USD News Print Media Coverage

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College of Arts and Sciences
A $47-million Center for Science and Technology that will help provide the skilled work force San Diego needs for the industries of the future will open its doors a year from now at the University of San Diego.

Focusing on the interdisciplinary nature of modern science, the 150,000-square-foot center will unite the university’s departments of chemistry, biology, physics and marine and environmental sciences.

The center features technology such as a laser lab, a hydrodynamics lab, an electron microscopy suite and a nuclear-magnetic resonance spectroscopy facility. Two environmental rooms will permit controlled-temperature work. There are also aquariums, an astronomy deck, an aviary and a greenhouse. The facilities, combined with small classes and faculty interaction, will allow students to build proficiency in the sciences and do advanced research.

"The center’s mission is the training of future scientists and technologists, and the education of future citizens," said Curtis Loer, Fletcher Jones Associate Professor of Biology at USD.

Nearly one-third of USD’s current science graduates go on to work in emerging industries like biotechnology. The other two-thirds become teachers or go on to graduate school.

Continued from Page 3C

The center’s design includes a tribute to the interdisciplinary nature of science. An artistic rendering will recreate T.W. Englemann’s landmark 1883 experiment combining the biology of plants, the chemistry of photosynthesis and the physics of light to determine the colors of light most conducive to photosynthesis.

The center’s grounds will also serve as an educational resource. A number of themed gardens will illustrate important botanical concepts, and the plants, shrubs and trees included in the landscaping, many suggested by faculty, will provide a wide range of specimens right outside the classroom door. A geologic garden will provide local rock samples in the form of strategically placed boulders. The infusion of native landscaping will provide a natural observatory for animal and plant interactions.

USD broke ground in 2001 for the center on the southwest side of the campus. Carrier Johnson is the architect, and Rudolph and Sletten Inc. is the contractor.
San Diego Builds Training Ground for Scientists

By Coreen Petti

In a matter of months, Southern California will have a new, technologically sophisticated training ground for scientists—the University of San Diego’s Center for Science and Technology.

Scheduled to open in Spring 2003, the 150,000-square-foot Center will play a vital role in the health of the San Diego regional economy, which is increasingly reliant on a science-literate workforce by producing graduates with a hands-on understanding of fundamental scientific principles.

“We have alumni in every corner of the high-tech economy,” said USD President Alice B. Hayes. “In the next half-century, more than 50,000 students will use the Center and its resources. Local firms like Qualcomm and ISIS Pharmaceuticals have hired scores of our students in recent years. The Center will allow us to do even more to help provide the skilled personnel needed to turn basic research into commercial products.”

The Center for Science and Technology at USD will encompass the latest developments in education and technology, and is designed to prepare young men and women for roles in biotechnology, the medical professions, research and education. The leaders of San Diego’s high tech industries have praised the new Center as a much-needed complement to their corporations.

“The importance of the availability of skilled professionals to work in high technology industries cannot be overemphasized,” said William Owens, former president of Science Applications International Corporation. “The development of this science career ‘pipeline’ could not be more appropriate for our part of the country and for companies such as SAIC.”

The Center will contain more than 70 laboratories for chemistry, biology, marine science, environmental studies, biochemistry, physics and related sciences. Specialized labs will be built for electron microscopy, nuclear magnetic resonance imaging, laser experimentation and chemistry computer modeling. The labs are designed in modular format for maximum flexibility and range of use, and the state-of-the-art equipment will showcase emerging technology and allow students to build science proficiency and perform advanced research.

Also included in the facility are aquariums, an astronomy deck, a greenhouse, and conference areas to accommodate gatherings of science-related groups and organizations.

A slew of high-tech tools were purchased for the Science Center with a grant funded by NASA. The equipment includes a high-temperature ceramic superconductor, a geographic information system, a global positioning system, portable telescopes, a digital telescope camera, a wave tank, a weather station and an atomic absorption spectrometer for testing water samples.

The Center will continue USD’s traditional emphasis on collaborative, investigative learning and the team approach to research. A focus on strong written and oral communication skills will prepare students for the challenges of the workplace, and involvement with experimental design and data analysis in upper division labs, faculty research, and internships will promote the development of critical reasoning and problem-solving skills.

“The Center’s mission is the training of future scientists and technologists, and the education of future citizens,” said Curtis Loer, biology professor. “USD provides direct involvement of students in research at the lab bench and in the field—in many cases, that is the only way to learn how science is really done.”

Construction of the Center, estimated to cost $47 million, is being funded through a combination of government grants and gifts from corporations, private benefactors, foundations, USD alumni and friends. The building was designed by the architectural firm of Carrier Johnson and is being constructed by Rudolph and Sletten, the same company that built USD’s Joan B. Kroc Institute for Peace and Justice.

Author Coreen Petti, USD’s director of corporate relations and strategic partnerships, heads the corporate sponsorship campaign for the Center for Science and Technology. For information on sponsorship, call (619) 260-4690, e-mail cpetti@sandiego.edu. For more information on the Center for Science and Technology, please contact the University of San Diego’s Office of Development at (619) 260-4820.
‘Miserere’ loves company — Rouaults at USD

By Robert L. Bliss
ART CRITIC

Although one of the greats among 20th-century expressionists, Georges Rouault didn’t really follow any school or movement. He apprenticed as a stained-glass artist in his youth — and the deep, strong lines in his paintings look as if they could have been etched in glass.

This is as true of the French artist’s prints as his paintings. And now his “Miserere” — a landmark print series of the century just past — can be seen in its entirety through June 1 in the gallery of the Joan B. Kroc Institute for Peace and Justice on the University of San Diego campus. (There is no admission fee; call (619) 260-4659.)

Robert Hoehn, local businessman, collector and USD trustee, donated the series — along with Goya’s “Disasters of War” and Jacques Callot’s “Miseries of War” — to mark the opening of the Kroc Institute.

World War I is the historical backdrop for Rouault’s 58 pictures, which combine symbolic images of war, hunger and other miseries, along with others suggesting redemption. He created the series between 1922 and 1927, but it wasn’t published until 1948.

H.H. Arnason and Maria Prather, in their venerable “History of Modern Art,” write, “The prints are masterpieces of graphic compression.”

Farber and Francis

Barbara Walbridge and her late husband, Norton S. Walbridge, have been exceedingly generous to the San Diego Museum of Art. To the long list of works they have donated to its collection, we can tally 13 more.

They include a drawing by Modigliani from 1917 or 1918, “Portrait of Francois Bernouard,” and rare early abstraction by American painter Abraham Walkowitz “Landscape” (1911).

Two works from the gift remain on view through March 17 in “I-5 California: Four Decades of Contemporary Art.” One is by the local great Manny Farber, an oil-on-paper painting titled “Ad Sheet With Yellow Thayer Box” (1978). The other is a typically spare abstraction by Sam Francis from 1971, “Cut Throat” (1971).

Other announced additions include 45 wood engravings that Winslow Homer made for Harper’s Weekly between 1858 and 1874, as well as a “Blues Project” poster by Victor Moscoso that was seen in the recent “High Societies” exhibition.

Avenue for art

Leslie Ryan and Stephen Sears have hybrid careers. She is both landscape architect and artist. He is a commercial photographer as well as a photographic artist and painter. To these endeavors they’ve added the title gallery owners.
Hybrid, fittingly, is the name of their new gallery, which joins other art spaces on a short stretch of Ray Street in North Park, between University Avenue and North Park Way.

All spaces on the block will be open from 6 to 9 p.m. Saturday for “Ray at Night.” (This event is monthly, on each second Saturday.) Gallery 999, at 3822 Ray St., will exhibit the well-known local artist Rosemary Booth. Tres Gallery, now on Ray Street, is relocating to the corner space formerly occupied by North Park Studio; its new address will be 3803 North Park Way. Its debut show will feature paintings by Mike Fee and sculptures by Cara Moczygemba — artists who also happen to be husband and wife. Information: (619) 521-4803.

**Industrial strength**

While laboring at a maquiladora plant a few years ago, Tijuana-based artist Jaime Ruiz Otis started amassing material that made its way into his art. He’s been using discarded stuff ever since, from print-cartridge toner powder to castoff documents. His arresting images, seen recently in an exhibition at COVA’s downtown gallery, are on view in a solo exhibition, “Rastro,” at San Diego State University’s Calexico campus. The exhibition grew out of a year-long grant awarded to the artist by the government of Baja California. Ruiz Otis’ show will continue through March 15. Information: (760) 768-5536.

Robert L. Pincus can be reached by phone, (619) 293-1831; fax, (619) 293-2436; mail, P.O. Box 120191, San Diego, CA 92112-0191; e-mail, robert.pincus@uniontrib.com.
**BEST BET**

- **SUFFERING AND REDEMPTION:** George Rouault’s “Miserere” was a landmark suite of prints consisting of boldly defined and richly colored images. Made between 1914 and 1918, it mirrors the trauma of World War I with visions of suffering and anguish. But the 58 pictures—mixing aquatint, engraving and etching techniques—also include pictures that suggest tenderness and the possibility of redemption. Robert and Karen Hoehn gave this series by the major French artist to the University of San Diego to mark the recent opening of the Joan B. Kroc Institute for Peace and Justice. “Miserere” is on view in the institute’s gallery through June 1. Admission is free. Call (619) 260-4659.

- ROBERT PINCUS
The 58 prints comprising French artist George Rouault's "Miserere" are on exhibit now through June 1 at the University of San Diego's Joan B. Kroc Institute for Peace and Justice.
Globe plans summer of promise

Award winners set for 3 venues in park

By Anne Marie Welsh
Theater Critic

The Globe Theatres’ six-event summer season will bring Academy Award-winning screenwriter Nora Ephron and composer Marvin Hamlisch to the Balboa Park complex for a new Broadway-bound work — and outdoors, younger directors will stage a pair of the Bard’s more ambiguous happy endings.

Artistic director Jack O’Brien, who announced the Festival 2002 offerings, will direct “Imaginary Friends,” the Ephron-Hamlisch collaboration about writers Lillian Hellman and Mary McCarthy. Acclaimed Tony-winner Cherry Jones will play the witty social McCarthy in the play-with-music, which will open in New York after it closes here in November.

“It’s a very interesting story. (Hellman and McCarthy) had parallel careers, even slept with some of the same men,” Dashiell Hammett and Philip Rahv. They were aware of each other’s careers, but they only met twice. Then, on the Dick Cavett show, McCarthy said: “Everything Hellman writes is a lie, including ‘and’ and ‘the,’” O’Brien says.

“And Hellman sued her for every penny she had. It’s like an ice-cold Cosmopolitan we’ll put right in the middle of our stage.”

The new show will open previews Sept. 21 at the Old Globe Theatre. Here for a week after a successful London opening of “The Full Monty,” O’Brien said: “We’ve cornered the market on award-winning writers this season.” He was referring to the “incomparable” songwriting team of Hamlisch and lyricist Craig Carnelia, and to scheduled plays by masters Arthur Miller and Brian Friel.

Miller’s “All My Sons” will open the season in the Old Globe Theatre. The 1947 classic, Miller’s second play, will be directed by Richard Seer, who heads the Globe master-of-fine-arts-in-acting program at the University of San Diego.

Also returning to the Globe for “All My Sons” are Daniel J. Travanti, so moving as the piano professor in “Old Wicked Songs” two seasons back, and Reed Diamond, from the Globe staging of Richard Greenberg’s “Three Days of Rain.”

Director Seret Scott also returns to Balboa Park for her sixth assignment — an in-the-round staging of “Faith Healer,” a 1979 play by Friel, who has created an elegiac body of contemporary Irish plays.

The farcical neurotics of Christopher Durang will take over the Cassius Carter Centre Stage in September when Globe associate artist Brendon Fox stages the playwright’s 1981 bauble about a confused couple’s non-love affair, “Beyond Therapy.” Blubbing bisexual Bruce meets therapy-addicted Prudence in the show, which originally starred Sigourney Weaver.

Both of this year’s Shakespeareans have the aura of challenge about them — the early comedy “The Taming of the Shrew” because it can seem misogynistic, and the late romance “Pericles” because of its wandering story and fantastical plot.

John Rando, here for “A Moon for the Misbegotten” before he directed Neil Simon’s latest “The Dinner Party” on Broadway, will direct “Shrew” for a June opening, and newcomer Darko Tresnjak will direct “Pericles,” opening in August.

The Festival season:

Old Globe Theatre:
“Old Wicked Songs” by Dashiell Hammett, directed by Seret Scott. Previews July 14, opens July 20, closes Aug. 25.
“Beyond Therapy” by Christopher Durang, directed by Brendon Fox. Previews Sept. 8, opens Sept. 14, closes Oct. 20.

Cassius Carter Centre Stage:
“Faith Healer” by Brian Friel, directed by Seret Scott. Previews July 14, opens July 20, closes Aug. 25.
“Pericles, Prince of Tyre” by William Shakespeare, directed by John Rando. Previews June 23, opens June 29, closes Aug. 4.

Anne Marie Welsh can be reached by phone, (619) 293-1265; fax, (619) 293-2436; e-mail at anne-marie.welsh@uniontrib.com; and by mail, P.O. Box 120191, San Diego, CA 92112-0191.
Sharp script is the dessert in 'Dinner'

Play's truths appeal to more than marrieds, actor says

By Sandra Fischione Donovan
Times Staff

PITTSBURGH

Michael Oberlander auditioned for “Dinner With Friends” several times before the current production of Donald Margulies’ play, which opens tonight at the O’Reilly Theater, Pittsburgh.

In the 2000 Pulitzer Prize-winning drama that examines divorce and marriage, Oberlander was cast as still-married Gabe, who with wife Karen, played by Henny Russell, questions their marriage after their good friends file for divorce.

“When something is really close to you, you can get really mechanical and less connected,” said Oberlander, who can relate to the play’s issues because his parents divorced when he was 9.

“It's really amazing writing,” said Oberlander, who is the child of parents who have been married for more than 40 years. “To me, the most startling and wonderful thing is how people see themselves in it. It raises a lot of issues about relationships and aging and the cycles we go through. It’s made me think so much more.”

“The play’s extremely current,” Oberlander said. “It dresses a lot of issues and problems for a whole generation. When I saw the play, I thought it was spying on my life and my mind.”

While the Pittsburgh Public Theater production cast people in their 40s, “you don’t have to be married with children,” Oberlander said. “It’s very universal.”

Russell’s character “is very maternal, not only to her children, but to everyone else. She wants to fix everyone’s lives ... out of a genuine desire to make everyone happy.”

Unfortunately, what happens is, she’s not allowing what the other person wants to enter into her thinking. She doesn’t realize she’s not always right.”

Playing Gabe’s complex character, Oberlander said, is “like having a full-course meal every night. It’s like a violist being handed a great piece of music to play.”

Oberlander said he and Russell easily developed a “very good chemistry” and developed the little things that make two actors appear as a long-married couple: the little looks, touches and glances.

“We never sat down and planned it. We have found each other’s rhythms,” he said.

“We were so completely comfortable from day one,” Russell said. She attributed that to trust — “that they (her acting colleagues) are going to be there.”

The play is perfect for regional theaters, she said, where people are living out the problems it depicts. “New York is sort of its own little planet.”

Oberlander, who is making his first professional visit to Pittsburgh since completing his acting studies at Carnegie Mellon University, loves Pittsburgh.

If you’re going

■ What: “Dinner With Friends.”
■ When: Opens at 8 tonight; runs through April 13. Curtain times: 8 p.m. Tuesdays through Saturdays; 2 and 7 p.m. Sundays; 2 p.m. Saturday shows March 30, April 6 and 13.
■ Where: O’Reilly Theater, 621 Penn Ave., Pittsburgh.
■ Admission: $21-$43; students or anyone 26 or younger, $10 at the door on Fridays and Saturdays.
■ Information: (412) 316-1600 or www.ppt.org.

Russell also now lives in New York, having been transplanted from her native Chicago. She received her master of fine arts degree from the University of San Diego.

She said she was delighted to be in Pittsburgh, where she is acting for the first time, and “delighted to be at work. That really starts with Ted” Pappas, Pittsburgh Public Theater’s artistic director.

Both Russell and Oberlander gave plaudits to play director Michael Montel and the design team of set designer Bill Clarke and lighting designer Marilyn Rennagel. The set has realistic kitchens and living rooms on the thrust, or three-sided stage. So the actors actually cook, brew coffee, chop ingredients and do “everything you would do in life,” Oberlander said.

But the sets are surrounded by blue clouds and stars as if the action of the play is floating in the universe.

“It’s hyper-reality surrounded by surrealism,” Russell said.
A perfect panic

By Anne Hendershott

Sociologists use the term "moral panic" to describe a form of collective behavior characterized by widely circulating rumors which greatly exaggerate the threat posed by some newly identified form of deviance. In a moral panic, there is a heightened level of concern over the behavior of a certain group and a greater than normal fear about the consequences of this behavior for the rest of society.

The sentiment generated by the newly identified threat is referred to by sociologists as a "kind of fever" - characterized by heightened emotion, fear, dread, anxiety, hostility and a strong feeling of righteousness." The identified deviants become the personification of evil - or what sociologists call "folk devils" - because of the danger they are thought to pose.

The classic historical example of a moral panic occurred during the 17th century Salem witch trials in which some women were believed to possess such evil magical powers that they needed to be executed. While the moral panic of Salem's witches may be over, an equally pernicious panic continues to grow - that of the pedophile priest.

In many ways, the panics are similar as both involve sexual abuse allegations. The major difference, however, is that unlike the preposterous claims of ritual abuse by women in Massachusetts, sadly, there continue to be confirmed cases of sexual abuse by Catholic priests.

As the most recent case in the Boston Archdiocese reveals, there are indeed priests who have molested young boys. And, worse, there is evidence that in a misguided attempt to rehabilitate priests like Boston's serial abuser, the Catholic Church has participated in the panic by transferring priests from parish to treatment centers and then back again to parishes - where they have continued the cycle of abuse. A recent cover of Newsweek angrily asserts: "Shame, Sex, and the Catholic Church."

As a result, public perceptions of the pedophile priest and a complicit Catholic Church have promoted a moral panic. Indeed, the "sins of a few" have now been exaggerated and extended to what the media continue to call the "sins of the Fathers." And now, all priests are vulnerable to such charges - even when they are untrue.

