

Santa Monica Daily Press

A newspaper with issues

LOTTO

FANTASY 5

19, 27, 7, 29, 33

DAILY 3

Afternoon picks: 1, 6, 1

Evening picks: 6, 3, 0

DAILY DERBY

1st Place: 1, Gold Rush

2nd Place: 11, Money Bags

3rd Place: 3, Hot Shot

Race Time: 1:47.38



NEWS OF THE WEIRD

by Chuck Shepard

Dutch artist Iepe created the sport of chess boxing, which began in earnest in Amsterdam in November with several matches of six four-minute chess rounds alternating with five two-minute boxing rounds, with victory coming by knockout, checkmate or, if the match goes the distance, judges' scoring of rounds. Both the Dutch Chess Federation (KNSB) and the Dutch Boxing Federation (NBB) have endorsed the sport, and cards of matches have been scheduled for Berlin and Moscow.

QUOTE OF THE DAY

"May all your troubles last as long as your New Year's resolution."

— Joey Adams

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The year 2003: Tragic, historic and tumultuous

THE YEAR IN REVIEW

By Daily Press staff

The happenings of 2003 were of tragic proportions.

In a town that usually gains notoriety for its progressive and political agendas, this summer it became notorious for one of the worst accidents on record — known by most simply as the "Farmers' Market Tragedy."

Another national headline earlier in the year was just as bleak — a missing person's case that turned into a widely publicized murder. And as those two stories were tragic, the governor's recall race — and the sub-

sequent win by local businessman and actor Arnold Schwarzenegger — was just as historic. So was a multi-million dollar settlement between City Hall and oil companies that admitted they contaminated Santa Monica's drinking water.

Santa Monica struggled with a faltering economy — financial cuts were made at every turn in City Hall, the local school district, the community college and hundreds of local businesses.

And although crime in Santa Monica was down, shots were fired too often in the eastside Pico neighborhood, which resulted in the city's only homicide this year. Police responded by instituting a neighborhood-centered policing approach in a hope to end the ongoing violence.

As tumultuous as it was, Santa Monica pulled together and showed the nation what it means to be a strong community.

The Santa Monica Daily Press will revisit the top 10 news stories of the year over the next two days. Today's issue highlights the top five news stories. In Thursday's issue, look for a list of the No. 5 through No. 10 news stories of 2003.

■ No. 1: Summertime tragedy strikes

What started out as a beautiful, sunny summer day suddenly became one of the darkest in the city's history. It was on July 16 that then-86-year-old Russell Weller careened through a busy Farmers' Market in downtown Santa Monica in his car, killing 10 people and injuring 63 more.

See REVIEW, page 10



File photo

In the aftermath of the Farmers' Market Tragedy, 10 people were dead and another 63 injured.

Forecast unfulfilled



John Wood/Daily Press

The skies were sunny Tuesday afternoon over the Wilshire Boulevard archway that marks the eastern border of Santa Monica. Meteorologists had predicted a heavy downpour, but the weather was dry — though mostly gray — throughout the day.

Cops warn of dangers of random gunfire

By staff and wire reports

With the approach of New Year's Eve, the Santa Monica Police Department, issuing the reminder that what goes up must come down, is urging people not to fire weapons into the air.

The ritual of shooting firearms on New Year's Eve might have started in Mexico, but it has moved into the Los Angeles area in the last decade, as well as across the country.

Dozens of people die each year from stray bullets, and authorities this week warned against firing guns into the air. They said such acts would be prosecuted to the fullest extent of the law.

Stray bullets kill and injure innocent people each year. Discharging a firearm into the air is a felony and

punishable by one year in state prison. If someone dies as a result of the bullet, the shooter will be charged with murder.

Researchers report that a bullet fired into the air can climb two miles into the air and remain in flight more than a minute. As it falls, the bullet reaches a velocity of 300 to 700 feet per second. A velocity of only 200 feet per second is sufficient to penetrate the human skull.

"That bullet can literally travel for blocks," said SMPD Lt. Frank Fabrega. "In all honesty, they travel faster when they are coming down. The Santa Monica Police Department will not tolerate anyone discharging a firearm within the city."

That was the case last summer

See GUNFIRE, page 5

Kobe Bryant's court case chosen story of 2003

BY TIM DAHLBERG

AP Sports Writer

The young hotel worker's accusation was shocking enough: Thrilled by a chance encounter with a celebrity, she went to his room only to be forced over a chair and sexually assaulted.

More startling was the name of the accused: Kobe Bryant.

Exactly what happened behind a locked door at a Colorado resort June 30 probably will be up to a jury to decide next year. But it didn't take long for the accusations to hurt the reputations of Bryant and his accuser.

Reporters and Bryant's supporters and bashers flocked to the small mountain town of Eagle, Colo., over the next few months for a series of court appearances that brought out graphic details of the 19-year-old woman's charges along with revelations about her past.

See KOBE, page 5

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★★-So-so ★-Difficult

ARIES (March 21-April 19)

★★★★ Pressure builds where you might least anticipate it. Understand more of what is going on with your family. Someone might feel as if he or she must give a performance. Give this person permission to just be him- or herself. Tonight: Let your hair down as 2004 begins.

TAURUS (April 20-May 20)

★★★★ Take your time right now, as today not only represents a slow buildup to New Year's, but also for you astrologically. You will re-energize nearly immediately once the event is over. You could be the only one left partying! Tonight: You might never go to sleep!

GEMINI (May 21-June 20)

★★★★ Stepping back and knowing when to do just that can and will ultimately make all the difference in what will happen. You also might be out there celebrating without having a specific plan. Make that OK with you. Tonight: You might crash sooner than you think.

CANCER (June 21-July 22)

★★★★ You must make an appearance whether you like it or not. Others have expectations that you frequently feel the need to fulfill. You might need to put the topping on some plans right now. Once you let go and begin celebrating, you're a force to be dealt with. Tonight: Be with those you love.

LEO (July 23-Aug. 22)

★★★★ Visualize the next year and what your expectations might be. As the buildup occurs, you might want to talk about your New Year's resolutions. Do something different and make unusual plans with those you love. Tonight: Leader of the gang.

VIRGO (Aug. 23-Sept. 22)

★★★★ Plan on a different approach. "Togetherness" is your theme for this holiday. Make calls that need to happen early. You might want to clear the decks in order to make the most of the moment later. Be open to change. Tonight: You could decide to have your own fireworks.

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LIBRA (Sept. 23-Oct. 22)

★★★★ Others come toward you. Realize what you would like to happen, and make plans accordingly. You could be all smiles before you know it. Timing might have everything to do with your choices. Tonight: Out and about.

SCORPIO (Oct. 23-Nov. 21)

★★★★ Pace yourself and get what you want done — whether you are having the party or not. Confusion might land right at your feet before you know it. Express your positive sense of humor in a manner that others can hear. Tonight: Let the holiday whirl around you.

SAGITTARIUS (Nov. 22-Dec. 21)

★★★★ You might be riding high on the last day of the year. You can make the impossible happen right now with all your high-voltage energy. Insecurity marks a partner who might need more of your time and attention. Tonight: Lead the gang into 2004.

CAPRICORN (Dec. 22-Jan. 19)

★★★★ Stay close to home this New Year's. You might like a closely knit party within the neighborhood or some other type of celebration. Others might be up for just cleaning drawers and getting a brand-new start to 2004. Tonight: Whatever feels comfortable.

AQUARIUS (Jan. 20-Feb. 18)

★★★★ Speak clearly and ask for what you want. Don't be insecure, as if what you are asking for could be too much to expect from someone. Your laughter delights those who are close to you. Talk resolutions. Tonight: Don't wander too far from home.

PISCES (Feb. 19-March 20)

★★★★ You might find that once more you are spending too much for a holiday or an event. You might consider letting others throw the party. The good news is that all the action could be calming down on some level. Tonight: Enjoy the person you are with.

Santa Monica Daily Press

Published Monday through Saturday

Phone: 310.458.PRESS(7737) • Fax: 310.576.9913

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LOCAL



COMMUNITY BRIEFS

Window decorator wins top prize

By Daily Press staff

A downtown merchant will head to the beach as a result of his decorative holiday flair.

Alan Bermejo, who created the "Tis the Season to be Reishi" for Ron Teegarden's Dragon Herbs at 315 Wilshire Blvd., has won a five-night stay in Cancun.

This year merchants in the downtown business district got into the spirit of the season with the first annual "Winterlit Holiday Window Display Contest."

Eleven stores, ranging from restaurants to clothing, jewelry and photo shops, entered the contest. The winning display features reishi mushrooms formed into trees and decorated for the holiday season. It will be up for one more week.

