutonium-238 for the first time in decades and where Congress just appropriated \$40 million to begin developing an experimental nuclear power reactor.

Instead, details of those minor accidents or procedural oversights are logged in an Energy Department database, the records of which were recently obtained by The Associated Press through the Freedom of Information Act.

In the past year alone, there have been 21 cases of INL workers accidentally contaminated with radioactive material; in all cases, the exposure was classified as negligible. In one case, an employee's car and home were searched after officials feared Europium-154 found on the person's overcoat had been carried off the high-security nuclear research compound.

In one instance, a few bolts that anchored the seismic braces of a 38-foot-tall heat exchanger in the Advanced Test Reactor to stabilize it during an earthquake were found to have rattled out of their threads. All 180 bolts were found to be too short to properly secure the braces.

And an analysis of the amount of uranium that could safely be stored in a lab failed to take into account that the radioactive material was in powder form, not solid, posing a much higher health risk if spilled than originally estimated.

All of the incidents were minor and INL officials say none posed a grave risk beyond the boundaries of the 890-square-mile test compound, but they were documented and investigated in an effort to prevent more serious problems in the future.

"The intent of the system is to find, report and fix problems while your problems are small," said Bob Stallman, senior operations and safety officer at INL.

See ACCIDENTS, page 19

A look at some recent accident reports at INL

By The Associated Press

Some recent mishaps at the Idaho National Laboratory, according to Energy Department records obtained by The Associated Press:

March 2005: 15 drums of spent nuclear fuel were assigned an incorrect transportation rating because an expandable rubber plug in the cans was not taken into account in calculating if the drum could safely contain the material.

June 2005: Workers discovered three seismic support bolts securing the heat exchanger in the Advanced Test Reactor had vibrated out of their anchor plates because they were too short to properly fasten. All 180 bolts were subsequently replaced.

June 2005: A radiological survey of an employee's home was conducted after a worker exiting an INL facility was found to be wearing a coat contaminated with radioactive Europium-154. The source of the contamination was not determined, and there was no sign of contamination in the employee's home or car.

April 2004 to May 2005: Due to perspiration wicking contamination through protective clothing or inexperience in fastening protective layers, 21 cases of radiological contamination occurred, including 10 cases of skin contact with radioactive material. In all cases, the amount of exposure was classified as negligible.

June 2005: Workers discovered that canisters of depleted and natural uranium being stored in a building contained the powder form of the radioactive material, not the solid form as had been assumed when calculating the potential danger from a spill. The amount of material exceeded the maximum allowed risk and was removed.

August 2005: The state of Utah notified INL of 33 violations for incomplete shipping labels on low-level radioactive waste sent from Idaho to a private hazardous waste dump near Salt Lake City. The mistake was classified as administrative in nature with no safety significance.

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INTERNATIONAL

Man who says CIA abducted him seeks apology

BY MELISSA EDDY

Associated Press Writer

BERLIN — Few people believed Khaled al-Masri when he first went public nearly one year ago with claims he was kidnapped by CIA operatives and abused in a filthy prison in Afghanistan.

But his allegations suddenly gained credence this week, when German Chancellor Angela Merkel told reporters that Secretary of State Condoleezza Rice had admitted his abduction was a “mistake” and the American Civil Liberties Union filed a suit in a U.S. district court in Virginia on his behalf. He is seeking damages of at least \$75,000.

He has since been propelled to the center of a campaign to end the alleged U.S. secret practice that human rights groups call “rendition to torture,” although Washington implicitly denies it tortures terrorist suspects held anywhere.

A large man with jet black hair and a deep, quiet voice, al-Masri was born in Kuwait in 1963 to Lebanese parents. His family later moved to Germany and in 1995 he became a German citizen. He married and settled in the southwestern city of Neu Ulm. He trained as a carpenter.

German officials have said although al-Masri belonged to a cultural center that has been under observation by authorities for suspected extremist Islamic activity, they never had evidence linking him to any sort

of terrorism.

Al-Masri first went public with his story at the beginning of this year — roughly six months after he was freed — when he gave interviews to major U.S. and European papers including The New York Times. A detailed account of his ordeal emerged this week with the publication of his statement to the ACLU on the group’s Web site.