The reality is that Catholic clergy are not necessarily represented in the sexual abuse phenomenon at a rate higher than or even equal to their numbers in the clerical profession as a whole. In 20 years of research, social scientist Philip Jenkins, author of "Pedophiles and Priests," found no evidence that Catholic or other celibate clergy are any more likely to be involved in misconduct or abuse than clergy of any other denomination.

Every denomination has had its share of abuse cases, and Jenkins points out that the worst have involved non-Catholics. "One Canadian Anglican diocese is currently on the verge of bankruptcy as a result of massive lawsuits caused by decades of systematic abuse, yet the Anglican church does not even demand celibacy of its clergy."

However, a dispassionate (and non-Catholic) researcher, Jenkins maintains that there are structural reasons that the Catholic
Church should have produced a disproportionately high level of nationally reported scandals. Unlike a scandal in a Protestant congregation, for instance, which would remain strictly localized because of the decentralized nature of that church, a scandal in a local Catholic church, because of the hierarchy in which it exists, immediately is viewed as a "Catholic" scandal.

However, more important than these structural reasons, there are powerful cultural reasons that have combined to promote the panic of the pedophile priest. For more than three decades, the liberal-activist wing of the church has been engaged in a battle with the Catholic hierarchy over issues including sexual morality, academic freedom, priestly celibacy, divorce and remarriage, reproductive freedom, and the role and the status of women.

Feminist dissidents within the church have had a powerful incentive to exaggerate the claims of abuse by priests. Following the recent disclosures in Boston, Lisa Sowle Cahill, professor of theology at Boston College, wrote that the "pedophile scandal exposes the weaknesses of a virtually all-male decision-making structure."

Others, like retired Boston College theologian Mary Daly, have attacked what they call a patriarchal "theology of abuse" within the Catholic Church. Such sentiments have spilled over into Daly's classroom where, for more than 30 years, she has refused to allow males to even enroll in her undergraduate courses.

Yet, some conservatives, too, have contributed to the crisis by pointing to the fact that nearly all of the cases of sexual abuse by priests have involved sexual liaisons between priests and very young men in their teens or early 20s. They identify such sexual relationships as evidence of a growing homosexual culture within the priesthood. And in some ways, they are correct.

Jenkins has pointed out that as the priest shortage became acute during the 1970s, the church became willing to accept homosexual clergy on the understanding that they remained strictly celibate on the model expected of their heterosexual counterparts. Obviously, some did not.

Despite the often used term "pedophile," the reality is that other than isolated cases like the Boston one, the overwhelming majority of cases involve gay priests who have been sexually active with young seminarians or 16- or 17-year-old boys. While such homosexual activities with minors are criminal offenses — and immoral — they are certainly not examples of pedophilia or child molestation.

Some have called for "solutions" which most often involve a major reform of aspects of traditional Catholicism — notably the elimination of priestly celibacy and ordination of women. A recent article in The Seattle Times carried the headline: "Pope Deplores Pedophilia, But Won't Lift Priests' Celibacy." Once seen as the foundation of spiritual commitment and a sacrifice that a young seminarian makes in his quest for holiness, celibacy is now viewed as a form of deviance in an age of sexual liberation — a "cause" of pedophilia.

Sadly, it is likely that the panic will continue — not because there will be more cases, rather, because there are so many with so much to gain by keeping the panic alive. One anti-Catholic legislator, arguing against the use of vouchers for school choice, alleged that the church would use the money to pay off the victims of pedophile priests.

For feminists lobbying for women's ordination, the image they have created of the pedophile priest points to the need for women to fill these roles. For traditionalists, still decrying the reforms of Vatican II, the pedophile panic proves that the reforms have gone too far. And, for gay rights activists intent on denouncing what they view as the church's hypocrisy on gay sexuality, creating a pedophile crisis offers a strong argument that the sexual repression of gay priests has led directly to the molestation of children.

The convergence of so many players with so much to gain has created what has become, like Sebastian Junger's storm — "The Perfect Panic."

Hendershott is a professor of Sociology at the University of San Diego. She is author of "The Politics of Deviance" published by Encounter Books.
By Lawrence M. Hinman

There has been no shortage of upsetting things about the Enron scandal: rank and file employees often losing their life savings while high level executives cashed in for millions and received additional millions in bonuses for the stock inflation that eventually brought Enron down; blatant conflicts of interest being quietly overlooked by almost everyone involved; executives who should have known better (and probably did know better) misleading the public through the eleventh hour; the accountants and auditors seeming to be more concerned with shredding documents than shedding light; members of the board of directors receiving lavish gifts from the executives they were charged with overseeing; millions being spent to discourage genuine oversight and meaningful government regulation; and the few warnings that came from within the organization being steadfastly ignored by those in charge.

The harm caused by the Enron/Andersen debacle remains to be calculated. Some of it will be tangible — the retirement funds lost by Enron employees, the lost jobs, the devalued stock. Other harms are harder to count, but no less important. Consider the impact on public trust.

Trust is like the glue that holds society together — without it, we crumble into tiny isolated pieces that collide randomly with one another. In a world without trust, individuals cannot depend on one another; as a result, individuals can only be out for themselves. Economists have shown that societies where trust is low have stunted economic growth because a robust economy demands that individuals be able to enter into cooperative economic relationships of trust with people who are strangers.

The Enron affair has damaged public trust both directly and indirectly. We have seen the way Enron and Andersen conducted themselves, and our trust in them has obviously been deeply shaken. Even more damaging, however, is the realization that these practices were not aberrations. We have come to realize the way in which executives are rewarded with seven-figure bonuses for inflating the stock value of their company. We have come to realize the Wall Street analysts are often singing the praises of stocks in which they have a strong financial interest, even — or perhaps especially — when those stocks are of questionable value. We have come to realize that auditors are often beholden to the companies they are auditing, depending on them for lucrative consulting fees. The stock market survives on trust, and if the public’s trust in the functioning of the market — stock prices, analysts’ reports, and independent audits — is too deeply eroded, then the market itself will fall.

This damage to public trust occurs, unfortunately, in a climate that has seen significant damage to trust in other areas as well. Trust in Catholic priests has certainly been shaken by the seemingly endless revelations of sexual abuse and the ways in which allegations in this area were handled for years. Trust in physicians, once the most revered nonreligious figure in our society, has declined significantly with the rise of managed care.

When trust disappears from our lives, those lives are diminished and, at best, we try to do everything ourselves, refusing to rely on those who should be more knowledgeable than us.

In the face of these dangers, there are two things we can do. One has to do with better rules, the other with better people.

First, we need better rules, not just for corporations, but for analysts and auditors as well. Congress is currently considering what can be done in this area, and we can certainly voice our support for tough and effective legislation that will reduce the chance of more disasters like Enron. Some of these proposals try to minimize the possibility of conflicts of interests, and these are certainly to be lauded. Other proposals are even more interesting, for they seek to hold executives more strictly accountable for their actions. One of these proposals would remove insurance coverage for legal costs for executive misconduct. Another would set a new standard for punishing executives who mislead shareholders; they need only be shown to be negligent, not reckless, to be held accountable for misleading their investors.

Strict rules are not confined to high level executives. Consider boards of di-
rectors, which bear the heavy responsibility of overseeing the company as a whole on behalf of the shareholders and ensuring that it remains committed to its fundamental goals and that it pursues those goals in responsible ways.

Conflicts of interest inevitably arise when corporations give gifts and perks to members of their board, as occurred in the Enron case. Allowing such practices underlines the independence of the board and makes it much more likely that board members will try to please company executives. In the case of Enron's board, one director had earned almost $500,000 in consulting fees from Enron, while another board member had consulting fees in excess of $70,000. Two other board members saw Enron provide generous support to the nonprofit organizations for which they worked. Most blatant, however, were the board salaries: over $300,000 in cash and stocks, far in excess of standard compensation to board members.

This created a powerful motive not to offend the hand that fed them. The final ingredient in this mixture has been the way in which board members are usually not held individually responsible for the failings of the company they oversee. Such a lack of accountability makes it more understandable that board members are often completely unaware of practices such as derivatives that may put their company at risk.

Similar issues emerged in regard to accounting firms.

Traditionally, accounting and auditing firms have had a clear responsibility to tell corporations — and the shareholders and, when appropriate, the public — the truth about themselves. Even in those cases where the truth is not welcome, the responsibility of such firms is to provide a clear and honest picture of the financial health of the company being studied. Yet what has become evident is that accounting firms are often financially dependent for lucrative consulting contracts to the very corporations they are charged with auditing. In the case of (Arthur) Andersen, their consulting fees exceeded the fees they received from Enron for their auditing services. Once again, there are strong financial disincentives to bite the hand that feeds them.

But better rules are not the concern of Congress alone. Numerous professional organizations, including accountants and auditors and analysts as well as investment businesses, have codes of professional ethics that purportedly govern the behavior of their members. These codes need to be strengthened, publicly proclaimed, and enforced by the professional organizations themselves.

Finally, corporations themselves need to strengthen and enforce their own codes of ethics. That means more than simply having a nice-sounding code of ethics posted on the corporate Web site. It means a commitment to enforcement, and that in turn means budgetary commitments for ethics training, corporate ethics officers, ombudsmen, and other things that can guarantee the effective implementation of a code of ethics. The Enron board waived its own code of ethics at one point to allow its own chief financial officer to manage the limited partnerships that would eventually be the undoing of Enron.

Second, we need better people, and we need to support those people when they step forward. The tragedy is that Sept. 11 was marked by countless heroes, individuals who risked (and often lost) their lives in efforts to save others. The Enron collapse had almost no heroes. The only person to stand out was Sherron Watkins, who was willing to sound the warning bells at the highest level of Enron. Despite the fact that her warnings went unheeded, she still emerges as a person of integrity in a corporate environment that actively discouraged a willingness to stand up for principles.

Yet one cannot help but wonder why there were not more individuals like Sherron Watkins, more people willing to stand up for what is right.

Part of the answer to that question is to be found in the formative years before individuals enter the corporate world. Good business practices stem from a combination of good rules and good people, and the process of formation of good people begins far earlier than the point at which they join the fast track of major corporations.

A crucial factor in preparing people to act well on the corporate level is academic integrity in colleges and universities and even earlier in high schools and elementary schools. Academic integrity is the bridge to professional integrity. It is a short step from cheating on tests to cheating on corporate balance sheets, and many of the ethical quandaries individuals encounter in corporate life are ones that they have already faced in their college careers. How they deal with those dilemmas in college sets the pattern for how they will deal with them later in life.

Another central factor is the importance of teaching ethics in order to prepare students for the moral challenges they will face in their professional lives after graduation. This not only includes dedicated courses in business ethics, which are now offered at most colleges and universities across the nation, but also ethics components integrated throughout the undergraduate curriculum.

The Ethics across the Curriculum movement, which has grown in popularity dramatically in the last ten years, first on the college level and now on the secondary school level, assists teachers in all disciplines in developing modules for their regular courses that address ethical problems within their profession, whether this be engineering, accounting, medicine, or almost any other profession. Students receive a clear message that ethics is not a peripheral concern limited to a particular course, but rather that ethics is a matter of deep and pervasive concern throughout their chosen profession.

This process of character formation needs to begin early in life, in schools, in families, in the media, and in civic organizations. Parents who give clear moral messages to their children need to have their messages reinforced by schools, by sports teams, by youth organizations, by movies and the popular press. It is a task to which all of us can contribute.
Candidates Dogged by Scandals Pull Through

Two District Attorneys Face Runoffs, One Vanquishes His Opponent by Large Margin

By David Houston,
Jason Armstrong
and Claude Walbert
Daily Journal Staff Writers

Three Southern California district attorneys went into Tuesday’s election battling accusations of misconduct, but came out with very different results.

In Orange County, District Attorney Tony Rackauckas won handily with 61.5 percent of the vote despite investigations into his office by the state attorney general and county grand jury and what some called an overly aggressive campaign by his underling,

Deputy District Attorney Wally Wade, Rackauckas’ challenger, “thought a series of false charges would substitute for a good campaign message, but his lies never stuck,” crowed the district attorney’s campaign chairman, Mike J. Schroeder.

San Diego District Attorney Paul Pfingst, whose office was battered by allegations of prosecutorial misconduct, was forced into a runoff after getting 41.2 percent of the vote, prompting opponents to predict his imminent demise.

“See Paul as somewhat like a fish that’s trying to shake off a hook that’s deeply embedded in his jaw, and he’s not going to get off the hook,” San Diego lawyer Mike Aguirre, who got 21 percent of the vote, said. Pfingst must face prosecutor-turned-Superior Court Judge Bonnie Dumanis, who took 23 percent of the vote, in the November election.

San Bernardino County District Attorney Dennis Stout, linked to widespread corruption by other Inland Empire officials, ended up in worse shape, finishing behind one of his challengers, Deputy District Attorney Mike Ramos. The pair will face off in November.

“Our citizens want a change in leadership,” Ramos predicted Wednesday.

Rackauckas, in Orange County, was accused of misuse of county facilities and campaign fundraising improprieties. Critics also accused him of granting favors to political cronies.

Late last year, just as the district attorney’s campaign was starting to gear up, it was disclosed that the state attorney general and the county grand jury were looking into those allegations.

Rackauckas overcame his obstacles by running a superb campaign focused on issues, observers said. It helped that the allegations against him never were fully articulated in a way that the public could understand,

said Alfred Balitzer, dean of faculty and a political science professor at Soka University in Aliso Viejo.

“How many people even knew that he was under investigation?” Balitzer asked.

“Besides, it is not uncommon in American politics to have a candidate who has been involved in political malfeasance or even illegal behavior to get re-elected to office,” Balitzer added. “There is nothing documented that suggests that the incumbent [Rackauckas] was involved in hanky-panky.”

“It’s very simple,” Schroeder, the district attorney’s campaign chairman, said. “Tony Rackauckas had a very good record. Youth gang crime was down 50 percent, gang murders [were] down 50 percent, child-support collection [was] up 60 percent, and he tripled the environmental protection [prosecution] budget. [Those are] the issues he ran on.”

Just days before the election, the Orange County Register, the largest newspaper in the county, ran an editorial that mocked Wade’s campaigning. His strategy, the newspaper stated, “is to lob an armload of stink bombs into the room of your opponent and then yell to high heavens about the stench.”

Those charges made by Wade were very effectively answered by the spokesman for the district attorney,” Balitzer said.

Rackauckas “benefited from what many people believed was Wade’s assumption that scandal alone would be enough to win a race,” Schroeder said.
"Unsubstantiated charges just don't get you very far, and it created something of a backlash."

Wade declined to comment Wednesday. Despite Rackauckas' problems, Wade faced an uphill battle from the start, some believed. He ran against his boss four years ago and lost 59 percent to 41 percent. In this year's race, most of the county's political establishment, including every Democratic politician, lined up behind Rackauckas.

"That's the power of incumbency," said Baltizer. "You can raise money, you can get your name out there and you can line up political support. And the district attorney used all of those things very effectively to his advantage."

Some said Pfingst, in San Diego, benefited from increased public exposure associated with the apprehension and charging of young Danielle van Dam's accused murderer. Pfingst was a fixture on local and national news programs, and was given high marks for the way he handled the situation.

While Pfingst insisted Wednesday that his press conference appearances had a negligible effect on voters, David Sullivan, an expert in media and politics at the University of San Diego, said the murder case "would have lent status to [Pfingst] — and name recognition."

Sullivan added, though, that Pfingst's high profile and incumbency should have gotten him more than 42 percent of the vote.

"That suggests he might be vulnerable," he said.

Pfingst ran a campaign focused on his office's 92 percent conviction rate and the county's falling crime rate. His opponents said he was dishonest and had no integrity.

The fact that nearly 60 percent of the voters backed someone else, "shows [that] the voters of San Diego County got the message that it's time for a change. And that's going to happen in November," said his run-off opponent, Dumanis, who left her job on the Superior Court bench to run for district attorney.

Pfingst has gotten his share of negative attention. Two years ago, one of his deputies found out that another deputy, Peter Longanbach, had encouraged a key witness in a murder trial to lie — an allegation supported by testimony in a subsequent evidentiary hearing.

In the course of investigating that murder case, defense attorneys came up with new allegations that Longanbach was using county secretaries and resources for private business. Longanbach eventually quit his job and pleaded guilty to felony grand theft charges.
Pieces of area's history on display

By Cheryl Walker
COMMUNITY NEWS WRITER

S RANCH — Although 4S Ranch is a community under development, there are signs that people and wildlife lived here thousands of years ago.

Some of the local history can be viewed in an exhibit in the development's Welcome Center on Dove Canyon Road. The display was created by Brian F. Smith and Associates Historical, Archaeological and Paleontological Consulting in Poway.

“We've been working on this area for several years,” Smith said. “What's really been interesting is, we've been able to study these different sites from different time periods.”

Smith, a San Diego native, earned bachelor's and master's degrees in both history and anthropology at the University of San Diego. He has been interested in archaeology since he was a young boy and has been in the business for 25 years.

“It began as a hobby,” he said. “Then I went to school and studied, and I was lucky I was able to turn it into a career.”

Smith's exhibit features a variety of finds dating from A.D. 1769 to 5,000 YBP (years before present).

“It's really exciting for residents to see the cultural history of the area,” he said. “We have some of the best imprints of leaves on the West Coast. It really gives an idea of the environment and how much different it was several million years ago.”

Items in the display include two types of petrified wood, fossilized plants, the tooth of an unidentified pri-

mate, the lower jaw of a small brontothere — a rhinoceros-type mammal — and crocodile teeth, giving indications reptiles lived in coastal swamps and marshes along the ocean.

The first inhabitants of the 4S Ranch area were dinosaurs and mammals. American Indians lived in the region about 8,000 years ago. In the display, there are replicas of arrowheads as well as baskets and jewelry that the American Indians used thousands of years ago. Before Spanish settlers came to the area, the Spanish missionaries grazed cattle on 4S Ranch more than 200 years ago.

Since 1938, the land has been owned by the Ralphs family of the Ralphs grocery chain. Albert and Ava Ralphs bought the 3,500-acre ranch as a place to vacation from their busy life in Los Angeles. Their sons, Albert Jr. and Richard, hunted, fished and rode horses there. When they grew up, they raised cattle, citrus and grain on the land.

In the 1980s, the ranch was passed on to a member of the third generation of the Ralphs family, Tom Ralphs. Growth was rampant in San Diego County, but it was important to the Ralphs family to preserve some of the land.

The first phase of the 4S Ranch development was a 634-acre business park, completed in 1988.