"The Winterlit holiday window contest is another new tradition that will continue for years," said Marivi Valcourt, marketing manager for the Bayside District Corp., which manages downtown with City Hall. "The creativity and uniqueness of our merchants came through this year. I hope locals and visitors will come to see the windows."

Homeless help homeless

By Daily Press staff

More than 50 formerly homeless veterans are giving back to the community tonight by purchasing turkey dinners for the less fortunate who are in emergency shelter at the West Los Angeles Armory.

The veterans are graduates of New Directions, Inc., a drug and alcohol rehabilitation program located on the West LA Veteran Affairs campus. They contributed money to help provide food to homeless persons who are staying at the armory as part of the Los Angeles Homeless Services Authority's Winter Shelter Program. New Directions is subcontracted by LAHSA to operate the winter shelter program in West LA and Culver City armories.

The New Year's dinner for 140 people will be prepared by the New Directions' culinary arts department. The veterans also have purchased socks for the emergency shelter residents and will distribute sleeping bags donated by the U.S. Armed Forces.

During New Year's Eve, several veterans intend to spread the message of "No More Homelessness in 2004." They will encourage homeless people to change their lives by sharing their histories of despair, their recovery and their eventual return to work, permanent housing, self determination and dignity.

The West LA Armory is located at 1300 Federal Ave.

CORRECTION — In the Dec. 30 edition, a story about the Rose Bowl contained the wrong names of the teams playing. It is the University of Michigan versus the University of Southern California.

surf report

A mix of leftover W-WNW wind/ground swell hits us today. Most spots will be in the knee- waist-high range while the best WNW spots see some chest high+ sets as the tide drops. These waves will be winding down through the day so expect less consistent and smaller surf as get closer to sundown.

OUTLOOK: Thursday is looking very small. Most areas will have only minor leftovers from the local system. Expect most breaks to drop into the ankle-knee high range while the standout spots see some waist-high sets.

Write us at wood@smdp.com and tell us what the surf is doing today at your local break.

Today the water is:

58°

**Sunrise: 7:05 a.m.
Sunset: 5:01 p.m.**

	LOW TIDE				HIGH TIDE			
	Morning	Height	Evening	Height	Morning	Height	Evening	Height
SATURDAY	5:35	2.6	6:55	-0.4	12:59	4.0	(11:32)	5.5
SUNDAY	6:54	2.7	7:46	0.2	1:57	4.2	12:32	4.7
MONDAY	8:31	2.6	8:38	0.7	2:54	4.4	1:46	4.0
TUESDAY	10:08	2.1	9:30	1.2	3:46	4.6	3:19	3.4
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OPINION

LETTERS

Sick of Santa Monica politics

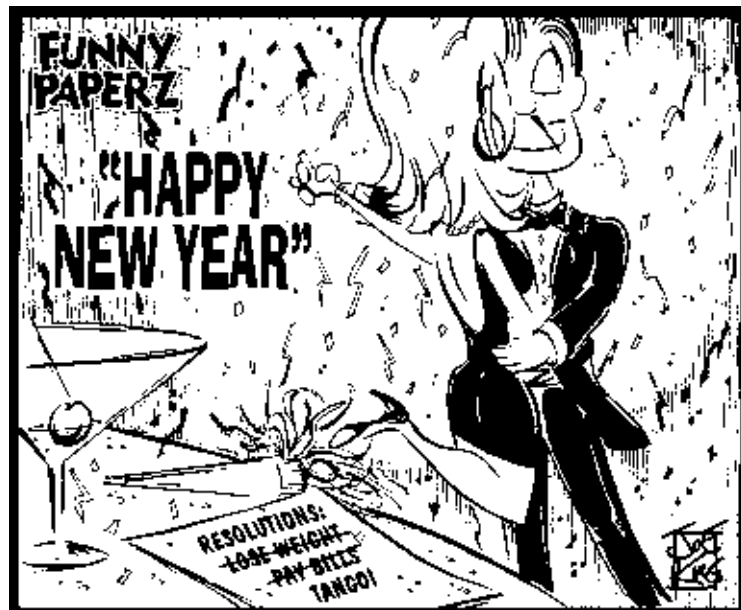
Editor:

I just finished reading your article about Santa Monica not getting any of the play from the Rose Bowl this year (SMDP, Dec. 30, page 1).

It's very interesting to see how our illustrious council members play politics with the reason why. Maybe they should start to realize Santa Monica no longer has a very good reputation. As a 52-year resident of this city, I have watched its decline from a very clean, welcoming city to one that is full of homeless people whom this city now caters to instead of really trying to clean it up. We have become a city of unfriendly merchants. We have become a city that taxes its citizens to death and justifies it by lame-brain silly explanations. All this City Council cares about is keeping their position secure, so they wheel their so-called power around on all of us that choose to live here.

Well, they have made their bed, and now they can lie in it. I don't feel one bit sorry for their crying about lost revenue and such. They had better stand up and smell the roses, and just maybe one day they will get their scent back. I care very much about where I live, but I am only one little cog in a wheel that needs several other cogs to complete that wheel. I would hope that there are several others out there who are willing to stand up to these power wheelers and let them know that we are as mad as hell and are now ready to do something about it.

Jim Azine
Santa Monica



*Redrawn by special request.

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A letter to Afghanistan: A different perspective

C. Bradley Thompson's "open letter to the people of Afghanistan" (SMDP, Dec. 25, page 4) is an arrogant and deeply flawed statement on U.S. history and the Constitution. Those now writing a new constitution in Afghanistan should ignore his advice and reject the model set forth by the Founding Fathers that Thompson elevates to heroic status. Space does not permit a critique of his entire commentary; therefore, I will only address his major assertions on the U.S. political system and the Constitution.

Thompson tells those in Afghanistan that they must "confront and overcome" their own history. This principle applies to the United States as well. When white European settlers invaded this land, there were hundreds of independent, self-governing Indian nations with their own languages, cultures and political practices. One, the League of the Iroquois in what is now the Northeast United States that embraced the Cayuga, Mohawk, Oneida, Onondaga, and Seneca nations, had a far more egalitarian political structure than that which emerged in the Constitution — especially when it came to gender relationships. In his "Red, Black and White," historian Gary Nash found that in the League "power was shared between the sexes and the European idea of male dominance and female subordination ... was conspicuously absent in Iroquois society." Women had important powerful and fundamental roles in governing the Iroquois and other Indian nations, in contrast to their total political absence in the U.S. Constitution that Thompson celebrates.

Thompson makes it appear that the Bill of Rights were an essential and important part of the genius of the Founding Fathers, but the truth is that

these important rights were opposed by the constitutional delegates. The first 10 amendments to the Constitution were added later by Congress when it responded to criticism from the public when the document was presented for ratification. If the Founding Fathers had their way, we would not have had a Bill of Rights in the Constitution.

In "A People's History of the United States," historian Howard Zinn asserts that the Constitution put in place by the Founding Fathers legitimized the inferior position of black people, excluded Indians, and established the supremacy

of the rich and powerful. Thompson and others would have us believe that this document "was a work of genius put together by wise, humane men who created a framework for democracy and equality," the mainstream view that most of us learned in schools. Historian Charles Beard's "An Economic Interpretation of the Constitution," however, reveals that the Founders — all white males — left out most of the population, including slaves, indentured servants, women, and men without property, when they created the document. Does Thompson want the new Afghan constitution to follow such a model of "democracy?"

Zinn believes that "when economic interest is seen behind the political clauses of the Constitution, then the document becomes not simply the work of wise men trying to establish a decent and orderly society, but the work of certain groups trying to maintain their privileges ..." The Constitution has lasted because it has

reflected the interests and privileges of the ruling class in U.S. history; progressive changes came about later as a result of popular struggles for democracy and freedom, and catastrophic events such as the Civil War that led to the Reconstruction amendments to the original document.

The Founding Fathers so enamored of democracy and freedom included a number of slave owners and other wealthy individuals who had no patience with the idea that the people could govern themselves without rule from above by an elite. It took political struggles to eliminate property restrictions against voting,

the above-mentioned Civil War carnage and Reconstruction amendments, labor-union agitation, feminist suffrage efforts, and human-rights activists in the south in the 1950s and 1960s to bring the about the "genius" of democracy that Thompson asserts emerged in 1789. All these progressive changes were opposed by the ruling class and its intellectual apologists, who have never been committed to "inalienable rights" for all.