In that statement, al-Masri said he was abducted on December 31, 2003 and brought to a CIA prison in Afghanistan known as the “Salt Pit.” The statement is consistent with what he told German prosecutors in Munich, who opened an investigation earlier this year, and various accounts he has given to media.

“On December 31, 2003, I boarded a bus in Ulm, Germany for a holiday in Skopje, Macedonia. When the bus crossed the border ... Macedonian officials confiscated my passport and detained me for several hours,” al-Masri said in the statement.

The next three weeks, he said, he was held in a hotel room and repeatedly questioned about his life at home, including his contacts and his mosque.

Al-Masri said that on Jan. 23, 2004, seven or eight Macedonian men entered the room, handcuffed and blindfolded him, placed him in a car and drove him to what he believes was an airfield.

“I was taken from the car, and led to a building where I was severely beaten by people’s fists and what felt like a thick stick. Someone sliced the clothes off my body, and when I would not remove my underwear, I was beaten again until someone forcibly removed them from me,” he said in the ACLU statement.

Al-Masri said he was then dressed in a diaper and a tracksuit and put in a belt with chains that attached to his wrists and ankles. He claims he was blindfolded, hooded and marched onto a plane, where he says he was thrown to the floor and his arms and legs were secured to the sides of the aircraft. He said he was then drugged into a state of near unconsciousness.

When the plane landed, he recalls it feeling warm.

“I learned later that I was in Afghanistan,” he said.

German prosecutors have said analysis of strands of al-Masri’s hair turned up traces of chemical elements naturally found in Afghan soil, corroborating his story.

He said he was held in solitary confinement in a small cell with no bed and one dirty blanket. Al-Masri said he

was thirsty, but was offered only a bottle of “putrid water” in his cell.

“Ultimately, I was interrogated three or four times, always by the same man, with others who were dressed in black clothing and ski masks, and always at night,” he said. Two of the men identified themselves as Americans, he said.

“The man who interrogated me threatened me, insulted me, and shoved me. He interrogated me about whether I had taken a trip to Jalalabad (Afghanistan) using a false passport; whether I had attended Palestinian training camps; and whether I knew September 11 conspirators or other alleged extremists.”

Al-Masri said his persistent requests to meet with a representative of the German government, a lawyer, or to be brought before a court, were “repeatedly ignored.”

That March, he and several other inmates staged a hunger strike to protest their imprisonment, al-Masri said. Following more than a month without food, he alleges he was force-fed and allowed to meet with a man al-Masri identified as the American prison director, who informed him he would soon be released.

In early May, he met a native German speaker who identified himself as “Sam” and gave him the conditions of his release — one of which was “never to mention what had happened to me, because the Americans were determined to keep the affair a secret,” al-Masri said.

“On May 28, I was led out of my cell, blindfolded and handcuffed. I was eventually put on a plane and chained to the seat,” he said. “Sam informed me that the plane would land in a European country other than Germany, because the Americans did not want to leave clear traces of their involvement in my ordeal, but that I would eventually continue on to Germany.”

When the plane landed al-Masri says he was bundled into a car, still blindfolded, and driven up and down through the mountains of what turned out to be northern Albania. Officials there escorted him to the airport and he was put on a plane for Germany.

In the months that had passed, his wife had taken their children and moved away, thinking he would never come back. When he returned, she barely recognized him — 40 pounds lighter, with long hair and a shaggy beard. Al-Masri went public with his story roughly six months after he was reunited with his family.

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NATIONAL



Some skeptical of alerts following accidents at lab

ACCIDENTS, from page 17

"That's one of the reasons there are so many reports in the system. Our threshold for reporting is quite low because we want to know the small problems that are occurring."

But the public has a right to know about all accidents at the site, not just the big ones, say leaders of environmental groups who monitor the remote eastern Idaho facility. The Snake River Alliance, Environmental Defense Institute and Keep Yellowstone Nuclear Free asked DOE in a Nov. 20 letter to put the so-called "occurrence reports" online for easy access by the public over the Internet instead of being released only in response to written request.

"Right now, the public operates with blinders on and only responds to incidents that the government thinks we need to know about," said Jeremy Maxand, director of the Snake River Alliance. "If you take one of these incidents and combine it with the right circumstances, you could have a serious situation."