Now neighborhoods are emerging, with jogging and biking trails, and ball fields, which will be surrounded by 1,600 acres of protected, natural open space.

To see the archaeological display and read about local history, the public can visit the Welcome Center at 4S Ranch from 10 a.m. to 5 p.m. Thursday through Monday. For more information about 4S Ranch, visit the development's Web site at www.4sranch.com.

Do you have a story idea for 4S Ranch? Contact Shay McKinley by e-mail at shay.mckinley@uniontrib.com or phone (760) 752-6795. Information may also be sent by fax to (619) 260-5092. For special events, please alert us at least four weeks in advance. We work ahead!
Davis to lead new San Diego office of Allison & Partners

MarketInk
By Christine Tran

San Francisco PR and marketing agency Allison & Partners is opening a new office in San Diego, further strengthening its presence in California's major commerce centers. This announcement comes just six months after the company officially launched in the Bay area.

Said Scott Allison, president and CEO of the firm, "The opening of the San Diego office will allow us to extend our unique brand of high-level counsel and client services along the West Coast, a formula that has become ever more important as clients increasingly demand proven strategy and a real PR ROI."

Leading the new San Diego office will be managing director Jeff Davis, founder of Davis Communications, a San Francisco boutique agency that aided startup technology and Internet companies. Davis will merge his existing clients, which include Scale Eight, Lathian Systems and Fawcette Technical Publications' conference group, into Allison & Partners. Prior to founding his own agency, Davis held senior positions at AlexanderOgilvy in San Francisco and Edelman Public Relations in Dallas.

Allison & Partner's clients include Wells Fargo (NYSE: WFC), SD Card, Sherwood Partners, Visto Corp., eUniverse (Nasdaq: EUNI), Coherity, ZipRealty.com and ThinkBox. The firm specializes in fast-growth and emerging markets, including technology, health care, entertainment and consumer goods and services. Founded in 2001 through a purchase of Connors Communications' West Coast offices, Allison & Partners also holds offices in Los Angeles.

Full-service ad agency Castle Advertising has promoted Angie Dorrington and added two new staff members, Louisa Raney and Courtney Regan.

As director of marketing, Dorrington will be coordinating Castle's marketing programs and new business initiatives. Raney, a recent graduate of San Diego State University, was brought on board as a graphic designer and Regan, a University of San Diego graduate, as an account coordinator to assist with client services.

Founded in 1967, Castle Advertising is a full-service advertising and integrated communications agency located in the Gaslamp Quarter in downtown San Diego. The firm represents such local and national companies as the University of Phoenix, Aladdin Bail Bonds, Discover Infiniti, Olhausen Billiards and Woodside Biomedical.
Nearly fifty vie for police chief position

BY GARY S. HATRICK
Zephyrhills News Reporter

With two weeks left for resumes to come in, 48 hopefuls have expressed their interest in the chief position at the Zephyrhills Police Department.

Almost half of the applicants, 23 of them, are from Florida. The other 25 are spread out among 16 other states with New York, Georgia and Illinois running second in applicants with three each. Resumes have come to city hall from as far away as California and Washington State.

Of the Florida applicants, three are from Pasco County and one is from Zephyrhills. Eighteen have served in police chief positions before.

The advertised requirement for the position is a bachelor's degree in criminal justice, political science, public administration or a related field. In addition a minimum of five to seven years of progressively responsible management and/or supervisory experience as a chief, captain or other high command is preferred as well as strong operations planning, supervision, community policing, budgeting, labor relations and interpersonal skills.

Two weeks ago, The Zephyrhills News published the first 15 applicants and a sample of their qualifications.

The next 33 applicants follow in no particular order and with only pre-selected portions of their qualifications. All of their experience and possibly their most compelling experience is not necessarily reflected in the thumbnail sketches.

William L. Harvey of Savannah, Georgia, has 22 years of law enforcement experience with the Savannah Police Department and four years US Army military police. He has a bachelor's degree in criminology from St. Leo College in Savannah.

Cornelius A. Kelleher of New Port Richey, Florida, Kelleher has 23 years of law enforcement experience with the New York Police Department. He has bachelor's degree in criminal justice from Iona College.

Stone W. Tweten of Tampa, Tweten has more than 20 years of law enforcement experience including Naval military police. He has a bachelor's degree in criminal justice from Rollins College and a master's degree in history from the University of San Diego.

William A. Pease, Jr. of Fort Pierce, Florida, Pease has 31 years of law enforcement experience with the City of Rye, New York Police Department. He has a bachelor's degree in criminal justice and behavioral sciences from the New York Institute of technology and a master's degree in public administration from Pace University.

Hermon Davis of Tallahassee, Florida, Davis has 19 years of law enforcement experience mostly with the Okaloosa County Sheriff's Office. He has a bachelor's degree in criminal justice from Troy State University.

Neil Kearns of High Point North Carolina, Kearns has 28 years of law enforcement experience mostly with the High Point, Police Department. He has a bachelor's degree in public administration from Guilford College.
Two lectures about Indian art will be held at the Joan B. Kroc Institute for Peace and Justice, University of San Diego. Navajo artist Elmer Charles Yazzie will present "Indian Art and Spirituality," 11:30 a.m. and 7 p.m. today, and Martin Link will discuss "Not Trinkets: the Increasing Value of Indian Art," 1:30 and 7 p.m. tomorrow. Both programs will be in rooms 168/169. Information: (619) 260-4238.
San Diego Union Tribune

March 14, 2002

Athenaeum Music & Arts Library, 1008 Wall St., La Jolla. Sold-out; (619) 454-5872.

**Suzanne Shick** performs as part of the Free Pipe Organ Concerts, 7:30 p.m. tomorrow. Solana Beach Presbyterian Church, 120 Stevens Ave., Solana Beach. Free; (519) 466-1963.

**Mini-Concerts-at-Noon** Soprano Martha Renner presents a special art song recital, Noon Monday, Athenaeum Music & Arts Library, 1008 Wall St., La Jolla. Free; (619) 454-5872.


**The Threepenny Opera** is performed by undergraduate theater arts students, 8 p.m. Tuesday, Wednesday, March 21, March 22, March 28, Shiley Theatre, Camino Hall, University of San Diego, 5998 Alcala Park. $5 and $8; (619) 260-2280.

**MUZIK3 Festival All Xenakis Percussion Program** An all-percussion program devoted to the works of Iannis Xenakis and featuring the UCSD ensemble red fish, blue fish will be presented, 8 p.m. tomorrow, Sushi Performance & Visual Art, 220 Eleventh Ave., downtown. $15; (619) 235-8468.

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forms Bach's "Suite in E Flat for Solo Cello" and Two Fantasias by D. Gabrieli, 11:30 a.m. today. French Parlor, Founders Hall, University of San Diego, 5998 Alcala Park. Free; (619) 260-4600.

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School of Business Administration
Universities show creativity, flexibility with advanced business degree programs

By MICHELLE CADWELL BLACKSTON
San Diego Daily Transcript

A master's of business administration degree can be invaluable for professionals when jobs are few and layoffs abound. MBA programs at universities in San Diego are as diverse as their students. And when the economy softens, business people often go back to school for an advanced degree to set themselves apart.

In San Diego State University's executive MBA program, the average student is 39 years old with 15 years of work experience. Courses are tailored around work schedules and offered on Fridays and Saturdays.

National University teaches MBA courses at the offices of Sempra Energy (NYSE: SRE) and SDG&E so their employees don’t have to leave work.

At University of San Diego, students with full-time jobs can spend a week of their vacation to study abroad in Barcelona, Beijing, Munich, Prague and Buenos Aires.

The MBA program is designed for people with an undergraduate degree other than business, said Ken Marino, assistant dean/director of graduate programs at SDSU.

The largest concentration in terms of student enrollment is in information systems, he said.

See Universities on 5A
SDSU puts MBA students in a cohort group; they take core classes together and work on projects. It provides a support network for students with the initial adjustment of going back to school, Marino said.

Between 35 and 40 students are grouped for the first year for both full-time and part-time students.

"Study groups develop and teams develop. It offers support for people who miss class," he said. "The students seem to value that."

SDSU classes are offered both during the day and night. In the final semester, MBA students develop a business plan and market research project. The university solicits the projects from local companies through the Aztec Business Alliance, an outreach agency within the college of business, Marino said.

But all of the graduate programs are considered "impacted," he said, which means admission is selective and limited.

**Executives go back to school**

All four of the universities' MBA programs enlist support from surrounding businesses and community leaders through speaker's bureaus and internships.

The SDSU executive MBA program enrolls business leaders ranging from hospital chiefs of staff to biotech researchers to project managers. It's structured for the already experienced executive to move into senior management. Nearly 30 percent of executive MBA students have advanced degrees, said Candace Williams, director of executive management programs in the college of business administration.

"By the time they get to us, they know what they know and what they don't know," she said. "They've already decided they like management and they need an MBA to do that."

The two-year program costs about $30,000. The average student is 39 years old with 15 years full-time work experience and average 10 years of management.

"What happens in an executive program, somebody will say 'We tried that and it was total disaster,' and somebody else will say 'We tried it and it worked,'" Williams said. "Then what happens is the faculty facilitates discussion between the entities."

And with corporate governance issues and business ethics in the national spotlight, graduate business schools re-emphasize company values and integrity.

National University is considering adding business ethics to their curriculum. SDSU has a section of nine classes discussing the legal, ethical, political and economic environment.

"We also have values-centered education and an ethics component in all graduate classes," said Richards-Wilson of USD.

Applications increased for some MBA programs and decreased for the executive program. After the terrorist attacks of Sept. 11, companies re-assessed strategies and kept managers at work, Williams said.

Still, the additional credentials can open doors for those out of a job or wanting to advance, Marino said.

"They are less vulnerable and have more options," he said.

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Grad School Jitters

These are not normal times for the region's purveyors of advanced education

BY LIZ SWAIN

SAN DIEGO METROPOLITAN
SAN DIEGO, CA
MONTHLY 50,000
MARCH 2002

Bruce Williams, vice president and director of the University of Phoenix's San Diego campuses, says the university sees greater enrollment when the economy is in a recessionary state. (photo/ambert-photo.com)

When the economy slows, enrollment in graduate business programs increases. It's a trend administrators anticipate. But they couldn't predict how campuses would be affected by the Sept. 11 terrorist attacks.

In San Diego, a military town, enrollment dropped almost immediately as active duty and military reservists were deployed. New locations had to be found for National University classes taught on military bases. Civilian students, stunned by the attacks, took time off from school.

At Keller Graduate School, enrollment dropped by 50 percent for the sessions that began in October and November. “People were not ready to start with all these things going on,” says Thomas Horstmann, San Diego center director. Keller students knew that they could resume classes later: since the school schedules five 10-week sessions. Enrollment for the term that started Feb. 5 was “higher than expected,” says Horstmann. “Maybe people are more comfortable now.”

At the University of California, Irvine, a student interning in New York and a faculty member in Asia couldn’t get back to the campus after Sept. 11. A student in the university’s executive MBA program had to withdraw from classes. He worked for a major business reinsurer and was reassigned to New York City. “We gave him a refund and hope he’ll be back,” says JoAnne Starr, assistant dean of student services at UC Irvine.

While some campuses saw enrollment drop in September and October, applications are on the rise again for graduate business programs. However, the number of international students could drop this year if students have trouble obtaining visas. “We’re seeing a rise in domestic enrollment and a decline in international,” says Starr. “Diversity in the classroom is important (because) business is global.”

Starr is among the administrators familiar with the cyclical rise in enrollments during a slow economy. “When there’s an economic downturn, interest in and applications for full-time programs go up. You see it across the country,” she says. “People feel it’s time to step out of the marketplace. It usually happens during the first 12 to 18 months of an economic downturn.”

‘I believe folks want to show employers they’re bettering themselves.’

Sometimes circumstances like the loss of a job lead a person to enroll in a full-time MBA program. For those working full time, an economic downturn may bring worries about job cuts. These people may enroll in a part-time MBA program to demonstrate their value to a current or prospective employer, says Starr.

In addition, people enroll to take advantage of their employer's tuition reimbursement programs, says Maria Gier, Chapman University associate dean. “During a recession, we see an increase in enrollment. I believe folks want to show employers they’re bettering themselves.”

War and economic jitters aside, enrollment in MBA programs is on the rise across the nation. The Graduate Management Admission Council reports that 77 percent of part-time MBA programs reported increased enrollment during the 2000-2001 school year. Enrollment rose between 1 percent and 10 percent for 40 percent of institutions, reports the council, a not-for-profit association focused on creating access to graduate management and professional education. In addition, enrollment in executive MBA programs increased up to 10 percent at 33 percent of surveyed business schools. Survey results were based on the responses of 74 of the 138 business schools contacted last October.

A nationwide surge in graduate school enrollment was reported by The New York see GRAD SCHOOL. page 54
The economy, especially the failure of dot-com businesses, was cited as the reason for increases in enrollment in programs or graduate degrees in business, law, journalism and education.

At local campuses like the University of San Diego, enrollment reflects a balance created by the economy-generated increase and the drop in enrollment after Sept. 11.

Sailors and Marines in USD's graduate business program were deployed before the fall semester ended. "Professors made excellent accommodations for them to fax or e-mail to finish their courses," says Stephani Richards-Wilson, assistant director of the graduate business program. She also notes that students employed in the defense industry are working more hours and are taking leaves of absence from grad school.

National University saw enrollment drop during September and October for international students and those taking classes on military bases, says Sydney Blake, chair of the business and technology department. Instructors are again teaching on bases, however faculty must present passes and sign in. Instructors were not allowed to drive onto North Island Naval Air Station until February, says Blake. Before that,
The MBA Remains the Most Popular Degree

The master of business administration remains the top choice of working students locally and across the state seeking a graduate degree. "It has such a broad appeal and (can) apply to a number of different fields," says Bruce Williams, vice president and director of the University of Phoenix San Diego campuses.

Enrollment in National University MBA programs is up throughout California, says Sydney Blake, San Diego chair of the school's business and technology department. The value of the MBA is that employers know what it is, says Blake, while they may not know what other specialized degrees represent. Students enrolled in MBA programs also may take supplementary courses. Depending on the educational institution, these courses are referred to as a specialization, concentration emphasis, or as electives.

At National, Blake says MBA students are interested in adding entrepreneurial courses to their studies. At Keller Graduate School, the MBA remains the most popular of the seven degree programs offered, says Thomas Horstmann, San Diego center director. Within that program, students are focusing on concentrations in marketing, information technology and project management.

The MBA also is the No. 1 choice at the University of Redlands, says Judy Myers, associate dean of admissions. She surmises that a working student may initially want to focus only on graduate degree studies. After students have been in school for a time, they may enroll in an emphasis such as financial management and information systems.

At Alliant International University, concentrations in information systems and technology are well-attended. "The majority are international students, and these markets are picking up," says Ali Abu-Rahma, assistant dean of the school's business administration college.

At the University of San Diego, the most popular emphases are finance, marketing and international, says Stephanie Richards-Wilson, assistant director of USD's graduate business program. University of California, Irvine, polls students to learn what electives they want, says JoAnne Starr, assistant dean of student services. The 2001 survey revealed that graduate business students seek a balance of courses. While the demand for dot-com classes has diminished, students remain interested in attending such courses as marketing on the Internet. Students also want courses on the basics like business statements, finance and entrepreneurship and organizational analysis.

"The dot-com bubble may have burst, but the Internet is still important" says Starr. "Entrepreneurship is still a viable option. We're getting a pretty solid set of requests; they're not trendy. People want the fundamentals of a high quality graduate education."

— Liz Swain

sandiegometro.com March 2002 24
University's local MBA programs increased 23 percent during the year of November 2000 through November 2001. The number of students rose from 547 to 673.

"We always see greater enrollment when the economy is in a recessionary state," says Williams. "People look at their situations (and say), 'If I'm in a between-career situation, why not take advantage of this opportunity to get into school and get skills?""

In addition, UOP's master of counseling program increased by 77 percent, rising from 71 to 126 students seeking master degrees in marriage, family and child counseling. Williams says shifts in the economy might lead students to these studies. "It's the kind of career path they may have had in the back of their minds. That's my perspective; it's nothing scientific," he says.

It remains to be seen whether Sept. 11 affects the enrollment of international students at Alliant International University (formerly United States International University). For the winter session that started in January, enrollment was slightly higher with about 10 more students, says Ali Abu-Rahma, assistant dean of the business administration college.

However, enrollment figures for fall won't be known until later because Alliant enrols students throughout spring and summer for that session. Abu-Rahma adds that instructors may have incorporated discussions of Sept. 11 into lesson plans. Faculty and students are international, he says, and "whatever happens in the world is a topic of discussion. It does impact what we do." Otherwise it's business as usual for Alliant's business program, he says, adding that no change occurred in the doctorate in business administration program enrollment.

At San Diego State University, the economy hasn't affected the executive MBA program, says director Candace Williams. And there have been no noticeable trends at California State University, San Marcos, says Keith Butler, MBA program operations manager. On campuses with changing enrollment, those changes often reflect changes in students' lives. At campuses affected by Sept. 11, students in the military have put their education on hold. "It was sad when they left. We don't know they'll return," says USD's Richards-Wilson.

For More Information

To learn more about graduate MBA programs contact the following:

• Alliant International University: (858) 635-4615
• California State University, San Marcos: (760) 750-4267
• Chapman University: (619) 296-8660
• Keller Graduate School of Management: (619) 683-2446
• National University: (800) 628-8648
• San Diego State University: (619) 594-5217, executive MBA: (619) 594-6010
• University of Phoenix: (800) 473-4346
• University of California Irvine: (949) 824-4622
• University of Redlands: (619) 284-9292
• University of San Diego: (619) 260-4840

For the working professionals now enrolling in MBA programs, going to school can provide more than the opportunity to earn a degree. Williams, of University of Phoenix, says people can network in the classroom. For the person between jobs, "there is something about being in school that helps people feel they're being productive," he says. "That they're moving ahead."
Students to market Cadillacs

University of San Diego students are creating a marketing plan for Guy Hill Cadillac and the Cadillac division of General Motors. The class of 18 business students have 14 weeks and a $2,500 budget to research, implement and evaluate their ad campaign. It is paid for through the General Motors Marketing Internship program. Source Code: 20020301tlf
Alan Greenspan told a Senate committee that the economy is pulling out of the recession. Reuters

Rational exuberance?
ECONOMISTS
Alan Greenspan says most economists are upbeat about the economy these days...