Thompson's admiration for John Locke as a symbol of Western enlightenment thought and a model for the Founding Fathers is quite instructive. Locke wrote the Fundamental Constitutions for the Carolinas in the 1660s. Zinn points out that Locke "set up a feudal-type aristocracy, in which eight barons would own 40 percent of the colony's land, and only a baron could be governor." These barons included slave owners. This is the racist and real John Locke, not the idealized version that we

learned about in government and philosophy classes, the committed democrat Thompson would have us admire. Locke was a wealthy man who made his fortune in investments from the silk trade and slave trade, and he followed his class and racial self-interest.

Thompson would also have us believe that the Founding Fathers, who owned slaves and proclaimed that cruel institution's legitimacy, were going to lead us to the "moral foundations and the political institutions necessary to establish a free and just society." He also claims "through our revolutionary experience we learned that the protection of man's individual rights is the only legitimate function of government." Evidently that protection did not extend to those who were owned by others, women, the poor, and Indians whose lives and land were destroyed by the United States. Thompson celebrates a Constitution that legitimized genocide against America's first citizens and inhabitants, documented by hundreds of treaty violations and massacres, including the scorched earth campaign of General Sullivan against the Cayuga Nation in Upstate New York, my former home, under direct orders from General Washington.

If we examine the actual historical record, as opposed to the fairy tale that Thompson weaves, we must reject each and every assertion he arrogantly aims at the people of Afghanistan. They have suffered far too long to listen to the lies and myths that he parades forth.

(John Marciano, a resident of Santa Monica, is professor emeritus, State University of New York at Cortland, and former chair of the Ithaca, New York Human Rights Commission, 1991-96).

Guest
Commentary

By John Marciano

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

YOUR OPINION MATTERS!

Send your letters to Santa Monica Daily Press Attn. Editor:

1427 Third Street Promenade Suite 202 Santa Monica • 90401 • sack@smdp.com

LOCAL



Stray bullets make ringing in the new year dangerous

GUNFIRE, from page 1

when a bullet traveled more than seven blocks and struck a window at a pre-school next to Santa Monica College.

Shots were fired in the alley between 17th Street and 18th Street, on Delaware Avenue in July of 2002. Less than a minute later, while officers were in route, a call came from John Adams Child Development Center that a bullet hit an office window there. The bullet traveled at least seven blocks to the south — from Delaware Avenue to Pico Boulevard, over SMC's main campus and the pre-school's outside courtyard — before it was stopped by the office window.

Although law enforcement, in partnership with the community, local businesses and the media, has made an impact on reducing indiscriminate gunfire, the problem persists. Local law enforcement is once again asking the community to celebrate the new year safely and responsibly. Don't fire guns in the air. Remember, what goes up will come down and when a bullet comes down it is traveling at a fatal velocity.

If you see a person shoot a gun, report it immediately by calling 911 and give the dispatcher as much information as possible. If you only hear gunfire, call (310) 458-8491 immediately.

Any person who violates section 246.3 of the California Penal Code will have their firearm(s) confiscated and will be arrested for a felony crime. Shooters can and will be arrested and prosecuted for negligent discharge of a firearm, which is a felony and punishable by imprisonment in state prison. If arrested your bail will be \$25,000.

Law enforcement agencies across the country also are reaching out to residents through fliers and advertisements, warning people about the dangers of stray bullets.

"Rounds eventually will come down. And when they do come down, they're not partic-

ular about where they end up," said Deputy Dawn Barkman, a spokeswoman for the Pima County Sheriff's Department in Tucson.

In June 1999, 14-year-old Phoenix resident Shannon Smith was killed after being struck by a stray bullet while in her backyard.

The girl's death galvanized the community and resulted in statewide passage of "Shannon's Law," which made firing a weapon into the air a felony.

"Shannon was a beautiful young woman walking in the safety of her own backyard at 9 o'clock at night talking to a friend on the phone. She was killed by a bullet that had been fired over two miles away," said Phoenix Mayor Phil Gordon.

The girl died just two blocks away from Gordon's home. A Phoenix city councilman at the time, Gordon and Maricopa County Attorney Rick Romley were among those who urged passage of the law.

"Shannon's Law has made a difference. Last year alone, over 120 people in Maricopa County were convicted," Gordon said.

Passed in 2000, Shannon's Law increased the penalty for firing a gun within a municipality's boundaries from a misdemeanor to a felony. Conviction can carry a \$100,000 fine and six months in jail.

Romley said that from January through November of this year, 110 cases have been pursued under Shannon's Law.

"Of that, we have convicted 95 individuals, and the judges are also beginning to give some jail time with this," Romley said.

Romley said that in several cases, those convicted have been sentenced to between 30 and 90 days in jail along with probation.

And police are using different technology to help catch those who randomly fire weapons, whether or not someone is gravely injured.

Suburban Glendale is the only city in Arizona and one of just a few in the nation that uses remote-sensor technology market-

ed by Mountain View, Calif.-based ShotSpotter Inc., said Officer Matt Brown, a Glendale police spokesman.

Often, noise from gunfire carries, making it difficult for police to track down the location of the incident and those responsible, Brown said.

"The good thing about the ShotSpotter is that it can differentiate between loud noises. In one case, it will alert us to the sound of firecrackers or the backfire from a car. It's very accurate," Brown said.

Brown said that the technology alerts authorities to sectors where actual gunfire has occurred, allowing police to target an area and reach out more quickly to potential witnesses.

In the week before New Year's Eve, Glendale police visited 1,400 homes and distributed fliers in areas where there have

been reports of celebratory gunfire in the past, Brown said.

But Shannon's Law has not brought an end to those wounded by stray bullets.

Phoenix police and other leaders held a news conference Monday outside the home of a boy who was struck by a stray bullet as he slept in his bed on Dec. 13.

The boy, Ivan Ochoa, remains hospitalized but is expected to recover, Force said.

By publicizing the dangers of random gunfire, Romley said it's less likely that celebratory gunfire will happen.

But when it does, people are also more apt to report it and cooperate with police, "which is really the way we solve these cases."

"I may be prosecuting you for random gunfire. But on the other hand, I may be prosecuting you for murder," Romley said.

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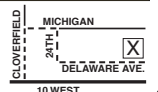
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Bryant not out of the woods

KOBE, from page 1

Even with a trial months away, it became the most-watched case against a celebrity sports figure since O.J. Simpson was charged with murder. It was chosen the story of the year by the newspaper and broadcast members of The Associated Press.

In the AP voting announced Monday, the Bryant saga received 30 first-place votes for 616 points, beating out Lance Armstrong's record-tying fifth straight Tour de France title (19 first-place votes, 540 points), the Florida Marlins' surprising World Series win (12 first-place votes, 536 points) and Annika Sorenstam becoming the first woman in 58 years to play on the PGA Tour (seven first-place votes, 473 points).

Ten points were awarded for first place, down to one point for a 10th-place vote.

Rounding out the top 10 were: Ohio State beating Miami in double overtime for the college football national championship; Sammy Sosa caught using a corked bat; steroid scandals; Tampa Bay's Super Bowl win over Oakland; Carmelo Anthony leading Syracuse to its first college basketball national title; and Ben Curtis capturing the British Open in his first appearance at a major.

Kobe Bryant isn't just any basketball player. He's an NBA superstar making millions a year on the court and just as much in endorsements. Advertisers saw him as the next Michael Jordan, and he enjoyed a pristine image as a likable player who was happily married and the father of a baby girl.

A 2002 poll rated him the third-best

product endorser in sports, behind Tiger Woods and Jordan.

All that changed overnight when Bryant was arrested and charged with sexually assaulting the hotel worker who checked him into the Lodge & Spa at Cordillera in the mountains outside Eagle.

The charges were so out of character with Bryant's public image that one noted television interviewer — and friend of Bryant's — immediately proclaimed on national TV that he would be "astounded" if the charge were true.

The accuser told police she checked in Bryant — who had gone to Colorado for arthroscopic surgery on his knee — and two bodyguards, then showed him to his room. Bryant, she said, told her to return in a few minutes and give him a tour of the resort. She did, and they later began kissing in his room.

The woman said she tried to leave, but Bryant pulled her dress up, forced her over a chair and had sex with her. Afterward, she was told to go clean up, she said, made to perform one final act, and ordered never to tell anyone about what happened.

Bryant held a tearful news conference in Los Angeles to deny the charge, while admitting he had consensual sex with the woman. He held hands with his wife Vanessa, who was given a new \$4 million diamond ring after his arrest.

"I'm a human being. I'm a man just like everybody else. I mourn. I cry. Just like everybody else," Bryant said. "And I sit here before you guys embarrassed and ashamed for committing adultery."