While DOE requires written requests from the public to disclose the reports, it sends copies to the state's Division of INL Oversight and Radiation Control each week. The federal government also notifies the state any time INL's radiological assistance team is deployed outside the boundaries of the nuclear reservation.

"We try to strike a balance between the safety of having people well-informed versus having people who might want to do us harm well-informed," said Kathleen Trever, Idaho Gov. Dirk Kempthorne's coordinator for INL oversight. "As you can imagine, the pendulum at the moment is more on the side of keeping information confidential or less readily available."

J.D. Wulforst, a University of Idaho rural sociologist who surveyed Idaho residents' attitudes toward the nuclear site in 2003, said many people who live in east-

ern Idaho are tied to INL economically and socially and have a higher level of trust in the department and its contractors than people outside the immediate area.

"That's not because they have sold out, but because they know and have experienced the different safety mechanisms that are in place," he said. "It's all very normal for people who live around large, complex installations like those operated by the military or Energy Department who deal with that risk on a daily basis and have familiarity with it."

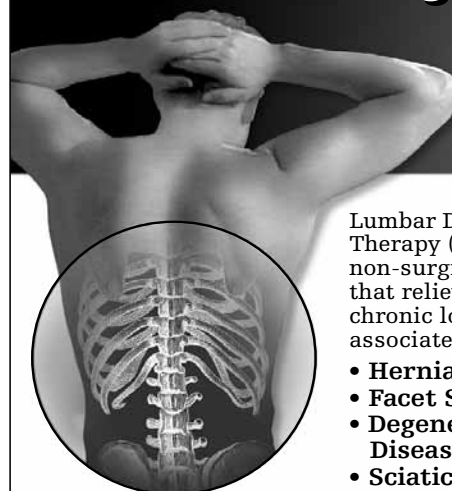
Other residents in Idaho may be more skeptical that the federal government would promptly alert the public to potential environmental contamination or health hazards because they've been influenced by critics and a Cold War legacy of the Energy Department neglecting public health.

"There are special interest groups that have targeted the site and have educated the general population on certain elements, for better or worse, and that has created a distrust whether the agencies are disclosing all the information," Wulforst said.

Lack of easy access to INL accident reports only adds to the skepticism some people have that the federal government may not be forthcoming about operations at the facility, said Maxand.

"If they want to tout INL as the safest place on the planet for these programs, they should have as much transparency as possible," he said. "More people are paying attention to what's going on out there and there should be no reason why this kind of safety performance information is not made readily available."

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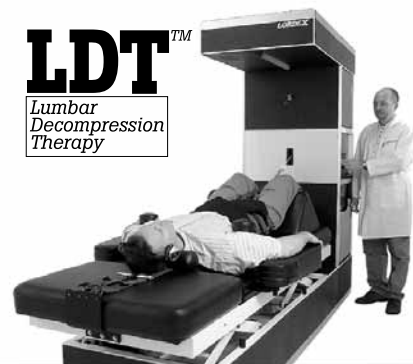


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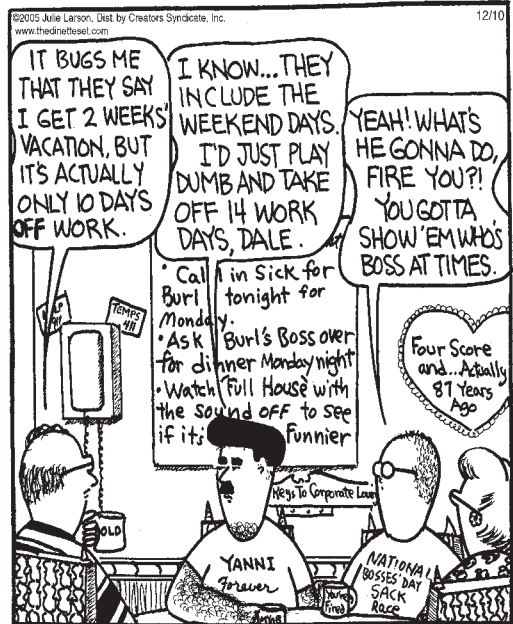
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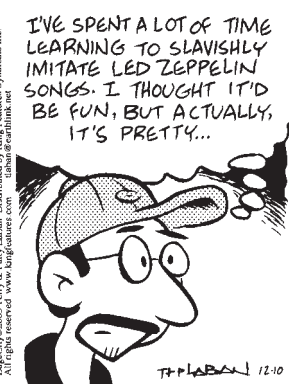