"I think that we're better off here than in the rest of the state of California and in the rest of the country as well."
Alan Gin, University of San Diego

"I think if we haven't hit bottom we're very close to it. We're nearing the bottom right now and it's just up from here."
Kelly Cunningham, San Diego Regional Chamber of Commerce

Greenspan says economic recovery is well under way

By Robert Manor
CHICAGO TRIBUNE

"I think September 11 brought the realization home that we were in a slowing economy."
Bill Strauss, CEO of Proflowers.com in San Diego

"As we look at the economy, we've kind of dodged a little bit of a bullet, although I wouldn't say we were out of the danger zone."
John Mutch, CEO of HNC Software in San Diego

EXECUTIVES
... while corporate executives tend to be more wary.

"mid a shower of surprisingly good news, the normally taciturn Federal Reserve Chairman Alan Greenspan said yesterday that the nation is on the route to economic recovery.

"The recent evidence increasingly suggests that an economic expansion is already well under way," Greenspan told the Senate Banking Committee in unusually direct language. He sounded a more optimistic note yesterday than during his testimony before the House Financial Services Committee last week.

"It is unmitigated good news," said Sherry Cooper, global economic strategist for the Bank of Montreal. "Greenspan has gone from saying 'There will be a recovery' to saying 'This is a recovery.'"

If Greenspan is right — and several recent economic reports indicate he is — then the United States is pulling out of the mildest economic downturn since World War II.

For example, the Labor Department said new claims for unemployment benefits over the past month fell to 372,750. That is the lowest level since mid-August.

At the same time, worker productivity..."
Consumers are still buying, Greenspan says

grew at a 5.2 percent rate in the final quarter of last year, much higher than the initial estimate of 3.5 percent. Rising productivity typically translates into economic growth, higher wages and corporate profits without inflation.

Manufacturing, in a deep recession for two years, is showing signs of vigor. The Institute for Supply Management's Purchasing Managers Index rose in February, indicating that industrial activity is increasing, while the Commerce Department says demand for U.S. manufacturing goods surged in January.

The nation's jobless rate is to be released today, and in his testimony Greenspan did not alter the Fed's forecast that unemployment could peak at 6 percent to 6.5 percent.

Cooper doesn't believe it will rise that high. "But if it happens, it would be very short-lived," she said, as a healthier economy creates jobs for displaced workers.

In any case, unemployment is a lagging indicator — it shows where the economy was, not where it is heading. Businesses often are reluctant to hire new workers at the end of a recession, so unemployment can rise for a time even after the economy begins to strengthen.

The Federal Reserve cut interest rates 11 times last year, bringing them to a 40-year low in an effort to revive the economy. This allowed homeowners to refinance mortgages, save money and cut the price of most other loans. It even allowed automakers to make loans at zero-percent interest.

The good news on interest rates appears to be over, economists say, as the Fed worries more about inflation than about economic weakness. The Fed raises interest rates when inflation is a threat to slow the economy.

"The next move is likely to be higher," said Paul Kasriel, chief economist of Chicago-based Northern Trust. "I would say that by the end of June or mid-August, they are going to raise rates."

The Fed meets again March 19, and the consensus among economists is that it will hold rates steady.

That consensus has already turned up in mortgage interest rates. The average 30-year mortgage now carries an interest rate of 6.87 percent, up from 6.8 percent a week ago.

Kasriel said he believes the Fed is too pessimistic about the future unemployment rate. He said depleted inventories of goods and stronger-than-expect ed auto sales all point to better times ahead. "We could very well top out at 5.8 percent unemployment, he said.

Kasriel said the recession has not been gentle with everyone, however.

"If there was one distinguishing trait to this recession, it was that profits were hit more significantly than in any other postwar recession," he said.

Businesses bled money for much of last year, with the hemorrhaging increasing after the terrorist attack on Sept. 11. Financial reports for the first three months of 2002 will be out shortly, indicating whether corporate America's losses have eased.

If companies are returning to profitability, or at least losing less money, they likely have the American consumer to thank.

Consumer spending makes up about two-thirds of the nation's economic activity. Consumers continued to buy homes and cars and clothes and a myriad of other goods, despite last year's weakening economy. Greenspan said that strength continues.

"Sales have receded somewhat, but they have remained surprisingly resilient," he said.
University of San Diego
5998 Alcala Park
San Diego, CA 92110

Contact: Ken Marra, Director, MSEL Program
Ph: (619) 260-4828 Fax: (619) 260-4891
Website: www.business.sandiego.edu/msel
E-mail: msel@sandiego.edu

PROGRAMS: Master of Science in Executive Leadership – a program jointly offered by USD and the Ken Blanchard Companies. Other Programs: MBA, IMBA, MSEC, MS-Global Leadership.
Accreditation: WASC, AACSB

University of San Diego — Division of Continuing Education
5998 Alcala Park
San Diego, CA 92110-2492

Contact: Nicole Rooney, Programs Coordinator
Ph: (619) 260-5986 Fax: (619) 260-5988
Website: www.sandiego.edu/techcenter
E-mail: nrooney@sandiego.edu

PROGRAMS: USD offers a state-of-the-art computer technology center available for all types of training as well as a certificate in Event Management.
Accreditation: WASC

University of San Diego — Graduate Admissions
5998 Alcala Park
San Diego, CA 92110-2492

Contact: Paul Mamet, Graduate Admissions Officer
Ph: (619) 260-4524 Fax: (619) 260-4158
Website: www.usdbusiness.sandiego.edu
E-mail: grads@sandiego.edu

PROGRAMS: USD offers a quality, personalized education. Attend full-time or part-time in the evenings and earn an MBA, International MBA or MS in Electronic Commerce.
Accreditation: WASC, AACSB

University of San Diego Paralegal Program
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San Diego, CA 92110

Contact: Sue Sullivan, Director
Ph: (619) 260-4579 Fax: (619) 260-2252
Website: www.sandiego.edu/paralegal
E-mail: paralegal@sandiego.edu

PROGRAMS: Four-month day and ten-month evening programs prepare graduates to work in legal settings. Financial aid, internships, employment assistance available.
Accreditation: ABA, WASC

University of San Diego — School of Business Administration
5998 Alcala Park
San Diego, CA 92110

Contact: Stephani Richards-Wilson, Director of Graduate Student Services
Ph: (619) 260-4860 Fax: (619) 260-7516
Website: www.usdbusiness.sandiego.edu
E-mail: stephani@sandiego.edu

PROGRAMS: We offer an MBA and International MBA as well as several joint degrees: MBA/JD, IMBA/JD, MBA/MS in Electronic Commerce and MBA/MS in Nursing.
Accreditation: AACSB, WASC

University of San Diego — School of Law
5998 Alcala Park
San Diego, CA 92110

Contact: Jo Ann Szymonik, Associate Director Admissions and Financial Aid
Ph: (619) 260-4528 Fax: (619) 260-2216
Website: www.sandiego.edu/usdlaw
E-mail: jdinfo@sandiego.edu

Accreditation: ABA, Comm. of Bar Examiners of California

University of San Diego — Supply Chain Management Institute
5998 Alcala Park
San Diego, CA 92110

Contact: Carlo D. Smith Ph.D.
Ph: (619) 260-4894 Fax: (619) 260-7611
Website: www.usdbusiness.sandiego.edu/supply.asp
E-mail: scm@sandiego.edu

PROGRAMS: USD Supply Chain Management Institute provides Graduate and Executive Education in Supply Chain Management, Procurement, Logistics, Forecasting, and related areas. Programs at USD and on-site.
Accreditation: AACSB

SAN DIEGO BUSINESS JOURNAL
SAN DIEGO, CA
WEEKLY 20,000
MAR 4 2002
Region's economy on upswing

Consumer confidence soars, driving index

By Thomas Kupper
STAFF WRITER

An index of leading economic indicators from the University of San Diego rose in February for the third straight month, suggesting that the region's economy could surge forward by the end of 2002.

A jump in consumer confidence was the biggest factor driving the index, which turned upward in December after nearly a year and a half of decline. But February's numbers also showed improvement in building permits and initial unemployment claims.

USD released data yesterday for both January and February, with the index up 0.4 percent for January and 0.3 percent for February.

Business professor Alan Gin, who compiles the index, said the local economy is likely to remain sluggish for a few more months, as the nation inches out of recession. But with the region having slumped relatively mildly during the national recession, the local economy could eventually roar back to life, he said.

"It will show up in a couple places," Gin said. "The unemployment rate will fall to the low 3 percent range, and there will be continued pressure on housing."

At this point, USD's economic indicators remain mixed. Of the six indicators in the index, three declined in January and two in February. Stock prices of local companies and help-wanted advertising in The San Die-

SEE Economy, C10

Out of the doldrums
USD's index of leading economic indicators for San Diego County has gone up for three consecutive months.

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<thead>
<tr>
<th>Month</th>
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<tr>
<td>Jan</td>
<td>148</td>
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SOURCE: University of San Diego

SAN DIEGO UNION-TRIBUNE
SAN DIEGO, CA
THURSDAY 374,133
MAR 28 2002

ECONOMY
CONTINUED FROM PAGE C1

Successful war effort may boost confidence

go Union-Tribune declined in both months. One of the improving indicators, building permits, moved upward in both months but remained 10 percent lower than a year earlier. Unemployment claims improved in February, but had hit a five-year high in January. And the national index of leading indicators was unchanged in February after gaining for four straight months.

The one clear bright spot is consumer confidence, which has soared in San Diego since hitting bottom after the Sept. 11 terrorist attacks. Gin said confidence hit its highest level since December 2000 in February, possibly as a result of the successful war effort in Afghanistan and improving economic news.

Overall, Gin said the outlook is for "continued slowing" in the first half of the year, with unemployment at 4 percent or slightly lower. February's local unemployment rate was 3.7 percent, about a point higher than at the start of the recession, but lower than the nationwide rate of 6.1 percent.

The major factor in a local resurgence will be the national economy, Gin said. As long as the national economy remains shaky, he said, San Diego County is likely to remain in a lull. But, like many economists, he expects a national recovery to take hold over the summer.

Thomas Kupper: (619) 293-1037; thom.kupper@uniontrib.com
Region's economic indicators show growth for third consecutive month

By TIM COFFEY
San Diego Daily Transcript

San Diego's leading economic indicators grew in February, marking the third consecutive monthly increase for the indicators and signaling an improved economy is near.

The indicators, which track specific economic trends in San Diego County, were up 0.3 percent at the end of last month. They grew 0.4 percent in January and December after free falling for most of 2001.

February's gains were led by a sharp increase in consumer confidence, and smaller increases in building permits and insurance claims for unemployment.

The indicators were dragged down by a cut in help wanted ads and a bigger-than-expected decrease in the stock prices of local companies.

The third consecutive increase could mark a turning point for the local economy, said Alan Gin, the University of San Diego economics professor that tracks the local indicators.

"It's not a 100 percent, accurate situation, but it's a positive development," Gin said. "It's better than what we've been seeing."

By most accounts the disturbances of the national recession have not greatly impacted San Diego. The latest recession was the mildest economic downturn since World War II.

Although the local unemployment level, for instance, grew to 4.1 percent in January, it dropped to 3.7 percent in February. It is still well below the national and state levels, and has been for some time.

Economists point to the region's diversity of businesses, stable military influence and strong real estate market as primary reasons for San Diego's resilience.

"The turning point is more of a speed-up from a slowing situation," Gin said.

Consumer confidence again led the monthly increase in the indicators. In the first months of 2002, the confidence of local shoppers has improved 3.56 percent. It improved more than 2 percent in February.

The rise in local consumer confidence is based on the positive results from the war on terrorism, the absence of more terrorist attacks and the perception of a strong San Diego economy as compared to the rest of the country, Gin said.

"Because of that, people, I think, are generally feeling good about their situation," he said.

Consumer spending is said to be one of the main reasons the national economy did not slip more than it did.

The continuous spending by shoppers helped companies whittle away at their inventories — a key for the economy to improve.

However, the amount of money consumers have put into the economy is waning and some economists, including Gin, are concerned.

"I'm not convinced that consumer spending will rebound enough to soak up some of that excess capacity" that companies have in the stock rooms, he said.

Despite the strength of the local economy, stock prices of local companies have not fared well.

Local stocks declined for the second month in a row and dropped 1.03 percent in February, more than any other indicator.

"That's an indication that financial markets do not think highly of the prospects for local companies," Gin said.

The February decline coincided with a 10 percent overall decrease in the Nasdaq index. More than 100 San Diego companies are listed on the technology-heavy exchange.

The indicators that increased in February were consumer confidence, building permits, up 0.83 percent, and unemployment insurance claims, up 0.13 percent.

The decliners were led by the stock prices of local companies and help wanted advertising, down 0.08 percent.

The outlook on the national economy was unchanged.

The index of leading economic indicators is now at 138.3, the highest level since August 2001.

tim.coffey@sddt.com

Source Code: 20020---.

Economic indicators

Continued From Page 1A

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tim.coffey@sddt.com

Source Code: 20020---.
San Diego National Bank makes promotions, new hires

Money Minders
By Tim Coffey

San Diego National Bank promoted two executives to senior management and made several other new hires to support operations last week.

The bank promoted Eric Larson to senior vice president/chief financial officer and Gordon Boerner to senior vice president/director of business and community development.

Larson joined San Diego National in 1985 as an accountant and has a finance degree from Iowa State University. Boerner has 23 years of local banking experience and graduated from San Diego State University.

Also last week, the bank promoted Peter Carr to SBA lending officer, Lori Rimoldi to assistant manager, operations officer for the bank's Mission Valley branch and announced the hiring of Lisa Wright as sales and service initiative manager.

Carr has more than 12 years of real estate lending. He earned his bachelor's degree from UC Berkeley and got an MBA, with an emphasis on finance, from the University of San Diego.

Rimoldi has more than 13 years in management and customer service. She was previously the assistant manager at the bank's branches in Mission Valley and Encinitas.

Wright will lead the bank's new employee training initiative designed to strengthen customer relationships. She has more than 20 years of banking experience.

New finance manager
The Otay Water District named George Navarro to finance manager. He will oversee the management and financial health of the district.

Navarro has more than 20 years of financial management accounting experience. Previously, he worked as a financial manager, budget officer and internal reviewer for the U.S. Navy.

He has a bachelor's degree from Colegio de San Juan de Lectran in the Philippines and a master's from Webster College in St. Louis and the Naval War College in Rhode Island.

Brokers honored
Two San Diego-based brokers of Northwest Mutual won the company's most coveted sales award for 2001.

Eric Gardiner and James Whistler were among the top award winners for sales in the Western region, the company said.

More than 1,149 brokers nationwide won the annual award.

tim.coffey@sddt.com
Source Code: 20020308tbg
School of Education
Fifteen entrepreneurs to present at Springboard

Company: LearnStar L.P.  
Presenter: Sally Ann Zoll

As a former educator, Sally Ann Zoll is aware of the learning challenges that schools face. Her educational software company, LearnStar L.P., works to enhance learning through a patented system that develops and markets interactive instructional technology.

The foundation of Dallas-based LearnStar's education content features more than 1,100 interactive competitions developed by accredited educators to mirror U.S. kindergarten through 12th-grade curricula.

Zoll, LearnStar's president and chief operating officer, is no stranger to the classroom or education technology. She formerly served as president of the education division of Key Technologies and vice president of Jostens Learning Corp. — now CompassLearning — and has teaching experience in elementary school classroom instruction, high school administration and college instruction at the University of San Diego.

LearnStar L.P., which was founded in 1998, has 28 employees and is seeking a Series A funding round of $6 million.

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<thead>
<tr>
<th>Presenter name</th>
<th>Company name</th>
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Institute for Peace and Justice
On Wednesday, January 9, 2002, nearly 650 San Diego and Tijuana high school students learned the answer to the question “Who Will Open the Cages?” at the fifth annual WorldLink Youth Town Meeting held at The University of San Diego’s Joan B. Kroc Institute for Peace and Justice. “We are here to tackle problems confronting our world in an adult manner” stated the first moderator, Sam Sam Ali of Kearny High School.

Speakers included Department of State officials, non-governmental agency representatives, former ambassadors, and university professors. The intriguing metaphor of the conference’s title refers to opening the cages of injustice for the victims of human trafficking, slavery, and child labor. The attendees of last year’s conference voted upon the topic.

This was the first official event held in The Institute for Peace and Justice following its dedication, and it was headed by a mass volunteer effort. Dee Aker, Ph.D., director of WorldLink, was in charge of booking speakers. The topic of the conference was something difficult for the adults to handle so speakers were hard to come by, but Aker encouraged the students to “join us, teach us, work with us.”

Laura Barnitz, head of the Youth Advocate Program International and author of Commercial, Sexual Exploitation of Children, was “quite sober to talk about today’s topic.” She spoke of the use of child soldiers, prostitutes, and laborers, focusing on human trafficking as “the most heinous abuse of human beings ever seen.” Barnitz defined children and youth as “the most vulnerable of these victims.” Over 700 children were trafficked to San Diego this year from all parts of the world and “we are now aware of something not even talked about years ago: modern day slavery.”

Excerpts from the films So Deep a Violence by The Coalition Against Trafficking of Women and The Selling of Innocents by Ruchira Gupta were shown; they told the story of girls as young as nine years old being sold as sex slaves. Rescued girls, infested with diseases, sexual and otherwise, lamented,
"All we want is to get back home."

According to Ambassador Nancy Ely-Raphel, director of the U.S. State Department’s Office to Combat Trafficking in Persons and former Ambassador to Slovenia, "more than 700,000 people worldwide, mostly women and children, are trafficked annually across international borders against their will or through deception, and as many as 50,000 people are smuggled into the United States."

Ely-Raphel feels that trafficking has persisted globally into the twenty-first century due to political instability, civil war, and an overall lack of responsibility on the part of the human race. She reminded attendants that the struggle against repression and exploitation continues.

Attorney and human rights advocate of women and minorities, Lilia Velasquez, answered the questions "Can the cages be opened, can the children be saved?" She fervently exclaimed, "This gross violation of human rights deserves repetition." Velasquez believes that trafficking has become overly prominent due to globalization and the newfound Internet sex industry. Supply and demand, the "basic rule of economics," allows this problem to continue in existence.

To the question "Is this [prostitution] a choice?" Velasquez answered, "No! How can anyone argue when there is such a high rate of suicide?"

Reina, a 16-year-old girl who was brought from Mexico and forced into prostitution in San Diego County, told her story at the main briefing session of the conference. Her attorney, Velasquez, translated for her.