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The Los Angeles Business Journal calls JACK KYSER the "guru of the Los Angeles economy." As the senior vice president and chief economist at the LAEDC, Jack is responsible for interpreting and forecasting economic trends and analyzing the major industries in the Los Angeles five-county area (L.A., Orange, Riverside, San Bernardino and Ventura). Utilizing this information, he helps develop job retention and creation strategies for Los Angeles County. The LAEDC is a private, non-profit membership organization whose mission is leadership in the retention and creation of jobs and economic base in the Los Angeles area. Jack's analytical research work and insightful knowledge of the regional economy has helped elevate the LAEDC as the pre-eminent source of economic information and forecasts on Southern California. Jack's advice is frequently sought by business, government and the media.

Continental breakfast hosted by Blue Forest Bakery and Santa Monica Place.
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NATIONAL

'Split estate' starting conflicts between energy developers, landowners

(Editor's note: Soaring demand for natural gas and a Bush administration push to speed production are creating a new energy boom in the Rocky Mountain West — an area the industry sees as "America's Middle East." In the final installment of a five-part series, The Associated Press explores some of the new disputes cropping up between energy companies and landowners).

BY JUDITH KOHLER

Associated Press Writer

NEW CASTLE, Colo. — Scott Brynildson is sure he told the gas company guys just where he didn't want them to build before they started drilling for gas on his property.

"I went to Lake Powell for two weeks on vacation with my wife and came back and they had built the road exactly where I told them not to build it," said Brynildson, a business owner in western Colorado. "It's the most helpless I've felt in my life, other than in the (boxing) ring."

The fact that Brynildson and his wife, Linda, had little say over the decision by Encana Oil and Gas USA is at the heart of one of the fiercest fights over energy development in the West: the so-called "split estate," where landowners have surface rights and someone else — like an energy company — owns the rights to the underground minerals.

There is only anecdotal evidence, but landowners say the government's push to find more natural gas in the Rockies and elsewhere is leading to more conflicts. Companies that own or lease the minerals are entitled to develop them, and landowners say they have little leverage or protection.

In Brynildson's case, Encana tried for months to reach a solution and was set to build the road where he wanted when he left for vacation, said Doug Jones of the company's land department.

"He, in our opinion, did not negotiate with us in good faith," Jones said. He said Encana signed agreements with about 60 landowners in the area, but Brynildson was one of two holdouts. Brynildson said he has spent \$16,000 for lawyers and surveyors in dealing with the company.

Garland Anderson bought a home on Grass Mesa, just south of Rifle, not far from Brynildson's so he and his wife could watch the wildlife and not do lawn work in their retirement. "We love the sagebrush, and the deer like it," he said.

But the Andersons have seen fewer deer since gas drilling started in their subdivision. Then he learned a company plans to build a well pad on his 80 acres — and he doesn't own the mineral rights.

Anderson, who has worked in real estate, said he and other buyers were led to believe any drilling in the area was unlikely.

"I wouldn't buy there now and nobody else wants to, either," he said.

The separation of surface and mineral rights occurred across the West when the government retained the mineral rights to large swaths of land it manages. Many private landowners, particularly during the Depression, sold the rights to raise money.

Colorado law requires notifying property buyers if mineral rights aren't included.

State and federal government officials throughout the region also urge companies to try to negotiate agreements with surface owners and can require bonds to cover damages.

"We bend over backward to work with landowners and we also stay out of contentious areas," said Dave Cesark, environmental specialist for the Oklahoma-based Williams energy company, one of the biggest players in the Rockies.

**"I wouldn't buy there
now and nobody else
wants to, either."**

— GARLAND ANDERSON
Homeowner

But he said conflicts are cropping up in the Rockies as expanding gas exploration runs into a sprawling cities and towns.

"People are moving here, building froofy homes and there's a lot of development in an area that hasn't seen a lot of development," he said. "It's almost a land battle."

Steve Soyachak, who manages Williams' operations in northwest Colorado, said the company modifies wellheads to avoid disrupting farming operations. Structures are painted an earthy brown so they'll blend in.

The Bureau of Land Management office in Farmington, N.M., which oversees most of the 20,000 wells in the gas-rich San Juan Basin, has produced a video on landowners' concerns to show to industry employees.

In Wyoming, ranchers and state and industry representatives have drafted procedures for mediating disputes. The state has 40,300 wells, with thousands more planned.

Doug Dennison, the oil and gas auditor in Colorado's Garfield County, has proposed an advisory board to solve conflicts. He is already a liaison between residents and gas companies, fielding calls about speeding trucks, odors, noise from gas compressors and property damage.

In seven months in the job, Dennison hasn't run into any violent situations. "But I've been told that in the past, people have stood out on their property with guns in their hands," he said.

Landowners with mineral rights have their own complaints. Garfield County rancher Joan Savage sued to get the full royalty payments she was owed.

Western landowners are rallying behind a bill by Reps. Mark Udall, D-Colo., and Tom Udall, D-N.M., intended to give landowners more protection when their property is targeted for energy development.

There may be many people with stories of frustration and hopelessness, said Peggy Utesch of the Grand Valley Citizens Alliance, an environmental group in western Colorado.

"Letters to the editor will say people who live out here just need to buck up and do their share," said Utesch, a home-based media consultant in Silt. "I have to say to them, would you be willing to sacrifice your property, your livelihood, your health? We're being asked to sacrifice all three."



Entertainment

The best and the worst in film of 2003

The top 10 films of 2003

BY DAN DUNN

Special to the Daily Press

Legendary screen tough guy Dirty Harry famously quipped that opinions are like derrieres in that everyone has one. What separates professional pundits from casual critics, however, is that the former get paid to expose their observations in a public forum — no matter how posterior-esque those opinions might sometimes be. Over the past 12 months I've passed judgment on a great many motion pictures, and it's a safe bet that there were times along the way when Daily Press readers were certain my head was stuck somewhere in the vicinity of my derriere. But you gotta call 'em like you see 'em in this line of work, and that's precisely what I did. Though I didn't watch every film released this year — noteworthy omissions include "Mystic River," "28 Days Later" and "Swimming Pool" — I caught enough to know that 2003 was a pretty good year for cinema. The following films made the biggest impression on me:

1) "The Return Of The King"

The third installment in director Peter Jackson's epic trilogy is not only the best of the series, but hands-down my favorite movie of the year.

2) "In America"

The good, the bad and the ugly of this year's cinema

BY DAN DUNN

Special to the Daily Press

There are bad films, really bad films, and then there is "Chasing Papi," which tops my list of the cinematic slop of 2003. Though touted as a comedy about a three-timing Lothario (Eduardo Verastegui) who women inexplicably find irresistible, "Papi" is instead spectacularly unfunny and surely one of the most unnecessary movies ever made. Just when I thought I'd recovered from the trauma of seeing Antonio Sabato Jr. in "Code Name: Wolverine," along comes Verastegui who, to his credit, at least had the decency to be unconscious for half the film. Ah, but misery loves company, and "Papi" had plenty of it this year:

1) "Chasing Papi"

During a press screening in Los Angeles, I saw something I'd never seen before — a disgusted critic got up and walked out halfway through the film. And I've got to tell you, folks, every other person in the theater envied that critic.

2) "Gigli"

I was mindful of the bad buzz surrounding this movie prior to screening the film. Still I went in with an open mind and assumed it couldn't possibly be as

Jim Sheridan's tale of Irish immigrants who come to the United States seeking refuge from a tragic past is inescapably moving. "In America" features some of the year's best performances, courtesy of Paddy Considine, Samantha Morton and young sisters Sarah and Emma Bolger, making remarkable film debuts.

3) "School of Rock"

One of those singular films that combines mainstream appeal and indie credibility, "School of Rock" is a high-spirited triumph from director Richard Linklater and scribe Mike White. Combustible comic Jack Black is nothing short of brilliant as Dewey Finn, a down-and-out musician who takes a job as a substitute teacher, dispensing rock-and-roll "lessons" to a group of prematurely ripened grade schoolers.

4) "Thirteen"

First-time director Catherine Hardwicke's unflinching portrait of adolescence in this cold new millennium takes us to a place where girls play at being women, only the game is all too real and incomprehensibly dangerous. It's an emotionally charged onslaught of a film that leaves no injurious stone untossed until the glass house in which it all plays out comes crashing down.

5) "Finding Nemo"

Pixar delivers again. Albert Brooks and Ellen DeGeneres are wonderful in this instant animated classic.

6) "Shattered Glass"

Based on the true story of New Republic writer Stephen Glass' incredible fall from

bas as advertised. I was wrong. "Gigli" is that bad. Maybe worse.