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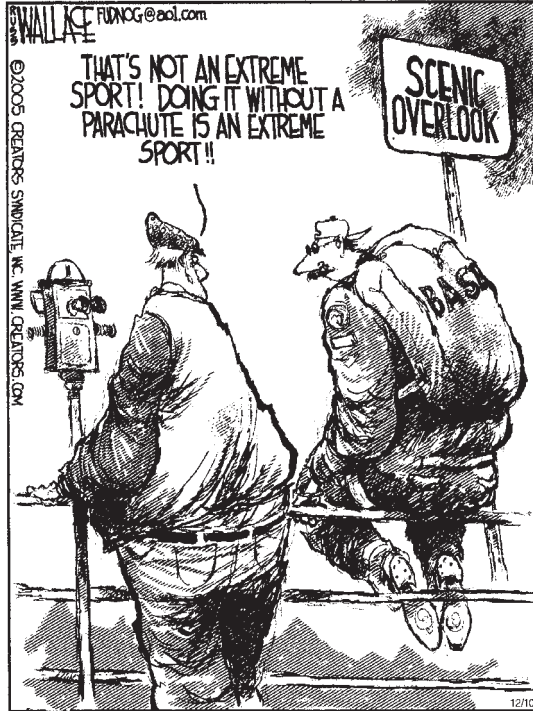


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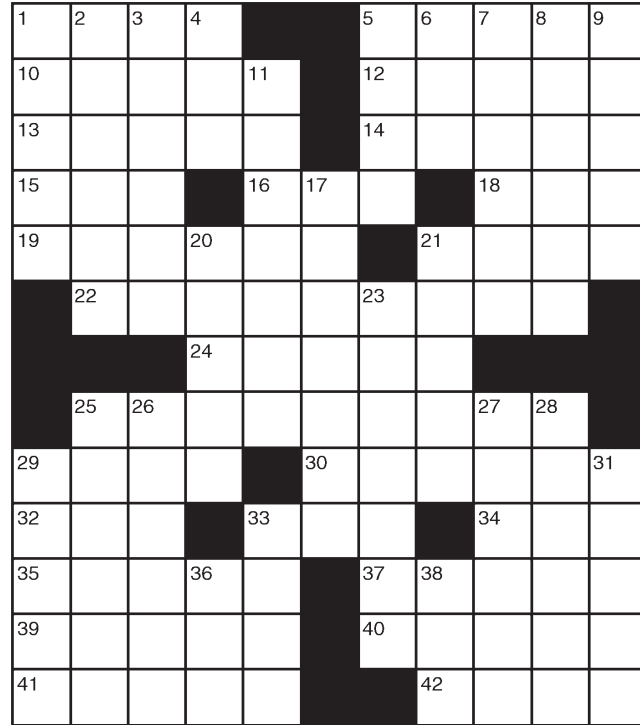
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FICTITIOUS BUSINESS NAMES STATEMENT FILE NO. 05 2546753 FIRST FILING. The following person(s) is (are) doing business as Universal Home Supply, 15018 Sylvanwood Ave. Norwalk, CA 90650. The full name of registrant(s) is/are : Alexander Carlos, 15018 Sylvanwood Ave, Norwalk, CA 90650 This Business is being conducted by, an individual. Signed: Registrant has not yet begun to transact business under the fictitious name or names listed herein. /s/: Alexander Carlos
This statement was filed with the County Clerk of LOS ANGELES County on 10/21/05. NOTICE: THIS FICTITIOUS BUSINESS NAME STATEMENT EXPIRES FIVE YEARS FROM THE DATE IT WAS FILED IN THE OFFICE OF THE COUNTY CLERK. A NEW FICTITIOUS BUSINESS NAME STATEMENT MUST BE FILED PRIOR TO THAT DATE. The filing of this statement does not of itself authorize the use in this state of a fictitious business name statement in violation of the rights of another under federal, state, or common law (see Section 14111et seq, Business and Professions Code). SANTA MONICA DAILY PRESS to publish 11/19/2005, 11/26/2005, 12/3/2005, 12/10/2005

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