When she was 14, Reina’s 33-year-old boyfriend promised her a job in America. He put her baby under his sister’s care in Mexico and took her to an Oceanside "sex camp." Reina was smuggled across the border and forced to work for a prostitution ring that catered to Mexican migrant workers and operated in vacant fields. Her pimp threatened to harm her one-year-old son if she did not cooperate.

Last summer, after being beaten by her pimp because she refused to work, Reina went to a neighbor’s house, and they called police. The investigation led to the dismantling last month of a large prostitution ring that operated in secluded camps in North County. Reina’s cooperation with authorities helped rescue her son from his captors in Mexico. "People need to be aware so that the same thing that happened to me doesn’t happen to others," Reina said.

Attendants were also shown film clips from Carpet Slaves, Stolen Children of India, which explained that these victims “can’t go to the police because [the police] are part of [the problem]!” According to the speakers, these problems are only getting worse. Free trade, established so that goods and services can flow freely, is actually one of the causes of slave labor. We need an equitable system because we are now favoring the rich nations who can go out and take advantage of desperately poor people. The promotion of these children’s basic rights needs to be implemented. It is a question of health, not just economics.

Human trafficking, slavery, and child labor are inhumane and unacceptable. "We cannot close our eyes because it’s too painful to see and to understand." "Ignorance is bliss. You are no longer ignorant." "We cannot ever completely eradicate the problem but our conscience demands that we do everything we can to stop it."

To help, students can support poverty alleviation programs, volunteer at community outreach centers, spread the word, and be on the alert – “this can take place right in your own backyard.” Students can also follow the strategy of the three P’s: Prevention of trafficking, Prosecution of traffickers, and Protection of victims. No matter their age, sex, or country of citizenship, we need to promote the well being of people. For more information, please visit www.youthworldlink.org and www.yapi.org
Students and participants make their way into The Joan B. Kroc Institute for Peace and Justice.

Students circle around the fountain during lunch time.
Event to focus on women, peace efforts

SAN MARCOS — A conference focusing on the role of women in moving warring peoples and nations toward resolving their conflicts is scheduled for 1 p.m. March 15 at Palomar College's Brubeck Theater.

The 90-minute session is to feature Dee L. Aker of the Joan B. Kroc Institute for Peace and Justice at the University of San Diego, Genevieve Kyarimpa of the Human Rights and Peace Center of Makerere University in Uganda, and Floran Walli of Doctors of the World and the Afghan Women's Association of San Diego.

Sponsored by the college's women's studies committee as part of the celebration of Women's History Month, the event is free and open to the public.
Those who dissent are true defenders of freedom

At the Justice Department, Attorney General John Ashcroft's right-hand man is Viet Dinh, assistant attorney for legal policy. A former Georgetown University law professor, Dinh has justified and helped implement nearly every move the attorney general has made, in conjunction with the president, on the war on terrorism.

"Our job here," Viet Dinh tells Legal Times, "is to defend freedom." There are those, however, including this columnist, who believe that Dinh, Ashcroft and Bush have been seriously eroding the American freedoms they fiercely believe they are defending.

A critic of the job Ashcroft and his colleagues are doing is Richard Goldston of South Africa's Constitutional Courts. Goldston is internationally respected for the firmness and fairness of the way he did his job as chief prosecutor for the International Commission for Rwanda and Bosnia.

Last December, at the University of San Diego, Goldston participated in a conference at the opening of the new Joan B. Kroc Institute for Peace and Justice.

Joining the American civil libertarian criticism of the Bush-Ashcroft-Dinh team, Goldston, as reported in the National Catholic Reporter, said that although American polls strongly support the administration's anti-terrorism policies, one result is that "young democracies in other countries are being endangered" as they see the United States discount core liberties in its own Constitution.

"The institutions that democracy is required to maintain," Goldston emphasized, "are costly. And when the United States, which is regarded as one of the bastions of democracy, goes back on its own values, it imperils and makes more difficult the creation of a human rights culture in young democracies."

Recent presidential restrictions on American civil liberties, said the chief former prosecutor for the International Criminal Tribunal, "can only encourage undemocratic processes in non-democracies" trying to learn how to be democratic.

Also at the University of San Diego conference was former U.S. President Jimmy Carter, who made the corollary point: "We Americans are citizens of an unchallenged superpower. If we continue to expound shortcuts in the administration of justice, there is a global effect set in motion.

"It is going to be difficult in the future," the former president continued, "to condemn another country — China, for instance — which might have a secret military tribunal and convict an American accused of spying."

Even with revisions in our military tribunals, serious civil liberties problems remain.

One of the frequently intoned arguments of the supporters of the Bush-Ashcroft-Dinh way of securing our freedom is that the Constitution is not a suicide pact. Keeping in mind the ruthless Sept. 11 murders of Americans on this very land by members of the worldwide, shadowy conspiracy with some of their "sleepers" waiting to strike again at us here at home, they say, it is essential to limit some of our civil liberties to save them.

One of the sources of the quotation that our Constitution is not a suicide pact was former Supreme Justice Arthur Goldberg. However, on the floor of the Senate, as the Bush-Ashcroft-Dinh U.S. Patriot Act was being debated, Sen. Russell Feingold of Wisconsin — the only senator to eventually vote against that anti-terrorism bill — vainly reminded his colleagues of how Arthur Goldberg elaborated on that statement in the Kennedy v. Mendoza-Martinez case, which was about draft evasion:

"It is fundamental that the great powers of Congress to declare war and to regulate the Nation's foreign relations are subject to constitutional requirements of due process. The imperative necessary for safeguarding these rights to procedural due process under the gravest of emergencies has existed throughout our constitutional history — for it is then, under the pressing exigencies of crisis, that there is the greatest temptation to dispense with fundamental constitutional guarantees which, it is feared, will inhibit governmental action."

This is also true of the executive branch:

Goldberg then quoted from ex parte Milligan (1866), when the Supreme Court declared Abraham Lincoln's suppression of dissent through military courts during the Civil War unconstitutional:

"The Constitution of the United States is a law for rulers and people, equally in war and peace, and covers with the shield of its protection all classes of men, at all times, and under all circumstances ... In no other way can we transmit to posterity unimpaired the blessings of liberty, consecrated by the sacrifices of the Revolution."

Contrary to the attorney general, the job of those of us who dissent from the Bush-Ashcroft-Dinh curtailing of the Constitution is to defend freedom.
School of Law
Conference ponders slave reparations

MEMPHIS (AP) — Slavery ended in America in 1865, but millions of black citizens still suffer the social and economic consequences, a conference on slave reparations was told Friday.

Opponents of reparations for descendants of slaves "are in denial about the centrality of slavery in the development of this great country," said Roy L. Brooks, a University of San Diego law professor.

Those opponents also "are in denial about the lingering effects of slavery on millions of African-Americans," he said.

Brooks spoke at a two-day conference on slave reparations sponsored by the Cecil C. Humphreys School of Law and the University of Memphis.

The conference, which ends Saturday, features panel discussions with law professors and researchers who have written on the history of American slavery and its effects on the country.

Rodney Smith, a Memphis law professor and conference organizer, said the event is part of a national debate on whether reparations should be paid. What form they might take, who would get them and who would pay.

"I think in the coming decade, we're going to face those issues," Smith said. "This is a step toward bringing it into the mainstream."

Brooks said reparations could take many forms other than payments of money. They could include educational grants, assistance for black-owned businesses and greater emphasis on affirmative-action programs.

But regardless of the form, reparations must include a national "atonement," Brooks said.

"In a real sense, atonement is as much for the perpetrator as it is for the victim," he said. "It gives the perpetrator government a unique opportunity to reclaim its character."

From its beginning, the United States supported slavery, said Paul Finkelman of the University of Tulsa College of Law.

The Constitution's framers bowed to the power of the slave states in assigning representation in the U.S. House, Finkelman said. Representation was based on a state's "whole number free persons" plus three-fifths of "all other persons."

Slave states were in the difficult position of arguing on one hand that slaves were property and on the other that they should be counted in deciding how many representatives a state would have, Finkelman said.

REPARATION DISCUSSION — Law professor Robin Collin of University of Oregon, right, speaks at a seminar on slave reparations at the University of Memphis in Memphis on Friday. Listening to Collin is professor Elizabeth Spelman.

The framers accepted that inconsistency to get the Constitution ratified and the slave states increased their political power in Washington. "So what we end up with ... is a political structure in which slavery dominates," Finkelman said.
Tennessee conference ponders the value of slave reparations

By WOODY BAIRD
Associated Press

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Accounting firms sought seats on regulatory boards

By STELLA HOPKINS
KNIGHT RIDDER NEWS SERVICE

CHARLOTTE, N.C. — The five accounting firms that audit most of the nation's public companies tripled their representation on state regulatory boards over the past decade, a trend that runs counter to the current push for independent oversight of the industry.

A Knight Ridder Newspapers analysis has found that partners, retirees or former longtime employees of the so-called Big Five firms hold at least 10 percent of the seats on state boards even though the firms employ only 5 percent of the nation's certified public accountants.

Members of the Big Five — PricewaterhouseCoopers, Deloitte & Touche, KPMG, Ernst & Young and Andersen — began seeking gubernatorial appointments to state boards a decade ago, believing that they were underrepresented. Though their representation has increased since then, they aren't a majority on any state's board.

"This campaign to put more Big Five members on regulatory boards is yet another way to ensure that CPA self-regulation continues, with which we wholly disagree," said Julianne D'Angelo Fellmeth, administrative director of the University of San Diego's Center for Public Interest Law. "CPA self-regulation has failed."

Bill Ezzell, head of the Big Five's lobbying group, The Accountants Coalition, said the representation isn't out of line because the biggest firms conduct at least 90 percent of the audits for publicly traded companies.

"We're part of the profession," said Ezzell, a partner with Deloitte & Touche. "We should be represented."

A series of high-profile failures of public companies, capped by the fall of Houston-based Enron Corp., has prompted calls for independent oversight of the accounting industry, whose role is to examine the books of American industry.

The industry regulates itself through a system of peer review and rule-making by its trade group, but Securities and Exchange Commission Chairman Harvey Pitt has called for an independent private-sector organization to step in at the federal level.

State accountancy boards serve as industry watchdogs, granting and revoking licenses and investigating complaints. They range from five members to New York's 21, with an average of seven. Lawyers, executives and academics are among those appointed, but accountants dominate every board's membership.

Boards in 20 states and the District of Columbia have one Big Five member. Eight states have two, including Texas.

Texas' 15-member board is working with the attorney general's office to investigate Andersen's work for Enron.

"It is right to have a balance between the interests of the Big Five versus the interests of the small practitioner," board Director William Treacy said. "I think we have the right mix."

Boards have occasionally punished Big Five firms, sometimes limiting their ability to do business. But no one can remember a time when a license was revoked.
Port drops inquiry into Duke Energy S. Bay plant

Chairman Cushman made decision to end investigation

By Ronald W. Powell
STAFF WRITER

A Port District investigation of Duke Energy's operation of the South Bay Power Plant during last year's energy crisis has been quietly shelved.

The decision was made recently by Port Commission Chairman Stephen Cushman, who began a one-year term as chairman in January. As chairman, he has authority over port committees, such as the one that had been appointed to look into Duke's conduct.

The Port Commission formed an Energy Committee in June to look into allegations that Duke operated the plant in a manner that drove up rates for consumers during last year's electric rate crisis. The facility sits on Chula Vista's bay front, but on state tidelands administered by the San Diego Unified Port District. Duke, which leases the power plant from the port, has denied such allegations.

"Each of us has our own areas that we're into," Cushman said. "Duke Energy is something that wasn't at the top of my hit parade."

Duke spokesman Pat Mullen said the company is pleased.

"We've been repeatedly investigated and reviewed, and no one has shown any evidence that we've ever done any withholding of power," said Mullen, adding that Duke recently completed a $30 million project to control emissions from the South Bay plant.

But Cushman has no interest in continuing the inquiry into Duke's conduct.

"I'd be interested if I were in their shoes," Fellmeth said. "The port should want to find out whether they are complying with their lease. This is certainly not a low priority item."

Michael Aguirre, a local lawyer and a Duke critic, also said the port should continue its investigation.

"The abuse of the public by Duke at the South Bay plant represents the best opportunity for California to nail the power manipulators in court," said Aguirre, who has filed a class-action lawsuit against Duke and other energy companies, alleging that they overcharged customers during the energy crisis.

"I urge the Port Commission not to be lulled by the calm of this current situation," Aguirre said, referring to currently stable electricity rates.

Aguirre said that if Duke did not operate the plant according to "prudent utility practices," the port has the right under its lease with the company to select a new operator. He said the port should do that, selecting one that would help the San Diego region achieve energy independence.
A report commissioned by the District Attorney's Office analyzing high gasoline costs in the region recommends expanding storage capacity in San Diego County to increase supply and competition and push down prices.

That could include converting three aging oil tanks at the 24th Street Marine Terminal in National City into gasoline storage tanks, the report notes.

Consumer advocates estimate that using the tanks to store motor fuel could save San Diego motorists $200 million or more each year.

Anthony Samson, the assistant chief of the District Attorney's fraud division, said his office has been investigating why San Diego County motorists typically pay 15 cents a gallon or more for fuel than their counterparts statewide, although it costs only 1.5 cents or so per gallon to ship the gas by pipeline from Los Angeles to a terminal in Mission Valley.

"We are trying to determine if there is anything law enforcement can do" about the price discrepancies, Samson said.

He stressed that no evidence of wrongdoing by oil companies has been found in the year-long investigation.

Oil-industry critics have long contended that refiners have colluded to set artificially high gas prices in San Diego and elsewhere along the West Coast, but they have had little success in proving their allegations.

Last May, the Federal Trade Commission ruled that its three-year investigation of marketing and distribution practices by refiners in five Western states found no evidence of violations of federal antitrust laws.

And in June, the California Supreme Court threw out a class-action lawsuit against refiners operating in the state, ruling unanimously that the suit's chief allegations of unfair competition and unlawful conspiracy contained "no triable issue of material fact."

Oil-industry representatives said yesterday that the District Attorney's Office investigation of oil prices here seems redundant.

"There have been investigations at the national level, state level and local level, and all have come up with the same conclusion that there is no evidence of wrongdoing on the part of oil companies," said Cheryl Burnett, a spokeswoman at BP Amoco.

The new report commissioned by the District Attorney's Office analyzing gasoline prices in the area cites inadequate storage capacity and supply at the Mission Valley terminal as major factors for inordinately high prices in the county.

"Our inquiry is much narrower" than the issues broached by the FTC and others, said Robert Fellmeth, a professor at the University of San Diego Law School who authored the study. "But it doesn't take a sophisticated economist to know that something is wrong."
The huge tanks at the 24th Street Marine Terminal mentioned in Fellmeth's study could potentially expand San Diego County's fuel supply by as much as 360,000 gallons a day, or 10 percent of current consumption, according to oil industry executives and consumer advocates.

Yesterday, the Utility Consumers' Action Network held a news conference on a barren field near the tanks, which for 30 years were used to store oil for the old San Diego Gas & Electric power plant in Chula Vista. The plant is now operated by Charlotte, N.C.-based Duke Energy.

UCAN is asking that the Port District reverse a decision made several weeks ago to allow Duke Energy to destroy the tanks.

Port Commission Chairman Stephen Cushman said port officials have discussed removing the tanks and replacing them with a parking lot to hold imported cars for dealers. He said that is only one option under consideration for the site.

UCAN executive director Michael Shames said yesterday that Cushman should consider recusing himself if the Port Commission takes a vote on constructing a parking lot on the site occupied by the tanks. Cushman owns Cush Automotive Group, a company that operates car dealerships in the county that sell more than 10,000 vehicles a year.

Cushman said he would consult with the port's legal counsel regarding conflict of interest in the event of a vote to create a parking lot.

Regarding whether the tanks should be used to store gasoline, Cushman said the Port Commission took a unanimous vote to remove the tanks. He added that port staff told him that Newport Petroleum -- a company that wants to lease the tanks and bring gasoline into San Diego from Los Angeles -- has never submitted a full business plan concerning the tanks.

The port received an order from California's Independent System Operator, which oversees most of the state's electricity transmission network, 16 months ago to stop the demolition. At the time, the port was planning a "blow up the tanks" event to mark their removal.

James Pugh, the port's senior director of maritime services, said he could use the space where the tanks are located to expand parking for vehicles imported for car dealers by port tenant Pasha Services. Pasha imports about 300,000 vehicles a year.

"I could certainly use that space for additional parking, but there is no definitive plan to do so," Pugh said.

Pugh said he is not sure the tanks are in good enough shape for use, or that the port could get approval for tankers to bring gasoline through San Diego Bay to the National City facility.

Port Commissioner Peter Janopaul said Cushman suggested months ago that the tanks might have alternative uses.

"If there is no way for the tanks to be reused, they're coming down," Janopaul said. "But if they can safely and effectively be reused, then we should take a look at that."

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GRAPHIC: 1 PIC; Laura Embry / Union-Tribune; Michael Shames, executive director of the Utility Consumers' Action Network, pointed to three oil tanks at the 24th Street Marine Terminal that he said should be converted to gasoline storage tanks.

LOAD-DATE: March 3, 2002
The San Diego Unified Port Commission needs to take seriously a proposal to turn three oil tanks into gasoline storage in order to combat high consumer prices at the pump in San Diego.

Right now, the commission seems determined to tear down those tanks to make way for a giant parking lot for thousands of imported cars. There's an irony for you -- tearing down gasoline tanks to make way for more cars.

A recent study by the District Attorney's Office found that expanding storage capacity could help bring down the traditionally high gasoline prices in San Diego County. One of the problems is the lack of competition and local availability in the wholesale gasoline market. The report by the DA's fraud division said the three oil tanks at the 24th Street Marine Terminal could be converted to gas tanks, expanding the county's fuel supply by 10 percent of current daily consumption.

The DA's fraud division was looking into why local motorists pay 15 cents a gallon or more than motorists in other areas of the state. Allegations of collusion by oil companies have made no headway in the courts.

Along with the DA's study, authored by Professor Robert Fellmeth from USD Law School, the consumer group UCAN also is urging the Port Commission to convert the oil tanks into gasoline storage. UCAN estimates that creating a new gasoline storage facility in San Diego could save drivers $100 million a year or more.