3) "The Cat In The Hat"

The cinematic equivalent of a massive flea infestation. For the crime they committed against Dr. Seuss' compact classic, everyone associated with the film should be neutered without anesthesia.

4) "The Medallion"

Filmmaking at its reason-defying worst. Folks, "The Medallion" is a bad, bad, bad, bad, bad movie — an opinion I simply cannot underscore enough. But I laughed at it. I laughed a lot. Nervous, uncomfortable laughter at first. Then a series of "Can you believe they made this crap?" giggles. And finally, I roared near the end of the film after my date joked that the only thing missing from all the new, well-appointed multiplexes were barf bags for use in case of unexpected turbulence or "The Medallion."

5) "Basic"

If you thought 12th-grade calculus was hard, just try wrapping your head around this disjointed murder-mystery. This military flick starring John Travolta could be the most convoluted 95 minutes of head-scratching imbroglia ever committed to celluloid. This is a whodunnit that left audiences wondering whytheydiddit.

DISHONORABLE MENTION:

"Bulletproof Monk," "Dumb and Dumber: When Harry Met Lloyd," "Head of State," "Daredevil," "Dreamcatcher," "Tomb Raider: The Cradle of Life," and "Cradle 2 The Grave."

grace, writer-director Billy Ray has fashioned a compelling cautionary tale about the dangers inherent to a cult of personality and how the pressure to perform in the modern workplace can exact a catastrophic toll. Hayden Christensen and Peter Sarsgaard deliver award-caliber performances.

7) "Bad Santa"

Shocking in its irreverence, this film is populated with an assortment of lowlifes that could make the seediest of Washington lobbyists cringe. And I don't think I laughed harder all year.

8) "The Magdalene Sisters"

Based on actual events and set inside the forbidding walls of a Magdalene asylum in sexually repressed, 1960s Ireland, this is a film designed to leave audiences feeling emotionally devastated and angry.

9) "American Splendor"

Based on the cult-classic comic book series of the same name, "American Splendor" takes us inside the very real life of a curmudgeonly workaday anti-hero from Cleveland named Harvey Pekar. It's funny and sad and disheveled and, most of all, it's us. In his first go as a leading man, perennial wingman Paul Giamatti just flat-out nails

it, as he imbues the prickly and obsessive Harvey with a likeability that isn't readily apparent in the original article.

10) "Big Fish"

Director Tim Burton fuses his flair for the fantastic with a very real, very accessible story of an adult son's desire to reconnect with his estranged, dying father.

11) "Old School"

If being outrageous, jejune and utterly hilarious is wrong, then "Old School" just doesn't want to be right. This is a film so devoid of any profundity, it makes "Animal House" look like "Citizen Kane." Yet, like its universally loved, university-based, depth-deficient ancestor ("Animal House," not "Citizen Kane"), "Old School" scores high marks where it counts most in a comedy — laughter.

12) "Pirates of the Caribbean: The Curse of The Black Pearl"

Without a doubt the best Big Screen adaptation of a theme-park ride ever.

HONORABLE MENTION:

"The Barbarian Invasions," "Step Into Liquid," "Elf," "Buffalo Soldiers," and "Lost In Translation."

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Westside | Real Estate

Vintage homes aren't child friendly, but they can be



DAYS ON THE MARKET

By Jodi Summers

Child safety hazards are found in homes of any age, but additional concerns apply to vintage dwellings. As many homes in Santa Monica are 50 years old or older, they come with special issues regarding child safety. Here are some child-safety considerations for vintage residences:

1. Lead-based paint can be found in homes, fences and outdoor furniture constructed prior to 1978. In the United States, about 900,000 children 1 to 5 years old have a blood-lead level that can be cause for concern. Lead-based paint that is in good condition and is not peeling or chipping is generally not considered to be a hazard. Old lead paint that has been covered by subsequent applications of latex paint is much less accessible, but if small children teethe on windowsills, they can be exposed to lead.

Lead is more dangerous to children than adults because:

- Babies and young children might put their hands and other objects in their mouths. These objects might have lead dust on them.

- Children's growing bodies absorb more lead.

- Children's brains and nervous systems are more sensitive to the damaging effects of lead.

The National Lead Information Center, which is located online at <http://www.epa.gov/lead/leadinfo.htm>, offers information about lead hazards and their prevention.

2. Safety railings might have spaces wide enough for children to fit through. Check stairways, decks, lofts and other areas to make sure that the balusters, or rails, are no more than 3 1/2 inches apart, so children can't push their heads through. Requirements for newer construction specify smaller spaces to prevent children from getting stuck or falling. Railings can be replaced, but if this affects the architectural character of the property, try banister shields — piece of Plexiglas that close off the gaps between balusters. All

parents should think about moving items that can be climbed away from banisters, railings and half walls.

3. Underground electrical outlets are common in older homes. The most noticeable shortcoming with vintage electrical systems is the wall outlets, specifically the lack of grounding and the shortage of available receptacles. Underground outlets increase shock hazards and might expose electronic equipment to possible damage. If the outlets are the old two-prong type, the absence of grounding is visibly apparent. If your home has been upgraded to three-prong fixtures, be sure that grounding has been provided.

Another issue exists if there are an insufficient number of outlets installed. Parents might use extension cords, which can overload circuits and create fire hazards. Multiple outlet power strips might be a better solution.

Get covers for your electrical outlets that are regularly used. You might want to try sliding outlet plates, which replace the existing outlet plate and have a door that covers the outlet when it's not in use. For outlets that are rarely used, outlet plugs prevent access.

4. Tempered safety glass was not

required in old homes. This issue affects all large vertical-glass areas, including sliding glass doors, floor-level windows and tub and shower enclosures.

Making tempered safety glass involves a process that heats, then quickly cools the glass to harden it. The tempering process increases the strength of the glass to five to 10 times that of untempered glass. Tempered safety glass breaks differently than regular clear glass. When tempered glass is struck, it shatters into little pebble-like pieces, without sharp edges. Normal window panes and mirrors break into jagged pieces.

Upgrading to current standards is recommended for the safety of adults as well as children.

Child-safety vigilance is vitally important, regardless of the age of a home. Cabinets need childproof latches, stairways need gates, and direct access to pools and spas should be restricted. If your home is older, the laws during construction were more lax, which means parents need to consider additional safety precautions.

(For your real-estate needs, e-mail Jodi Summers at jodis@boardwalkrealty.com, or call (310) 309-4219.)

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12/22/2003	Lot Size: 5,306	Sold Price: \$787,000	Bath: 3	12/24/2003	HOD: \$138	Sold Price: \$340,000	Bath: 1	12/23/2003	HOD: \$600	Sold Price: \$930,000	Pool Bath: 1
SOLD	2307 ASHLAND AVE	SANTA MONICA	90405	SOLD	521 MONTANA AVE #108	SANTA MONICA	90403	SOLD	848 15TH ST #4	SANTA MONICA	90403
Date Sold	SqFt: 972	List Price: \$739,000	Bed: 2	Date Sold	SqFt: 1,334	List Price: \$549,000	Bed: 2	Date Sold	SqFt: 1,065	List Price: \$478,000	Bed: 2
12/24/2003	Lot Size: 6,995	Sold Price: \$727,000	Bath: 1	12/23/2003	HOD: \$251	Sold Price: \$571,000	Pool Bath: 1.75	12/23/2003	HOD: \$97	Sold Price: \$480,000	Bath: 2
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Date Sold	SqFt: N/A	List Price: \$575,000	Bed: 2	Date Sold	SqFt: 1,400	List Price: \$499,000	Bed: 2	Date Sold	SqFt: 4,724	List Price: \$1,199,500	#Units: 4
12/23/2003	HOD: \$250	Sold Price: \$582,000	Bath: 2.5	12/28/2003	HOD: \$204	Sold Price: \$456,000	Bath: 2	12/24/2003	Lot Size: 7,997	Sold Price: \$1,125,000	GRM: 13.40

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NATIONAL □ INTERNATIONAL

WORLD BRIEFLY

Aides still sifting through quake ruins

By The Associated Press

BAM, Iran — Aid workers sifting through the ruins of Iran's devastating earthquake said Tuesday their operation had shifted from searching for survivors to treating the injured and homeless — and burying the corpses still being pulled from the rubble.

The death toll from Friday's 6.6-magnitude quake that shook the ancient city of Bam rose to 28,000, according to Ted Peran, coordinator of U.N. relief operations. At least 10,000 people were believed injured.

"We have gone out of the rescue phase and entered the humanitarian relief phase of the operation," Peran said. "There's always hope of pulling more survivors out ... but the window of opportunity is closing rapidly."