Apparently, at least one private company has shown interest in leasing the tanks for gasoline storage. But the Port Commission tentatively decided to go ahead with tearing them down after that company failed to submit a full business plan for the proposal.

The gasoline storage plan can't get short shrift like that. It's good that the Port Commission wants to import more cars, but a higher public good may be possible for this tidelands property.

Tearing down gasoline storage tanks in San Diego right now might be like tearing down power plants during an energy crisis. Port commissioners should halt current plans to destroy the tanks and the port staff should try hard to find a company that will use them for gasoline storage.
DOCTORS AND DRUGS  | FIRST OF TWO PARTS

Effort to help healers has own ills

Substance-abuse program criticized as full of loopholes

By David Washburn
and David Hasemyer
STAFF WRITERS

It was 2:30 in the afternoon and Dr. Glenn E. Miller was delivering a baby boy by Caesarean section. The delivery was Miller's third of the day. He was drunk. Court documents say he'd been drunk since he started his shift at 6 that morning. That's when he came on duty to attend to Rosio Gonzalez.

She recalls Miller's hands shaking and that he fumbled instruments during the delivery of her daughter.

After the Caesarean, which he performed eight hours later, suspicious officials at Tulare General Hospital in Central California confronted Miller. He fled, the documents say.

That day in December 1996 wasn't the first time Miller treated patients while drunk, the documents say. And, they say, state officials responsible for protecting patients from dangerous doctors had long known about his drinking problem and Vicodin addiction.

Miller had been in the California Medical Board's substance abuse diversion program for 5 1/2 years. While in the program he relapsed at least once and was convicted for drunken driving, yet he never had his license to practice medicine revoked or suspended, according to the documents.

Since 1980, California doctors addicted to drugs or alcohol have had the option to enter the diversion program rather than face disciplinary action by the medical board's enforcement arm.

Consumer groups and the medical establishment agree that rehabilitating addicted doctors is preferable to simply punishing them. But, the groups say, shortcomings in the program could and should be corrected, and they continue because of lax oversight and overly lenient rules.

Before the state Legislature created the diversion program in 1980, a California doctor caught abusing drugs or alcohol would face discipline by the state medical board. A record of the action, whether a suspension or the revocation of the doctor's license, would be available to the public.

However, it would take months and sometimes years for the board to investigate a case and make a decision. In the meantime, doctors with drug and alcohol problems were free to treat unsuspecting patients.

Yet medical board enforcement records, as well as records recently released by the diversion program, indicate doctors' addictions and sometimes their misconduct are kept from both the public and the full medical board. Doctors are allowed to keep their licenses and in some cases can still practice, even after multiple relapses.

The case against Miller is outlined in accusations filed against him by the state Attorney General's Office and upheld by a judge, who put Miller on probation for 10 years. Miller did not respond to requests for an interview.

Miller's case is the exception rather than the rule. The majority of doctors in the program overcome their addictions and go on practicing.

Rosio Gonzalez said she had no idea the doctor who delivered her daughter, 5-year-old Jasmine Mendoza, had been drinking alcohol. Teresa Hurteau

SEE Doctors, A19

Teresa Hurteau

Teresa Hurteau

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The idea behind California’s diversion program, and many others like it nationwide, is to better protect patients while giving addicted doctors a chance to clean up without public disclosure jeopardizing their careers.

Doctors spend from three to 10 years in the program. They must submit to regular urine tests and attend Alcoholics Anonymous or Narcotics Anonymous meetings as well as diversion group meetings. Also, they are monitored by a diversion case manager who is trained in substance abuse counseling and by a colleague or supervisor.

The program’s supporters say confidentiality is crucial to its success.

“The risk is that (public disclosure) would take us back 20 years and the only doctors in the program would be those there for disciplinary reasons,” said Janis Thibault, who recently resigned after 2½ years as the program’s director.

**Tip of the iceberg?**

California is home to more than 80,000 physicians. The state’s own literature estimates that 18 percent will have a substance abuse problem in their lifetimes, a slightly higher percentage than among the general public.

Officials estimate that at least 3,600 California physicians were identified as having substance abuse problems between 1980 and 2000. Yet only 663, or 18.4 percent, entered the program during that time, a slightly higher percentage than among the general public.

Currently, fewer than 300 doctors are in the program. In contrast, New York state, with 25,000 fewer doctors, has twice as many in its diversion program.

“They (California officials) are dealing with only the tip of a very dangerous iceberg,” said Jullianne D’Angelo Fellmeth, head of the University of San Diego’s Center for Public Interest Law.

Among the problems is that the program in California allows physicians who voluntarily sign up for the program, or are referred by a colleague or supervisor, to simply walk away after the initial interview and continue practicing without any repercussions. Program records show eight doctors did just that between January 2000 and July 2001.

“Even if they think (a doctor) is dangerous, there is nothing they can do,” Fellmeth said.

Thibault acknowledged the problem and said the medical board is “very interested in this issue,” but said that nothing specific has been done.

Critics lament that lack of action.

“We are tougher on truck drivers than we are on doctors,” said David Swankin of the Washington D.C.-based Citizen Advocacy Center, a health-care consumers group.

**Relapses and denials**

One example from state records shows the extent to which the program can coddle addicted doctors.

In that case, a physician stayed in the program for nine years despite four relapses and three stays in detox centers before the state had enough and ordered him to stop practicing.

The doctor first entered the program in 1991 with admissions to alcohol and the painkiller Vicodin. In December 1995, the doctor failed a urine test.

The doctor entered a 30-day inpatient treatment program in January of 1996. By February, the doctor was back practicing.

About a year later, the doctor admitted to drinking, quit practicing again and completed a seven-day detox program. The doctor was practicing again in March of 1997.

In June 1998, the doctor tested positive for cocaine but denied using the drug. The diversion program took no significant action. Two months later, the doctor tested positive for alcohol but again denied relapsing.

Finally, in November 1998, the doctor was asked to work part time for one year and agree to stay in the diversion program for five more years.

Two years later, the doctor’s case manager was notified that the doctor was using Provigil, a prescription stimulant. The doctor was asked to stop practicing immediately but wasn’t terminated from the program and wasn’t recommended for discipline until early last year — a decade after entering the program.

Thibault said she understands how a case like this would cause alarm. But a doctor relapsing in the diversion program is far better than a substance-abusing doctor not being in the program at all, she said.

“It would not be ongoing instability; there had to be periods of stability,” Thibault said. “From a consumer’s point of view, it is a good thing that he was monitored.”

Yet criticism of the way addicted doctors are monitored has dogged the program since its inception. California’s auditor general, in three audits during the 1980s, lambasted the program for its lax enforcement and shoddy monitoring of physicians.

“There is no assurance that the public is being adequately protected during the process of rehabilitating physicians who suffer from drug or alcohol abuse,” the auditor general reported in 1982.

Twenty years later, Fellmeth said, there are still no assurances.

“T’m concerned about the time it takes this program to react and determine whether these doctors should be practicing,” Fellmeth said.
Accountability

The responsibility for monitoring doctors in the program falls to five regional diversion evaluation committees in the state. These volunteer committees are responsible for, among other things, deciding whether a participant may “with safety continue or resume the practice of medicine.”

The committees rely heavily on addiction counselors who hold weekly meetings with participants and five case managers who are each responsible for 50 to 60 participants.

Critics say this setup leaves the addicted doctors with too little supervision. The case managers, for example, have such heavy caseloads that they are rarely able to check on participants in person.

“There is very little double-checking going on,” Fellmeth said. One case file seems to validate Fellmeth’s concerns.

In September 1999, an anesthesiologist was admitted to the program with addictions to Demerol and fentanyl. The doctor was directed to stop practicing until at least March 2000. But in February 2000, the doctor admitted treating patients the previous December.

It has always been a requirement that each participant have a workplace monitor, a supervisor or colleague who reports to a case manager, Thibault said. And case managers will, for example, call to check whether they can get an appointment with a doctor who is not supposed to be practicing.

Thibault admits that accountability and oversight were problems in the past. For 20 years the program operated completely outside of the public eye. Not even the medical board had access to basic information.

But she said things have changed in the past two years. “The oversight has been more comprehensive.” Since 2000, quarterly reports on participants and relapses and discharges have been given to a newly created subcommittee of the medical board and are open to the public. Consumers can now get basic statistics on program participants, though their identities are still kept secret.

Also, the program now requires more urine testing, Thibault said. Participants are tested four times a month during their first two years in the program, and twice a month after that.

Historically, the program has a 74 percent success rate, Thibault said. The success rate, however, could be misleading for two reasons. First, the participants amount to fewer than 30 percent of the 3,600 physicians the medical board estimates have had substance abuse problems during the time the program has been operating. Second, the program does no follow-up to see if doctors have lapsed after leaving the program.

Success story

Regardless of its flaws, Dr. Robert McFarlane says, the diversion program saved his life. In 1980, McFarlane was in training as a neurosurgeon, performing delicate brain and spinal cord surgeries. He was also shooting up narcotics, such as Demerol and morphine, on a daily basis. He says that he was under the influence for hundreds of surgeries he performed or assisted with.

He had tried for 10 years to get help, but says the system wasn’t set up for someone with his problems — he was sent to psychiatric wards rather than drug-treatment programs.

Then he was told about the state’s diversion program.

He had finally found the help he needed.

“Had it not been for the diversion program, I don’t think I would be here today,” said McFarlane, who is now a San Diego-based addiction specialist.

He said he had no relapses and graduated from the program after three years. For several years after, he was a consultant for the program. However, even as a success story, McFarlane acknowledges the program’s flaws.

“It was pretty loosely structured,” he said. “There were no hard and fast rules. It depended on what the evaluation committee decided in each case.”

Physician diversion programs have no national standard or governing body, so it’s impossible to determine how California’s compares with those of other states.

The absence of standards means the programs differ greatly from state to state, said Swankin of the Citizen Advocacy Center.

“Nationally, we are not at a place where you can rest at ease as a member of the public that these programs are protecting you,” Swankin said.

California’s program didn’t stop a drunken Dr. Miller from delivering Rosio Gonzalez’s baby. And it didn’t stop him from delivering the baby boy by Caesarean section eight hours later.

After that birth, Miller’s superiors asked him to take a urine test. That’s when he ran from the hospital, the documents say.

He spent the next four hours guzzling water and trying to “sweat out” the alcohol from his system, the documents say. He went back to the hospital about 6:30 p.m. and gave a urine sample that was cold and, in the eyes of hospital officials, obviously not his.

So they drew a blood sample. It showed Miller’s blood-alcohol level was 0.13 percent, almost twice the legal limit allowed motorists, according to the judge’s findings.

The case didn’t become public until the Medical Board of California started proceedings in March 1999 to revoke Miller’s license, stripping him of the cloak of secrecy he’d been afforded since joining the diversion program eight years earlier. He was placed on probation for 10 years. He still has a license to practice medicine.

Gonzalez said she thought something was amiss that morning because she saw Miller struggling with the delivery of her daughter Jasmine. But she never knew what the state knew.

“If I would have known then I would have had another doctor,” Gonzalez said. “I wasn’t given the chance to protect myself or my baby.”
It has come to this: A professional mediator will chair the feuding state Board of Optometry's next meeting—if its six members stop bickering over the date, time and format long enough for the healing to begin.

For more than a year, infighting has prevented the 89-year-old panel from convening regularly.

As optometrists and their patients wait in vain for the board to address a growing list of issues—among them, mandatory release of contact lens prescriptions and new rules for glaucoma treatment—frustrated state lawmakers are threatening to disband it and return its functions to the state Department of Consumer Affairs.

"I'm fed up," said Sen. Liz Figueroa (D-Fremont), chairwoman of the legislative committee deciding the board's fate.

"They're very dysfunctional. They're a 10 on a scale where 10 is the worst."

The board's gridlock began simply enough, with numbers.

Charged with licensing and disciplining more than 7,700 California specialists who conduct eye exams, the board until mid-2000 had a full complement of nine members: a super-majority of six professional optometrists, offset by three members of the public.

The lay members say they often felt marginalized, their efforts to participate stymied or ignored.

"As soon as anyone questioned any of the professional members' opinions, they got angry," said Jane Vogel, an Irvine-based activist for the blind and visually impaired who has served on the board since 1996.

"They would say we're not going to discuss that, it's already decided. Everything was already decided."

The power balance swung, however, when Gov. Gray Davis did not replace the three professionals whose terms have expired since he took office.
With optometrists and non-optometrists now evenly matched, three to three, and 100% meeting attendance legally required to conduct official business, the public members have used their newfound clout to air long-held grievances.

...any dealt with administrative slights, real or perceived.

They griped that the board president—a professional member for at least a decade—always assigned fellow professionals the plums among the board's eight one-member committees, relegating lay members to duds like Credentials, an inactive panel whose purpose remains somewhat mysterious.

"They keep telling me I'm on Credentials, but I think maybe it doesn't exist," said Sunil "Sunny" Aghi, an Orange County businessman and Democratic Party activist on the board since 1998.

On a more serious note, the public members also accused their professional counterparts of placing industry interests above consumer protection by not supporting the attorney general's false-marketing lawsuit against eyeglass retailer Pearle Vision.

Led by Vogel, they protested the dearth of training requirements in a board-endorsed 2000 law that expanded optometrists' scope of practice, allowing them to treat a form of glaucoma and to delegate some tasks to unlicensed assistants.

"This board has been a total club to protect professionals," Aghi said. "Nobody has been looking out for the consumers' interests."

The board's optometrist members vehemently deny this, saying quality eye care has always been their priority.

"This board has been so fair," said board President Gerald Easton, a Coronado optometrist appointed in 1994.

"I know of no situation where we've been protective against the interests of consumers. The board certainly isn't a rubber stamp for the California Optometric Assn."

Except for an emergency conference in August, the board—which used to gather quarterly—has not held a full meeting since December 2000, canceling four scheduled dates. The professionals say the public members are using absence as a power tactic.

"If you've got problems, don't just not show up or talk behind my back," said Steven Grant, a Costa Mesa optometrist on the board since 1994. "This is like sandbox fighting."

Public members counter that they have stayed home only when they were denied equal opportunity to propose items for discussion or were given inadequate time to analyze issues.

"I don't see myself as boycotting at all," said Patricia Gee, a retired educator on the board since 1994. "Why can't we have input?"
The optometry board's escalating hostilities spilled into public view late last year, when it came up for its regular four-year check by Sen. Figueroa's Joint Legislative Sunset Review Committee.

After an angry dispute over whether to approve a staff-written report recommending the board continue unchanged, the lay members submitted their own 12-point issue paper, which suggested that the board be reconfigured to have five professional and four public members, or maybe even a public-member majority.

Figueroa said she was leaning toward eliminating the board entirely, saying she would not play referee to its factions.

"I don't take sides," she said. "I just know [the board] is not fulfilling its statutory responsibility."

All six board members say they plan to attend the mediator-led session March 18.

"I would love to hear their ideas," Sheilah Titus, the board's vice president and an optometrist in El Dorado Hills, said about the lay members.

"That doesn't mean I won't fight the good fight. I love a good argument and I've had disagreements with professionals on the board too. But I think they feel belittled by us and I don't understand why."

Still, the two sides have already exchanged tense memos arguing about the meeting's date: whether all board members were consulted equally about the date, whether some members mischaracterized other members' availability on the date and whether members could have other members removed from the board for not appearing.

Subsequently, the date was changed.

"Our organization looks at more than 25 California boards and this one is the most messed up," said Julianne D'Angelo Fellmeth, administrative director of UC San Diego Law School's Center for Public Interest Law. "This board can't even agree on a date to meet."

LOAD-DATE: March 11, 2002
Racial preferences, quotas and affirmative action in university admission practices have lost political and, increasingly, legal support. As a result, states such as California, Texas and Florida have implemented a substitute practice called “percentage plans” as a means for determining who will be admitted to their flagship universities.

In Texas, students in the top 10 percent of their high school class, based on grade point averages (GPA) alone — not SAT scores — are guaranteed admission. In California, it’s soon to be 12.5 percent, and Florida it’s 20 percent. The percentage plan applies to all high schools, whether it’s a school where a student with an A average might achieve a 1300 or 1400 score on the SAT, or a school where A students might not be able to achieve an 800 or 900 SAT score.

Let’s ignore the inequities and resources misallocation that arises from the possibility that a B student at one school who might achieve a SAT score of 1100 is denied admission while his A-average counterpart at another school can’t score 900 is admitted.

Instead, let’s ask whether the policy serves the best interests of black students. From the evidence that I see, civil-rights leaders, white liberals and college administrators seem to be more concerned with black student enrollment rates and the heck with whether they graduate.

Black students are simply tools to keep government agencies, black politicians and civil-rights organizations off their backs or to make them feel good. You say, “What’s the evidence, Williams?” Nationally, only 35 percent of black freshmen, compared to 60 percent of white freshmen, graduate; moreover, those who do graduate have grade point averages considerably lower than their white peers. I might add that the white graduation rate is nothing to write home about.

University of San Diego law professor Gail Heriot sheds a bit of light on this issue in her article “The Politics of Admissions in California” in the Fall 2001 issue of Academic Questions. California’s Proposition 209 ended racial admissions quotas. As a result, minority student admissions at U.C. Berkeley, California’s flagship university, fell.

What went unnoticed in all the hand-wringing was that at less prestigious, but respectable, California universities minority enrollment posted impressive gains. Black students were simply being admitted to universities where their academic credentials were more in line with their fellow students.

For example, at U.C. San Diego, in the year before Proposition 209’s implementation, only one black freshman had a GPA of 3.5 or better — a single black honor student in a class of 3,268 — in contrast to 20 percent of white students with a 3.5 GPA.

Was this because there were no black students capable of doing honors work at U.C. San Diego? Certainly not. Those who might have been on the honors list at U.C. San Diego had been recruited, and became failures, at California’s flagship universities: Berkeley, and UCLA. Proposition 209 has changed U.C. San Diego; no longer are black honor students a rarity.

In 1998, a full 20 percent of black freshman could boast of a 3.5 GPA. Black students, and for that matter any student, will perform better, have greater graduation chances — not to mention greater pride and self-worth — by attending a university where his skills are closer to that of his peers. It’s somewhat analogous to putting a young, inexperienced boxer in the ring with Lennox Lewis. That boxer might have the potential to be a world champion, but he’s going to have his brains beaten and his career ended before he learns how to even bob and weave.

You say, “But what about diversity and multiculturalism at the nation’s elite universities?”

In my book, that’s their problem.