Some international rescuers headed home, saying they were frustrated at their inability to save lives. There were fears the number of dead could rise as high as 40,000 after Bam on Monday passed the critical mark of 72 hours after the quake, the longest period people are expected to survive in rubble.

Meanwhile, new aid was arriving — including an American military plane carrying 80 personnel and medical supplies that landed Tuesday in Kerman, 120 miles to the northwest of Bam, said provincial government spokesman Asadollah Iranmanesh.

Bombing in Iraq kills one

By The Associated Press

BAGHDAD, Iraq — Rebels detonated a roadside bomb as a U.S. convoy drove by in central Baghdad

Tuesday morning, killing one Iraqi and wounding another, police said.

No U.S. troops were injured, said police Maj. Khatan Jabir.

The explosion cracked windows on the street lined with mom-and-pop shops selling vegetables and groceries. People nearby said the dead man worked in a nearby shop.

Meanwhile, the U.S. military said American soldiers killed three suspected members of an al-Qaida linked Islamic militant group during a firefight in the northern city of Mosul. Two U.S. soldiers were wounded, the military said Monday.

In his interrogation, Saddam Hussein has acknowledged sending \$40 billion abroad, a member of the Iraqi Governing Council said.

The Iraqi official said Saddam had provided the names of people who know where the money is.

The council is searching for the money deposited in Switzerland, Japan, Germany and other countries, council member Iyad Allawi told the London-based Arab newspapers Al-Hayat and Asharq al-Awsat.

NASA on comet's tail

By The Associated Press

PASADENA — A spacecraft is on track to catch a comet by its tail later this week, capturing hundreds of specks of dust from the shimmering cloud that envelops the dirty ball of ice and rock, according to NASA.

The Stardust spacecraft is expected to fly within 186 miles of comet Wild 2 on Friday, collecting samples and snapping photographs. At the time, the comet and probe will be 242 million miles from Earth.

During the flyby, Stardust should capture roughly 1,000 particles of dust ripped from Wild 2 (pronounced vilt-two) by streams of gases boiled from the comet's surface by the warming rays of the sun. Scientists are eager to study the dust since it represents pristine examples of the building blocks of our solar system, preserved for billions of years by the cold of space.

In 2006, Stardust will jettison the canister during a flyby of Earth. The canister and its extraterrestrial cargo should fall over Utah.

There, southwest of Salt Lake City, the National Aeronautics and Space Administration plans for a helicopter to pluck the parachuting package from the sky.

Dean raises most money

By The Associated Press

WASHINGTON — Howard Dean raised the most money of any Democratic presidential candidate in the final quarter of the year, but Wesley Clark was close behind and will be boosted by an infusion of millions of dollars in federal matching funds at the start of the new year.

Dean, the Democratic front-runner, will have raised more than \$14 million from October through December, pushing his yearly total to almost \$40 million. Campaign manager Joe Trippi called on donors to push the quarterly total to the \$14.8 million the campaign raised in the previous quarter, from July through September.

Clark, the retired Army general who entered the race in September, will have raised between \$10 million and \$12 million in the fourth quarter, for a total of almost \$15 million since becoming a candidate.

Clark will get an additional bump after the new year with an estimated \$3.7 million worth of federal matching money, while Dean has declined public money. Massachusetts Sen. John Kerry also has declined federal funds. The remaining six candidates will all receive federal matching funds after Jan. 1.

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YEAR IN REVIEW

Year in review: Top stories in Santa Monica of 2003

REVIEW, from page 1

The two-and-a-half block stretch looked like a war zone — debris strewn everywhere, bodies lying in the middle of the street, people screaming, emergency workers frantically responding and helicopters swooping onto Wilshire Boulevard to take the injured to area hospitals.

And as the dead were covered and the depth of the tragedy sunk in, the skies opened up and a rare summer

downpour added another layer of sorrow that seemed to magnify the pall of the afternoon. Within two hours, the clouds retreated, and the sun again emerged.

Weller apparently hit the gas pedal instead of the brake after he rear-ended a car at the intersection of Fourth Street and Arizona Avenue. It was an accident of unbelievable consequences. In the days and weeks following, Santa Monica pulled together as a community by holding a series of memorials, giving people an opportunity to grieve for the injured and dead. The local business community also pitched in and raised more than \$200,000 for victims and their families.

After a six-month investigation, the Santa Monica Police Department recommended in December that the elderly Santa Monica resident be charged with manslaughter. The Los Angeles District Attorney's Office is currently reviewing the case. Evidence shows that Weller was traveling at an unsafe speed, which was ruled the primary cause of the accident. Of the more than 200 witnesses, no one reported seeing Weller's car brake lights illuminate. His Buick Le Sabre finally stopped as a result of rolling friction and the objects trapped beneath it — including a body, the final fatality. There were more than 100 collisions during the incident.

Weller, reportedly in poor health, has remained secluded in his home north of Montana Avenue since the accident. The Department of Motor Vehicles suspended his driver's license, and the remaining years of his life are likely to be spent in turmoil as pending civil litigation and expected criminal court proceedings linger.

City Hall has also become a target in litigation, as the assets of Weller, a retired wholesale grocer, are likely to be easily exhausted.

the city and Lyondell, but it's expected that it will be sometime early next year.

Dozens of cities throughout the country are currently battling with oil companies because of MTBE contamination. Before Santa Monica's settlement, the largest pay out relating to MTBE was in Lake Tahoe for \$69 million.

It was discovered in 1996 that Santa Monica's water supply was contaminated by MTBE, a gasoline additive designed to boost fuel performance and reduce emissions. City officials were able to cut off the water supply before it reached residents, but seven of the wells had to be shut down. The oil companies have since then been buying imported water to supply about half of the 12 million-plus gallons of water used by residents and businesses every day. It costs oil companies about \$3 million each year to buy the water from the Metropolitan Water District.

■ No. 3: Santa Monica's only homicide

Santa Monica experienced only one homicide this year, down dramatically from last year, when there were seven. Authorities haven't charged anyone with the murder; however, police suspect Arthur Archuleta, 21, allegedly killed his neighbor, 19-year-old Jalonnie Carter.

Carter was shot in the back while he was walking in an alley east of 20th Street on Sept. 2. Police arrested



Jalonnie Carter

Archuleta for second-degree murder three days after the shooting. Nearly a week after his arrest, the Los Angeles District Attorney's Office decided not to file charges against Archuleta on the grounds that police hadn't gathered enough evidence. However, Archuleta remained in jail for a few more weeks on an unrelated parole violation. He was released within a month of his arrest and was living at his mother in Santa Monica.

But Archuleta was arrested again by Santa Monica Police on Nov. 22, after officers found a firearm in the car in which he was riding. Archuleta was charged with being an ex-felon in possession of a firearm and parole violation. SMPD is waiting for results to come back from a crime lab to determine if the firearm found in the car Archuleta was riding in is related to any other shootings in the Los Angeles or Santa Monica areas.

Archuleta had been free for only approximately two months before he became the focus of the investigation. Archuleta, who was first convicted in Marin County in 2002 for attempting to smuggle a controlled substance into a jail, was paroled from a minimum-security prison this past July.

And although Carter's death was the only homicide this year, his eastside neighborhood has had its share of crime. Throughout the year, incidents of drive-by shootings and stray bullets have been commonplace.

Police responded to close to a dozen shots-fired calls, most believed to be gang related. In some cases, people were struck by bullets, but no one was seriously injured.

On May 9, a stray bullet went through two walls and hit a dresser in a bedroom of a home in the 1800 block of 17th Street. The woman who lives there with her four children brought pictures to a community meeting to show how the violence has affected her and her family.

The violence continued to flare up in May and June when shots were fired in five separate incidents within a month in the Pico neighborhood. Based on its own investigation and information provided by parole and probation officers, SMPD conducted several searches within the neighborhood that resulted in the arrests of eight people for parole and probation violations. They were sent back into the prison system, and weapons were recovered in some of the searches.

Although it's unknown if any of the suspects were formally charged with the gunshots, they were taken out of the community and forced to answer to their parole and probation officers, as well as to the board of prison terms. It's a tactic that the SMPD believes is effective and despite criticism from some in the community who say it's unjust or unfair, police defend their policies.

Shortly after the shootings this summer, residents took to the streets and demanded peace. They also have held a series of community meetings to figure out how to work with City Hall officials and police to end the violence.