Walter E. Williams is a professor of economics at George Mason University in Fairfax, Va.
hen a well-known television producer came to the San Diego County District Attorney's office with the idea of taping prosecutors before and during trial, I had my reservations, and for good reason. I'm a prosecutor, but I'm also a former television news producer and reporter. From my past career I know the cases in our office, especially those that go to trial, have all the emotional components that make for highly rated television. As prosecutors, though, our obligation is to the victims, witnesses, and integrity of the system. I did not see a rating success without risk to those involved.

As a television journalist, first at KTVX in Salt Lake City, then at KGTV in San Diego, I created newscasts, interviewed celebrities, and won awards. It was a wonderful job, but in the late '80s the rise of cable TV pushed the industry much further toward infotainment, making it more difficult for me to take pride in my work. So, in 1991, I left television news and enrolled at the University of San Diego Law School. Now, as a deputy district attorney in San Diego, I work mainly on sexual assault cases. There are no awards or celebrities here, but it is deeply satisfying work. So much so, in fact, that I can honestly say that I don't miss my former life at all.

Life, though, does have a funny way of coming full circle. In the spring of 2001, Dick Wolf, the television producer who created the NBC hit series "Law & Order," began scouting district attorney offices for a new show concept that involved following deputy DAs around as they prepared for trial. Wolf called it "drama-mentary." He made the pitch in a number of offices but narrowed his choices to San Diego and San Francisco. Wolf told me later that he chose San Diego because the San Francisco District Attorney's office did not seek the

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Katherine A. Flaherty is a deputy district attorney in San Diego.
death penalty—a policy that precluded the possibility of seeing a defendant on trial for his life.

His proposal drew a mixed response from my colleagues. Many prosecutors thought it was a dreadful idea, fraught with risk and no apparent benefit. A few obviously saw it as a chance to become famous. Others, including me, were cautiously optimistic that with the proper safeguards it could give the public a better understanding of what we do.

But it was up to our boss, District Attorney Paul Pfingst, to decide. He weighed the issues and had a number of questions for Wolf and another of the executive producers, Bill Guttentag. How do we know that our prosecutors will be shown fairly? Do you expect the defense bar and judges to cooperate? If we have a problem with this, do you understand that we can pull the plug? Ultimately, Wolf and Guttentag convinced Pfingst that they respected our work and our concerns, and Pfingst gave Wolf the green light. “We complain all the time about how Hollywood portrays the criminal justice system,” Pfingst told me after he decided to let the cameras in, “yet we don’t give access to the real thing.”

The taping was scheduled to begin in June. None of us was required to take part in the project, and due to the sensitive nature of my sexual assault cases, I was among those who opted out. However, because of my past life, I was asked to help bring my colleagues up to speed on the libel, slander, and discovery issues that would come up during taping.

Discovery was the biggest concern. The taping of pretrial meetings with witnesses meant the creation of recorded statements, which had to be provided to the defense in a timely fashion. The show’s producers agreed to facilitate that process. But despite our best efforts, there was one case in which the judge felt compelled in the middle of trial to reduce a felony assault charge to a misdemeanor because of inadequate notification.

From the producers’ point of view there were also a number of false starts. For example, one case that they wanted to follow involved a California Highway Patrol officer who, after devoting his career to getting drunk drivers off the road, was hit and killed by a man coming home from a night of drinking in Tijuana. The producers repeatedly asked Deputy DA Paul Myers for his cooperation. Myers, in turn, asked the widow of the deceased officer if she would consent to videotaping. Her reply was unequivocal. “I do not want my husband’s death to be used as entertainment,” she told them. “I won’t create scenes for emotional impact.” The producer apologized, the taping stopped, and Rodriguez went on without the cameras to win a conviction.

The producers had better luck with Dan Goldstein, a prosecutor who also works in our Family Protection Unit. Goldstein has tried some of the county’s toughest murder cases and is comfortable in front of news cameras. In his biggest case of the summer, the defendant was James Dailey, a 36-year-old college student. Dailey stood accused of killing his wife, whose body has never been found. Goldstein gave the cameramen the kind of access they were hoping for. They showed him in his office and working out at the gym. They even followed him and his wife out to dinner. But Goldstein drew the line when the producer asked to tape him at home playing with his kids. “I don’t want to expose my kids to the public,” he explained, “because there are people I’ve prosecuted who are still very angry at me.”

Producers also tried to get access to Dailey himself by going through Michael Begovich, the deputy public defender assigned to the case. “We just want to be like flies on the wall,” they told him. Begovich listened to their pitch but in the end, he felt that giving them what they wanted would amount to a waiver of both attorney-client and work-product privilege.

Judge Judith Hayes, in whose courtroom Dailey was tried, allowed the production crew to set up three cameras each covered by a large wooden box. Operated by remote control from outside the courtroom, they could zoom in on emotional testimony without anyone realizing it. That made it
good television. As one of my colleagues observed after watching the tape, "You can't watch it without getting a knot in your stomach before the verdict is read." The jury ultimately convicted Dailey of first-degree murder.

While many defense attorneys simply disliked the whole idea of the show, Deputy Alternate Public Defender Jeffrey Martin actively fought against allowing cameras in the courtroom. He argued that although the California Rules of Court allow a judge to grant access to news organizations based on the public's right to know, these cameras were from NBC's entertainment division, and the court had no authority to grant them access. Furthermore, he argued, the national notoriety would endanger not only his client but also his client's family, who'd already received threats. "Beyond the safety issue," he told the judge, "it detracts from the dignity of the court to let a first-degree murder with special circumstances be used to help NBC's advertisers sell cars and shampoo." Judge Frederic Link denied the motion. As long as the cameras did not deprive the defendant of a fair trial, he said, the cameras were permissible.

If it was hard for defense lawyers to see their clients become the unwilling costars of a television show, it was equally difficult for crime victims and their loved ones to balance a desire for privacy against a natural desire to help the prosecutor. Some victims, though, did agree to be taped with apparently good results. Deputy DA Jill DiCarlo asked the mother of a five-year-old molestation victim if the child could be filmed before trial. The defendant in that case was the mother's ex-boyfriend, and he faced the prospect of spending 16 years behind bars. With the understanding that the child's face would be blurred out on screen, a camera crew followed DiCarlo. They showed her brainstorming at the office with colleagues on trial strategy, at home practicing her opening statement, and jogging near the ocean during a lunch break. "I asked them not to show my legs," she said laughing, "but I think they did anyway." Still, when she really needed some privacy, she found that they were willing to turn their cameras off.

Melinda Lasater was the judge who presided over DiCarlo's case, and when I asked her what convinced her to let the cameras in, her reasoning was similar to Pfingst's. "It's important for the public to see what's happening in court and to have a better understanding of the process," she said. "But it's definitely problematic. As a judge you have to be highly vigilant and mindful of the cameras."

The case required the testimony of the child victim, who was asked in court to describe the sexual assault in detail. However, when placed on the stand, she couldn't do it. "No, no, no," the child responded to each of DiCarlo's questions about specific sexual acts. However, there is an Evidence Code section that allowed the prosecution to show the jury a videotaped statement the child made to social workers, which was very detailed. The jury convicted the defendant on four felony counts. But the camera crew only had to wait for the first guilty verdict to be read to get their made-for-TV moment. That's when the bailiff walked over to the defendant and snapped the handcuffs on.

Through Deputy DA Andrea Freshwater, the NBC crew met Melissa Huffman, a 24-year-old rape victim who decided to fully cooperate with the producers. A medical technician in the navy, Huffman was kidnapped and raped by a man who offered to help her find her parked car. Her jaw was broken badly enough to require extensive surgery, yet the man who was charged claimed the sex he had with her was consensual. The trial lasted two weeks, during which time the production crew shot more than 100 hours of tape. Pfingst closely monitored the interaction between the television crews and his lawyers. He was generally happy with the results. "After spending weeks on a case, the reactions of the camera crews were priceless," he told me. "They were truly seeing what was happening in court, and that getting a dangerous criminal off the street is not a sure thing."

Fortunately, the trial ended with the jury returning a conviction. That afternoon, after the verdict, Freshwater and Huffman celebrated their victory at a Mexican restaurant in historic Old Town, with the camera crew still in tow.

The show, which is now being called Crime & Punishment, is set to air on NBC in early summer. Our hope, of course, is that it will inform as well as entertain. Judging from the episodes that they've already shown us, we think it will.
From government shadow to community spotlight

Local insider Haddad helping SAIC show more visible profile

By TIM COFFEY
San Diego Daily Transcript

For more than a year, Science Applications International Corp. has been on a mission to better its image in San Diego.

Despite being the largest defense contractor in San Diego and one of three Fortune 500 companies here, SAIC is often overshadowed by companies that are more involved in the community and advertising.

Yet, to coordinate the new strategy, SAIC hired a person without a background in marketing or building and strengthening brands. Rather, the company hired a man with immense connections in the community and at every political level.

SAIC has tapped Benjamin Haddad to raise the company’s profile in the community as it shifts from almost-exclusive government work to commercial contracts as well.

"I think (SAIC is promoting its image) because they’re doing more commercial work than they did in the past," said SAIC’s director of communications, Benjamin A. Haddad, who was hand-picked last year by the company’s founder and top executive, J. Robert Beyster. "The company used to do all government contracting, primarily military. Over the years, it’s blended to half commercial, half government. And with that, they need to play more in the commercial arena."

"They look at their competitors now and their competitors are much more involved in community events and things they really haven’t done much of in the past," Haddad said.

However, Haddad is learning that it’s difficult to change the mindset of a company whose sole responsibility, for many years, was to the federal government, and not the community.

Last year, at Haddad’s urging, a newspaper editor spoke to senior executives at SAIC about the public perception of the private company.

The editor told them SAIC needed to be more accessible to the community.

Several executives didn’t agree. One voiced a stern disagreement.

SAIC’s “culture has never been one to look for the limelight or sought publicity or what have you,” Haddad said. “These changes will come slowly. They will not be overnight.”

What SAIC must do, he points out, is evaluate its place in San Diego. It needs to determine the kind of relationship it will have with the community. Will it be a benefactor for San Diego or a company that lives in the shadows?

Haddad was born into a family of doctors. Although his father was a stockbroker, several family members were doctors, including the two people he was named after. His uncle, Benjamin, was a neurosurgeon and another uncle, Albert, was an internist.

Other family members had medical degrees in “every other type of doctor,” he said.

Haddad entered college as a premed student. But after two years, he found he didn’t have an aptitude for sciences.

“It wasn’t coming to me in a fashion that I thought I was going to get me very far," he said. "I could wing it for a while, but I felt I was memorizing things to pass the test. I wasn’t really understanding what it was that I was learning, which really troubled me.”

In his sophomore year at the University of Southern California, Haddad turned to philosophy because nothing else interested him and he could take classes from a variety of curricula.

See Haddad on 8A
Continued From Page 1A

"My dad was OK with it as long as he knew I was going to law school," Haddad said.

After graduating from the University of San Diego's law school in 1980, he interned for then-San Diego City Councilman Bill Lowery. At the time, Lowery was running for U.S. Congress, an election he won.

Lowery took Haddad to Washington, D.C., and made Haddad a legislative assistant for his congressional subcommittees.

"When I went to work for congressman Lowery as a legislative aid, all of a sudden he gave me 10 issue areas I was responsible for," Haddad said.

The experience taught him "to know just enough about (a subject) to know where to ask the questions," he said.

Haddad's political connections run deep in San Diego. He eventually served as chief of staff for Lowery and held the same position for former San Diego Mayor Susan Golding.

He worked twice for former California Governor Pete Wilson, including two years as chief of staff. And he was named to the transition team for current San Diego Mayor Dick Murphy.

Haddad feels the connections he's made in his 21 years in San Diego will help SAIC build a new image.

"What they want me for, really, is to provide them a network into San Diego media, San Diego political people and San Diego community leaders, to try to enhance the image of the company in San Diego," he said. "It's got a good reputation, but they're trying to be a little more visible than they have in the past."

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Source Code: 20020315tba
T. RAO COCA
IP LAW COUNSEL
IBM RESEARCH DIVISION

T. Rao Coca recently moved from being IBM's Microelectronics Division IP counsel in Fishkill, NY to San Jose, CA, to lead the company's IP staff at its premier research labs in Almaden, Beijing, New Delhi, and Tokyo.

Mr. Coca managed a group of nearly 60 IP attorneys, patent agents, patent engineers, and support personnel dispersed throughout the United States. He also manages a similar, smaller group dispersed across the world. Mr. Coca is a native of India and early in his career, he pursued his passion to study physics. He earned a Bachelor of Science degree in Physics and Mathematics and a Master of Science degree in Nuclear Physics both from the University of Mysore in India. He also earned a Master of Arts in Optical Physics and a Doctor of Philosophy in Solid State Physics both from Temple University.

He initiated law studies at Temple University School of Law and completed his work at the University of San Diego Law School.
Vitunac returns as Vero Beach city attorney

City Council promotes Charles Vitunac to the title he last held from 1981 to 1985.

By Beth Green · staff writer

After 17 years, Charles Vitunac is back at his old job as Vero Beach's city attorney.

Vitunac, 54, was promoted at Tuesday's City Council meeting to the title he last held from 1981 to 1985. He has been an assistant city attorney since February 2000, after resigning from his post as Indian River County attorney.

Former City Attorney Julie B. Schutta announced her May 31 resignation at the Feb. 18 council meeting, citing personal and family health problems.

The City Council discussed making Vitunac acting city attorney until Schutta's resignation May 31, but decided instead to hire him and pay Schutta for the 12 weeks remaining until her resignation comes into effect.

"I guess (the city will) pay her whatever she would have earned normally between now and May 31," Mayor Tom White said Wednesday.

With Vitunac as city attorney instead of just acting city attorney, the city will have a "cleaner situation," Councilwoman Sandra Bowden said at the meeting.

"I think it's time now to pay total attention to the big issues before us," she said.

Vitunac will keep the city attorney post at least until October, the end of this fiscal year, the council agreed.

Schutta did not attend Tuesday's meeting, but Mayor Tom White said she had agreed to the payoff via telephone.

Earlier Schutta had said she approved of Vitunac as her successor, White said. Schutta couldn't be reached for comment Wednesday.

As city attorney in the 1980s, Vitunac overtook the rewriting of the City Charter and the city codes' numbering system.

Providing water to the South Beach and establishing utility fees were main issues then, he said. He also worked on setting up the joint county-city parks system.

Vitunac left the city in 1985 because he felt it would be more challenging to be the county's attorney.

"It was fairly smooth here," he said.

While at the county, Vitunac worked with the legalities of the waste water and water systems, wrote the first Solid Waste Disposal District ordinance and helped consolidate the county's fire districts into the Indian River County Fire District.

Vitunac resigned from the county in February 2000. The catalyst for his resignation may have been a memo Vitunac and the assistant county attorneys wrote expressing doubts about a court appeal of fired County Personnel Director Ron Baker's reinstatement to the county, Commissioner Ruth Stanbridge said. Commissioners at the time said they were upset Vitunac didn't come forward with his doubts sooner because that could have saved the county money.

Vitunac said Wednesday he left because he wasn't
happy with his job and windowless office, and didn’t feel the commissioners were happy with him.

“The commission decided they needed a change and were probably looking for a different slant for the office,” said County Commissioner Ken Macht, who described himself as a personal friend of Vitunac. He said there was no confrontation leading up to Vitunac’s resignation. “They were just searching for a different thrust for the office.”

Vitunac was hired as a temporary assistant city attorney later that month.

As city attorney, Vitunac holds a post called for in the City Charter along with the city clerk and city manager.

City attorneys are appointed by the council each year, instead of holding a contract.

Vitunac made about $81,000 as assistant city attorney; Schutta made $85,000 as city attorney. Vitunac said Wednesday he didn’t know yet if he would receive a pay raise or not with his promotion.

White said he thinks the council should wait to decide on a pay raise until the next budget season begins in July.

Vitunac graduated from Stanford University in 1970 and from the University of San Diego law school in 1973.

His family came to Vero Beach in the 1920s, but Vitunac said he spent his childhood at Air Force bases in Germany and Japan.

He is married to Suzanne Vitunac, also a lawyer. They have two grown children.

Before coming to Vero Beach in 1981 he worked for more than six years as an assistant Palm Beach County attorney.
Susan Kirkgaard has been elevated from associate to principal at The Diepenbrock Law Firm in Sacramento, while Matthew Emrick and Bradley Engle have joined the firm as associates.

Kirkgaard is a trial attorney with more than 14 years' experience litigating business, real estate/construction and employment matters. She received her law degree from the University of San Diego School of Law.

Emrick has joined the firm as a senior associate in the environmental and natural resources law practice group. He has practiced law for 12 years, most recently as a partner at Griffith, Masuda & Emrick in Turlock. He graduated from the University of California Berkeley Hastings College of Law.

Engle has joined the firm as an associate, specializing in real estate, business and corporate transactions. He earned his law degree from the Santa Clara School of Law.
Other USD Related News
University of San Diego

The Catholic university, founded in 1949, is about halfway complete on a $19.3 million dormitory.

This component of housing adds 356 new beds to USD’s inventory, which will increase the total number of on-campus residents to approximately 2,400. The two buildings are three and fours levels of apartments with full kitchens and living rooms. Conference rooms will be provided on the first and third floors of the facility for large group meetings and classes. A convenience store will be included on the first floor of the four-story building.

The project is located in the East Campus canyon area. The site has presented a number of challenges, said Roger Manion, director of facilities management.

Excavating and removing 50,000 cu. yds. of earth, rubble and concrete debris and excavating and installing 1,230 lin. ft. of cast-in-place concrete caissons have been difficult parts of the project, Manion said. Other challenges, he added, include relocating 1,500 ft. of power lines and transformers, installing 1,750 lin. ft. of Keystone retaining walls and constructing 134,000 sq. ft. of wood frame structure over 107,000 sq. ft. of concrete garage.

The project architect is Emeryville-based Fisher Freidman. The general contractor is San Diego-based Harper Construction.
An annual survey released by the National Association of College and University Business Officers reports National University's endowment continues to grow, even in a year when two out of every three college and university endowments declined in value. Among the 610 colleges and universities represented in the survey, National University ranked 226. With the market value of its endowment listed at $160.25 million as of June 30, 2001, the 30-year-old university rises nine positions from the previous year's study.