The SMPD continues to patrol the neighborhood, which has been plagued with gang activity and drug dealing for years, to deter more violence from occurring. SMPD Chief James T. Butts Jr. recently instituted a "Neighborhood

■ No. 2: The largest court settlement for the City of Santa Monica on record



File photo

Marsha Moutrie announced the multi-million dollar settlement between City Hall and three major oil companies in November.

This month marked the end of a seven-year legal battle between three giant oil companies and City Hall. Orange County Superior Court Judge Stephen J. Sunvold approved a \$300 million settlement between Shell Oil Company, ChevronTexaco and Exxon Mobil, all of which admitted to polluting the city's water supply. The settlement is valued at \$312.85 million, which includes a commitment to provide the city with a new water treatment facility, as well as \$92.5 million in cash.

A new treatment facility, the first of its kind, will be built specifically to clean up the city's water at the Charnock Well Field in West L.A., the city's main water source. The settlement ensures that the oil companies will pay for all costs to construct, operate and maintain the treatment plant, which officials expect will clean the city's water supply by 2008.

City Hall's lawsuit was levied against 18 oil companies and manufacturers in 2000. Since then, City Hall has negotiated more than \$18 million aside from the major settlement with the three companies.

The settlements include Union Oil Company (UNOCAL) for \$5 million and ConocoPhillips, on behalf of its subsidiary, Tosco, for \$6 million. City Hall previously settled with Atlantic Richfield (ARCO) for \$9.75 million, Ultramar for \$4.5 million and Conoco for \$4 million.

Only one major oil-industry defendant remains in the lawsuit — Lyondell Chemical Company, which is the successor to ARCO Chemical. Lyondell, along with the other companies, is a manufacturer of Methyl tertiary Butyl Ether, a gasoline additive that leaked into the city's groundwater in 1996 and forced several wells to be closed, according to city officials.

No date has been set yet by the court for the trial between

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YEAR IN REVIEW



REVIEW, from page 10

Centered Policing" program designed to allow high-ranking officers to work closely with community members.

■ No. 4: Hollywood homicide

When a Santa Monica woman disappeared in February, the media slowly began to pick up on the story. Kristi Johnson, a 21-year-old Santa Monica College student, had left her 29th Street apartment on Feb. 15. She said she was going to a mall to meet a man who claimed to be a photographer. The man wanted to take publicity shots for an upcoming James Bond film. Johnson never came home.

More than a week into the missing person's case, the national media picked up on the story, and Johnson's mother, Terry Wark, did countless interviews with the hope of finding her only daughter. The Today Show, Good Morning America, FOX News, and a host of other network and cable television programs showed Johnson's face across the country.

As Santa Monica Police detectives began to investigate Johnson's disappearance, they realized it would likely turn into a homicide case. The circumstances around her disappearance were an all-too-familiar ruse used by a man whom they describe as a known predator of young women. On March 3, Johnson was found dead in the Hollywood Hills, her hands bound and her body covered in a blue sleeping bag at the bottom of

a ravine.

Police picked up her accused killer, Victor Paleologus, just two days after he allegedly killed Johnson when he tried to allegedly steal a car from a BMW dealership in Beverly Hills. Paleologus, 41, is charged with capital murder in the killing of Johnson, as well as six counts relating to the Beverly Hills case including identity theft, filing a false financial statement, burglary, grand theft auto, forgery and receiving stolen property.

When a composite sketch was released during the search for Johnson, hundreds of calls came into the SMPD tipline, which led police to Paleologus. SMPD detectives identified Paleologus as the suspect in Johnson's disappearance based on the women's stories and gathered evidence linking him to the crime. Most of the women recognized Paleologus from the composite sketch, and others identified him from his picture.

Police testified against Paleologus during a preliminary trial in June that laid out evidence that the prosecution says links him to the events leading up to Johnson's disappearance. The evidence also establishes a pattern of Paleologus luring at least seven other women by posing as a publicity photographer for

a James Bond movie or as an industry executive. In most cases, Paleologus asked that the women show up to the photo shoots wearing provocative clothing including black high-heel stiletto pumps, a short black mini skirt and nylons. That clothing is consistent with what Johnson was wearing when

her body was found.

Paleologus, who had been released from state prison just three weeks before Johnson's disappearance, has been convicted of six felonies since 1998 ranging from grand theft to burglary to assault. Paleologus got three years probation after a jury deadlocked on charges against him in 1991 for attempted rape, assault and false imprisonment. He allegedly lured a woman into a hotel room after telling her she would meet famous people including Madonna at a party for record executives. Paleologus then allegedly tied the woman to a hotel bed and attempted to rape her, but she was able to escape.

Paleologus, who has retained a high-profile defense attorney, has pleaded not guilty to the charges. His trial is expected to begin next spring.

■ No. 5: Budget woes linger

The local school district, community college and City Hall grappled with a combined \$30 million shortfall in state funding.

For the Santa Monica-Malibu Unified School District, \$13.7 million was hanging in the balance. In order to keep the same amount of classes being offered, school supporters rolled up their sleeves and got their hands dirty.

They put a controversial parcel tax — expected to generate \$6.5 million a year for the next six years — on the ballot, and two-thirds of the community voted for it. Parents and students flooded City Hall and got local politicians to hand over \$2.25 million in extra funding. They also took a hard look at everything in the budget and trimmed wherever they could.

Santa Monica College felt the same pain. The board of trustees there cut about \$10 million from the college's \$208 million budget for this year.

When all the dust had settled, enrollment

was down from 31,000 to 25,000, classes were cut by 26 percent, five academic programs were pulled entirely, and hundreds of jobs for teachers, workers, administrators and students were gone.

The controversy surrounding the cuts, which some students and faculty said should have been dealt with differently, led to an overwhelming vote of no confidence in Dr. Piedad F. Robertson, SMC's president, by faculty and classified workers at the college. It also led to a handful of campus protests.

For City Hall, which faced a \$16.1 million deficit, this year's shortfall in state funding meant laying off workers, trimming by 5 percent in every department — except police and fire — and putting many projects on hold indefinitely.

All told, \$5.4 million was cut from the general operating budget, \$1.6 million from the capital-improvements budget, \$5.2 million in extra revenue was raised and an additional \$3.9 million was saved through various policy changes.

All three entities — the school district, college and City Hall — are bracing for preliminary news from Sacramento early next year about how severe the shortfall in funding will be. The good news is local schools are among the best in the state and City Hall still enjoys a very strong bond rating.

In Thursday's edition:

- 6.) Taxpayers bail out schools
- 7.) Homeless get dose of tough love
- 8.) Fire chief retires
- 9.) A total recall
- 10.) Homeowners batted down in election

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SANTA MONICA SCENE °CALENDAR EDITION

WEDNESDAY, DECEMBER 31, 2003

EVENTS

Holiday Tea Party at the Miramar Hotel

Nothing creates holiday cheer like a warm cup of tea on a cold December day. That is why the Fairmont Miramar Hotel is hosting a holiday tea party this month to benefit the Make-A-Wish Foundation of Greater Los Angeles. For every tea menu served, \$3 will be donated to the foundation. Teas include Cascade Peppermint, The Royal Tea, The Traditional Tea and many others. The event will be held at the Koi Pond Lobby Lounge and Garden Terrace Monday through Friday from 2 p.m. to 5 p.m. by reservation only. No reservations are required on weekends when the event is held from 3 p.m. to 5 p.m. Reservations: (310) 319-3111. So far, the tea party has generated over \$300. 101 Wilshire Blvd.

New Year's Eve dinner at Le Merigot Beach Hotel and Spa

The Merigot Beach Hotel and Spa will host a New Year's Eve dinner with food from Cezanne Restaurant and live entertainment from 8 p.m. until 12:30 a.m. There will be two dinner seatings, one at 6 p.m. and one at 9 p.m. The dinner costs \$100 per person. For more information, call the hotel at (310) 395-9700. 1740 Ocean Ave.

CULTURE

Puppetolio!

Watch a puppet show at the Santa Monica Puppet and Magic Center. This is a great place to take the kids and to unwind after a long day. Tuesday and Wednesday at 1

p.m. 1255 2nd St., (310) 656-0483

The annual New Year's Eve Revue

The Santa Monica Playhouse presents an annual, one-time-only New Year's Eve Revue featuring songs, dances, comedy and other shenanigans from the best of the playhouse's productions. The performance will include Actors' Repertory Theatre artists and will feature cameo appearances from artists throughout the nation. Complimentary buffet supper, champagne, favors, and hats will be included with ticket purchases for either of the two shows — 6:30 p.m., \$40 and 9 p.m., \$50. Discounts are available for students, teachers, seniors, military personnel and groups of 16 or more. Reservations are mandatory and can be made by calling (310) 394-9779, ext. 1. 1211 Fourth Street

Tel: 310-394-9779

Snowwhite

The Santa Monica Playhouse presents the musical, Snowwhite, based on the classic European fairytale. Written and directed by Chris DeCarlo & Evelyn Rudie. There are Saturday and Sunday showings at 12:30 p.m. and 3 p.m. through Feb. 29. Tickets cost \$10 for kids 12 and under, and \$12 for adults. Santa Monica Playhouse, 1211 Fourth St.

ENTERTAINMENT

14 Below

An intimate and well-equipped club that is leading the Westside music scene with live performances seven nights a

week. Tonight 14 Below features the following: Where's Moo at 10 p.m. and Dread Zeppelin at 11 p.m. 1348 14th St. (310) 451-5040

Temple Bar

Here visitors can enjoy concoctions like White Chocolate Martinis, a Gingitini or a Razzmatazz. Those who are really hungry can enjoy a Chicken Tamale Plate with Fried Plantains. Temple Bar even offers vegetarian options like veggie eggrolls and burgers. But no good bar would be complete without live music. Tonight the Temple Bar features a New Year's Eve party with DJs Cheb I Sabbah and Jeremy Sole's Musacis, and special guest Satnam Ramgotra and Sundara Varna Belly Dancers. \$30 presale. Doors open at 9 p.m. 1026 Wilshire Blvd., (310) 393-6611

Zanzibar

The Zanzibar will host a New Year's Eve party with DJs Haul and Mason, and special guests. \$30 presale. Doors open at 9 p.m. For more information, visit www.zanzibarlive.com. 1301 Fifth Street

Harvelle's

Established in 1931, Harvelle's is the oldest blues club on the west side. This is the kind of blues joint you'd expect to find in a dark Chicago alley; yet even if it's your first visit, it feels familiar. Tonight Harvelle's will host a New Year's Eve party with Evidence Recording artist Guitar Shorty. Call club for advance ticket sales. 1432 4th St. (310) 395-1676

MOVIE °GUIDE

AMC SANTA MONICA 7

1310 Third Street Promenade

Bad Santa — 11:50 a.m., 2:15, 5:10, 7:45, 10:25 p.m.

Calendar Girls — 10:45 a.m., 1:40, 4:35, 7:30, 10:20 p.m.

Elf PG — 11:10 a.m., 1:30, 4:15, 7:20, 9:55 p.m.

The Lord of the Rings: The Return of the King — 10:30 a.m., 1, 2:45, 6:10, 7, 10:35, 11:15 p.m.

Mona Lisa Smile — 11 a.m., 12:40, 2, 3:55, 5, 7:10, 8, 10:05, 10:50 p.m.

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The Triplets of Belleville — 12:15, 2:30, 4:45, 7, 9:20 p.m.

The Cooler — 12, 2:30, 5, 7:30, 10 p.m.

Girl With a Pearl Earring — 12, 2:25, 4:50, 7:20, 9:50 p.m.

In America — 12:15, 2:45, 5:15, 7:45, 10:15 p.m.

LANDMARK NU-WILSHIRE

1314 Wilshire Blvd

21 Grams R — 1:15, 4:45, 7:15 p.m.

Big Fish — 1, 4, 7 p.m.

LOEWS CINEPLEX BROADWAY CINEMAS

1441 Third Street Promenade

Love Actually — 6:15, 11:30 p.m.

Paycheck — 11 a.m., 2, 4:45, 7:30, 10:20 p.m.

Return to Never Land — 11:15 a.m., 1:50, 4:35, 7:20, 10:10 p.m.

Something's Gotta Give — 12:30, 2:45, 3:45, 7, 9:15, 10 p.m.

MANN CRITERION 6 THEATERS

1313 Third Street Promenade

Call theater for showtimes.

Cold Mountain; Stuck on You, The Last Samurai, Mater and Commander: The Far Side of the World; Mystic River

If you know of an upcoming event which may be included in the calendar please send the information to calendar@smdp.com or fax it to (310) 576 9913



PEOPLE IN THE NEWS

George Steinbrenner laughs off weekend collapse

By The Associated Press

■ **TAMPA, Fla.** — George Steinbrenner was back at home Monday recovering from a fainting spell, feeling well enough to crack jokes about it.

"I really didn't faint. I was practicing my slide into second base," the New York Yankees' owner said in a statement.

Steinbrenner, 73, collapsed Saturday at a church service in Sarasota for football great Otto Graham. The Hall of Fame quarterback, a longtime friend, died Dec. 17 at age 82.

Steinbrenner was taken to Sarasota Memorial Hospital and released Sunday. He was picked up by family members, hospital spokeswoman Lyn Cassan said.

Dr. Andrew G. Boyer, Steinbrenner's personal physician, called Steinbrenner's health "excellent" and said the owner probably passed out because of the stress of being at a memorial service for a friend.

■ **KNOXVILLE, Tenn.** — The Southeastern Film Critics Association has named "The Lord of the Rings: The Return of the King" the best film of 2003 and its director, Peter Jackson, has received honors as best director.

"City of God," from Brazil, was chosen best foreign language film in the association's 12th annual awards, announced Dec. 22.

Best actor honors went to Bill Murray for "Lost in Translation," which also won best original screenplay for director Sofia Coppola. Naomi Watts was named best actress for "21 Grams."

Tim Robbins was voted best supporting actor for "Mystic River," which earned best adapted screenplay for Brian Helgeland, working from Dennis Lehane's novel. Renee Zellweger won best supporting actress for "Cold Mountain."

Andrew Jarecki's "Capturing the Friedmans" was named best documentary.

The group's top 10: "The Lord of the Rings: The

Return of the King," "Mystic River," "Lost in Translation," "Cold Mountain," "American Splendor," "The Station Agent," "Finding Nemo," "Seabiscuit," "Master and Commander: The Far Side of the World" and "In America."

The Southeastern Film Critics Association is composed of print, broadcast and Internet film critics from nine states: Alabama, Arkansas, Florida, Georgia, Louisiana, North Carolina, South Carolina, Tennessee and Virginia.

■ **SAN DIEGO** — Washington State coach Bill Doba was given a prickly souvenir from his trip to the San Diego Zoo.

Free safety Erik Coleman gave his coach a quill that a porcupine had shed during the Cougars' field trip to the zoo Sunday.

Kicker Drew Dunning, linebacker Al Genatone, Coleman and defensive tackle Jeremy Williams joined Doba for a photo when zookeepers and photographers encouraged the players to "pet" the spiny animal in the children's zoo.

Doba flinched when a zookeeper brought out an African serval — a spotted wildcat about 2 feet tall — and the players were asked if they wanted to pet and feed it.

Doba gamely fed the cat a morsel of meat, looked at his watch and said, "Time to go."

Washington State faces Texas in the Holiday Bowl Tuesday night.

■ **ROME** — The House of Savoy has a new member. Italy's former royal family has announced the birth of a baby girl to Emmanuel Filiberto and his French actress-wife, Clotilde Courau.

Vittoria Cristina Adelaide Chiara Maria was born in Geneva on Sunday, and both baby and mother are in excellent health, said a statement Monday from the family.

Filiberto, who is the grandson of Italy's last king, Umberto II, married Courau on Sept. 25 in a Roman basilica.

The Rome wedding was made possible after Italy last year scrapped a constitutional ban on the presence of the royal family's male heirs in the country.

The ban was introduced after World War II to punish the House of Savoy for the support offered by King Victor Emmanuel III, Umberto II's father, to Fascist dictator Benito Mussolini.

■ **DURHAM, N.C.** — Tammy Faye Messner has three words in response to those who think ill of her — "not true" and "onward."

The former Tammy Faye Bakker knows many people believe she played a critical role in the financial scandal that sent her ex-husband, Jim Bakker, to prison in 1989. She knows her public persona — which includes heavy makeup and sometimes loopy behavior — has made her a walking punch line at times.

Messner doesn't care. She's remarried, moved to the Charlotte area and begun work on a Christian variety show that she hopes to syndicate.

She's also promoting a new self-help book, will appear on the WB reality show "The Surreal Life" (premiering Jan. 11) — and will host a drag bingo benefit in Durham Friday night to raise money for the Alliance of AIDS Services-Carolina.

"I've been around a lot of drag queens," Messner said. "I see myself a lot. And they do a better job of me than I do."

Messner says she tries not to judge others, believing she herself was condemned harshly and wrongly during Bakker's teleministry corruption scandal.

She says the truth wasn't told in court and that people took advantage of Bakker during that time. She declined to elaborate "because that's yesterday and today is today."

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