It also surpasses the University of California at San Diego Foundation, ranked 234 at $154.5 million, to become the largest university endowment in San Diego County. The market value of UCSD Foundation's endowment declined 2.6 percent from last year.

The University of San Diego's endowment, ranked 311, decreased by 10.5 percent, from $107.9 million to $96.6 million. San Diego State University and Foundation, by contrast, grew 3.5 percent, from $57.1 million to $59.1 million. It is ranked 390 this year.
Work starts on one plant to cool most of East Village

By THOR KAMBAN BIBERMAN
San Diego Daily Transcript

It may not win any awards, or even look pretty, but a multimillion-dollar chilled water system will help save energy for a ballpark, a 512-room hotel, a library and a host of other projects that have yet to be developed in the East Village.

The plant, being developed by Jackson & Blanc and GEM Engineering Inc., is capable of producing sufficient chilled water storage to air condition the equivalent of 5,000 approximately 1,400-square-foot homes for one hour. This stored water will in turn be pumped throughout much of the 26-block ballpark district with 12- and 24-inch black steel pipes that will extend miles beneath home plate, the Omni Hotel, the new downtown library and future commercial projects planned to come online within the next few years.

Kirk Jackson, Jackson & Blanc president, said Padre fans are avoiding having to build several smaller chilled water plants for each project. This plant is strategically placed to reach the entire district.

"We're tying East Village together," Jackson said.

As explained by Jim Chatfield, JMI Realty ballpark district director, the $10 million to $12 million project has two parts. One is the plant. The other is the extensive piping system that will require more than 6,000 welds.

The plant will be about 1,000 feet east of home plate. Chatfield said not only will the plant be covered to minimize visual impacts, but with just one instead of several plants, there will fewer to hide.

"will make it a lot nicer place to work and live," Chatfield said.

The plant will chill the water in the middle of the night when demand is at its lowest and electricity prices are cheapest, said Chatfield.

The work on the plant is expected to begin in early fall, with completion slated for November 2003. While trenches are being dug now, the pipe laying begins in earnest in June. It is expected to be completed concurrently with the plant.

Jackson & Blanc, one of San Diego's best known mechanical contractors, is overseeing the piping work. The firm's projects include the HVAC network for the San Diego Marriott on the bayfront next to the Convention Center.

Vadnais Corp. is assembling the piping system for the chilled system. That firm has supplied sewer and water piping for San Diego over the years, and was instrumental in repairing the pipe that caused a giant sinkhole to collapse a portion of Balboa Avenue in 1998.

GEM Engineering of San Diego, whose primary job is to develop the chilled water plant, is the mechanical engineer on the 750-room expansion of the Hyatt next to the Convention Center. Other GEM jobs include a new chilled water plant for Sharp Memorial Hospital's main campus, and new mechanical systems for a new science building at the University of San Diego.

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Flack + Kurtz of New York City is handling the mechanical engineering work. Flack + Kurtz has worked on an array of systems for high profile projects that include work for the morning production studio for CBS News, Madison Square Garden and Carnegie Hall. In San Diego, Flack + Kurtz has worked on systems for the Hotel del Coronado, and office buildings for the county on Ridgehaven Court in Kearny Mesa.

ILA + Zammit Engineering is the electrical contractor. ILA's major jobs have included large facilities for Qualcomm in Sorrento Mesa and Eastgate Mall, the Renaissance condominium project downtown, and the Pechanga Resort & Casino in Temecula.
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Athletics
No Toreros magic as USD drops two

By Kevin Acee, STAFF WRITER

It was a bad day to have a bad day.

Playing their only scheduled doubleheader of the season, the University of San Diego baseball team was swept yesterday by Loyola Marymount 5-1 and 5-2 to close out a key early-season West Coast Conference series.

So close to breaking both games in their favor, the Toreros were instead turned into passive observers as an opponent did to them what they have done to so many this season.

One team got the timely hits. One team got some hits its coach conceded were lucky. One team was disciplined at the plate.

That team was not USD.

"Leaving guys on base, not getting the two-out hits, line drives right to guys," Toreros coach Rich Hill said. "That has been very uncharacteristic of us. That came back to haunt us."

The Toreros, ranked No. 15 in the nation, could well remain in the top 25 when the new polls are released tomorrow. But they will spend this week at least in second place in the WCC’s West Division — behind a team with an overall losing record.

Loyola has played the nation’s toughest nonconference schedule. And in addition to emerging with an unattractive record, the Lions (13-17, 6-2) emerged with some nerve.

"We weren’t intimidated," said Lions center fielder Joe Frazee, a Carlsbad High graduate who made a back-to-the-plate diving catch in the day’s first inning to come out today and play (good) baseball, or we would have had our butts handed to us like we did in the first game."

The Toreros didn’t have trouble hitting Lions pitchers. It was the when and where of hitting that eluded them for the day.

Their choppers up the middle were fielded. An uncanny number of line drives flew right at fielders. And for a rare afternoon, the Toreros did not help themselves, chasing bad pitches and coming up empty in almost every scoring opportunity.

If not for David Bagley’s third-inning home run — one of his four hits in the game — the Toreros would not have touched home plate in the first game. They left runners in scoring position in each of the first five innings and again in the seventh and ninth. In all, USD was hitless in 10 at-bats with runners on second or third.

"That’s the way you lose a game," Hill said.

Such things happen in a long season. But when USD did not improve in the finale, perhaps playing an all-around worse game, Hill was chapped.

"You can accept losing the first one," he said. "The second one was a little tougher to take."

The Toreros actually got a hit with a runner in scoring position in Game 2. Two such hits, actually, in another 10 at-bats.
Toreros throttle Loyola
USD scores early, often in 12-2 win

By Kevin Acee
STAFF WRITER

It is so routine now for this team, which measures victories by the inning and refuses to look much beyond that.

Take advantage of a few early breaks. Score runs, score runs and then score some more runs. Send an opponent filing to its bus quickly and quietly.

A 12-2 baseball victory by 15th-ranked USD over visiting Loyola Marymount went just that way yesterday, much the same as it has all season.

Afterward, Loyola coach Frank Cruz addressed his players for all of 20 seconds.

"Very seldom do you tell your team, 'Hey, we just got beat today, that's all,'" Cruz recounted. "That's what I told them today."

(San Diego) put the ball in play and they kept putting the ball in play. They've been doing it very well all year."

The victory, which came in the opener of a three-game series that concludes with a doubleheader tomorrow, was pretty much the standard USD effort.

Only this one, even in its rote progression, wasn't so routine.

"They were No. 1 in the standings," said USD center fielder Tom Caple, one of three Toreros to have at least three hits in a 19-hit attack. David Bagley and S.C. Assael continued to have their way offensively with four hits apiece. Bagley drove in four runs, Assael three.

"The thing is, (Loyola's) offense has been so powerful," said USD starter Ricky Barrett. "... For us to be able to come out and only let them score two and us get 12, that was big. That was one of our better overall games."

Barrett struggled but picked up his fifth victory, one start after his first loss of the season. All over and behind in counts early, Barrett got sharper and stronger and made it through seven innings having allowed just seven hits and two runs.

As usual, his services were barely needed.

The Toreros (25-6, 8-2) are averaging more than seven runs while Barrett is in games. For the fourth time this season, they batted around while he sat chilling, literally, on the bench in the first inning.

Before Loyola starter Kyle Huddy recorded an out, it was 4-0, thanks to a few good bounces and a fielding miscue.

Before Huddy got out of the first inning, it was 10-0.

Loyola got to Barrett for two unearned runs in the third inning to make it 5-2. But as has been their custom, the Toreros quashed that uprising with two runs in the bottom of the inning. They also scored two in the fourth, two in the fifth and one in the sixth.

"It's huge," Barrett said of the lift he gets in innings such as yesterday's third. "It feels like (the offense) makes up for what you screwed up."

After all the scoring, however, Barrett at first had to be reminded about the third inning.

"It's just that it's been happening all year," he said. "I just expect it."
College Basketball Report

Memphis, S. Carolina in NIT final

FROM STAFF AND WIRE REPORTS

Kelly Wise's basket with 18.6 seconds remaining gave Memphis a 78-77 win over Temple last night in New York and a spot in the National Invitation Tournament championship game.

Memphis will meet South Carolina tomorrow at Madison Square Garden after the Gamecocks beat Syracuse 66-59 in the second semifinal.

Freshman Dajuan Wagner scored 32 for Memphis (26-9) and fed Wise for his winning shot. Wagner made 12-of-18 shots from the field, including 5-of-6 from three-point range.

In the second game, Aaron Lucas scored 20 to lead South Carolina (22-14) into the NIT final for the first time. Preston Shumpert scored a game-high 28 for Syracuse (23-12), while Kueth Duany added 15 points.

Toreros player Boardman quits

Scott Boardman, on track to graduate in May, has chosen to end his USD basketball career despite having another year of eligibility.

The 6-foot-5 swingman's decision leaves the Toreros with one more scholarship than anticipated.

Boardman — who came to USD from Beaverton, Ore., as a walk-on but earned scholarship status before last season — underwent back surgery and sat out 1998-99 as a redshirt.

He appeared in only five games in 1999-2000, then made his presence felt the following season when he played in 20 games, starting the final three and averaging 14 minutes over the last seven.

Tickets for 2003 Final Fours

Ticket applications for the 2003 NCAA men's and women's Final Fours will be available through April 26, the NCAA announced. The 2003 Men's Final Four is at the Superdome in New Orleans.

Tickets are $122 and $102 and admit one to the semifinals April 5 and title game April 7.

The 2003 Women's Final Four is at the Georgia Dome in Atlanta. Tickets are $122 and will admit one to the semifinals April 6 and title game April 8. For applications, see www.finalfour.net.

College comings and goings

- Kent State's Stan Heath flew to Fayetteville, Ark., with his wife, Ramona, to interview for the vacant Razorbacks coaching position. Wyoming's Steve McClain also is in the running for the Arkansas job.
- Point guard Marcus Taylor plans to forgo his final two seasons at Michigan State and enter the NBA draft.
Local Colleges

Aztecs, BYU can't finish it

SDSU led BYU 11-10 in a Mountain West Conference baseball game suspended after eight innings yesterday at Provo, Utah.

The game will be completed when the teams meet on April 18-20 in San Diego. The Aztecs and Cougars agreed before the 1 p.m. game that no inning would start after 4:15 so the Aztecs could catch their flight home.

SDSU trailed 10-5 going into the eighth but scored six runs to pull ahead. Carlo Cota’s two-run double was the big hit, driving in Taber Lee (4-for-4) and Anthony Gwynn (2-for-3, two stolen bases, two RBI). Cota went 2-for-5 with three RBI.

More baseball

USD’s five-run output over the last two innings against Portland was enough to give the visiting Toreros a 7-6 win over the Pilots.

Portland (8-11, 2-3 WCC), which trailed 7-3 heading into the ninth, rallied for three runs to make it close, chasing USD starter Tom Caple (6-0). Caple went 8 1/3 innings, fanning 10 for the 16th-ranked Toreros (23-6, 6-2). Freddy Sandoval and Joey Prast hit back-to-back homers in the fifth inning and Mike McCoy also homered for USD.

PLNU swept visiting Vanguard 5-4 and 5-0 in Golden State Athletic Conference action.

Brandon Hanley’s two-run double in the ninth drove in the tying and go-ahead runs in the first game as the Crusaders rallied from a 4-3 deficit. Adam McGrew was 3-for-4 while pitcher Ryan Hoover went the final 1 1/3 innings to win the first game.

In the second game, Derek Davis went the distance in the shutout, scattering eight hits. PLNU scored twice in the first and added three more runs in the second.
"We knew it was going to be four or five years when this thing pops. In my opinion, it popped a year early."

RICH HILL, USD baseball coach, on the progression of his program during his four-year tenure

Building a magic season

Moment by moment, Toreros do 'whatever it takes' every game

By Kevin Acee
STAFF WRITER

They have this thing on a team full of things. It is called the "Magic Moment."

It is a designation awarded after every victory to the player who contributed that moment in the game that made the difference between winning and losing.

A key walk, a timely hit, a defensive play, a rally-killing strikeout by a reliever.

There have been plenty such moments for members of the University of San Diego baseball team.

If there is to be a magic moment awarded for the season, perhaps one that was overlooked for individual game honors will end up standing out.

Midway through the season's fourth game, the Toreros were forced to deal with something they had not yet experienced.

Their opponent, Cal Poly, had a lead.

That early in a long season, how the Toreros responded would not seem to be a make-or-break kind of moment. But how they did respond indicated what they might be capable of in what is shaping up as the best season in the program's history.

Junior Tony Perez ran in from right field after the third out and announced to his teammates that he didn't like the feeling he was not alone.

The Toreros did not score that half-inning, but the next inning they put up two runs and held on for a 7-6 victory. They won five more before losing for the first time.

Today, starting a three-game West Coast Conference series against visiting Loyola Marymount, USD has won 24 of its 30 games and is ranked an all-time high 15th in the country.

Rarely has it taken the Toreros as long to answer back as it did that night at San Luis Obispo. Of all the stunning statistics this team has compiled, there is one that defines it. It speaks to the Toreros' philosophy of relentless baseball.

In USD's victories, there have been 21 innings in which their opponents have scored a significant run — one
Coach Rich Hill, stopping a USD baserunner at third, has waved enough home this year to outscore the opposition 262-142. Union-Tribune 2000 file photo

TOREROS CONTINUED FROM PAGE D1

Hill’s team plays as if each inning is the last one

Hill referred to last season, when USD won a school-record 44 games against Division I opponents. That signaled a program on the rise.

"It seemed like they were pretty close last year," Loyola coach Frank Cruz said. "It was pretty evident they were going to have a good team. Most importantly, they have some veteran leadership. They play well as a team. They'll score runs and do what it takes. It really exemplifies what Rich has been trying to get done for a long time with these guys."

Whatever it takes?

The Toreros have scored 11 runs on bases-loaded walks. Of the 44 innings in which an opponent has made an error, USD has turned the gaffe into at least one run 33 times.

"We don't have the team that is going to hit seven home runs a game," said junior center fielder, starting pitcher and sometimes closer Tom Caple. "We produce runs with timely hitting and executing. We're a scrappy team, and everyone on this team fits into that mold of being scrappy and being a hustler."

This is not the local nine pro scouts are looking at. That is down Interstate 8 at San Diego State.

Just two Toreros — junior left-hander Ricky Barrett and junior designated hitter David Bagley — are pro prospects this spring. In a day when size is everything in baseball, USD’s starting shortstop, second baseman and one outfielder are all listed (generously) at 5’10”.

The Toreros are not anywhere near the 15th-best hitting team in the country. Neither does their staff ERA rank that high. But, most having been together now for more than three years, this group of players manufactures wins.

Looking at that big picture, however, goes against another of Hill’s mantras: "Win Every Inning."

An impossible goal, for sure, but USD has outscored its opponents in 91 innings while being outscored in just 42.

So, while outscoring opponents 262-142, the Toreros have largely lived up to Hill’s most over-the-top incantation.

"We just refuse to be behind."

Toreros outfielder Tony Perez

They are about to participate in "72 hours of mayhem" he reminds his team before every series.

"The type of player we have here characterwise is just all about that stuff," Hill said. "I believe you can play with a lot of emotion in college baseball. It's a very intense, emotional way to go about it. It doesn't fit with the traditional way of playing baseball."

But it is the way USD plays baseball.

"Everyone has bought into it, and that's what it takes," catcher S.C. Assael said. "We're the smallest team in college baseball, but we have confidence in everyone on this team. We know we are good."
College Baseball

Bagley feels good, gives USD a boost at the plate

By Kevin Acee, STAFF WRITER

A lot of things are going right for the USD baseball team. None more so than the belated arrival of David Bagley.

Finally, things are going right for Bagley, the former Ranch Bernardo High team MVP who was a non-factor for two years for the Toreros.

Bagley, a sophomore in eligibility but a junior academically, spent all last season recovering from a mysterious viral infection. That followed a freshman season in which he batted just .248 with two home runs in 31 starts.

Healthy and feeling ready, he pulled a hamstring toward the end of fall workouts and had just one at-bat in the season's first 11 games. He started at UC Riverside on Feb. 16, the Toreros' first loss, and pinch hit the next day.

Going into his second start on Feb. 24, he was 0-for-5 with three strikeouts.

Then, he changed his approach.

"I just took the pressure off myself," Bagley said. "I knew what I was capable of doing. I just went up there and tried to have fun."

He has started all 12 games since — mostly as designated hitter — going 26-for-48 (.542) with at least two hits in all but two of those games. He has homered in half the games and driven in 19 runs.

"My freshman year I got off to bad start," he said. "I came off a good season (in high school), and I was pressing a little bit.

"I've just been working my butt off since, trying to get back get in there. It's been so long."
Sophomore right-hander Matt Coy was given mop-up duty in his first two appearances this season. But in two recent outings, he was trusted in close games. On March 10, he stranded two runners in the eighth inning to give USD a chance in the ninth at San Francisco. And Tuesday at Cal State Northridge, he pitched a scoreless ninth for his first collegiate save.

Great news for the Toreros: Joe Lima’s bat is alive. Batting just .233 on Feb. 24, Lima (Mira Mesa) has hit in all but one of 11 games since and has raised his average 77 points. That span has also included four homers and 13 RBI.

Tom Caple (Rancho Bernardo) had his hitting streak stopped at 12 games with an 0-for-5 day Tuesday.
Local Colleges

Marian's two homers ignite USD in another rout of USF

Senior first baseman Jason Marian hit two home runs to lead USD to a 21-5 rout over San Francisco yesterday in West Coast Conference baseball action at Cunningham Stadium.

Marian went 4-for-6 with three RBI and four runs scored. Designated hitter David Bagley and outfielder Joey Prast had three RBI apiece for the Toreros (20-5, 4-1 WCC). Mike McCoy, Lucas Wennersten, Joe Lima and Ben Quinto each drove in two runs for USD.

In their five meetings this season, USD has outscores San Francisco 69-19, winning four of the contests.

Tom Caple improved his record to 5-0, striking out five while giving up eight hits in seven innings of work. Michael Bass pitched two scoreless innings of relief for the Toreros.

Third baseman Cy Donald went 3-for-5 for the Dons (7-16, 1-4).

More baseball

- UCSD swept Grand Canyon 12-3 and 5-1 in a California Collegiate Athletic Association doubleheader at the Tritons Field. By winning for the 11th time in the last 13 games, the Tritons (19-10-1, 14-6) moved ahead of the Antelopes (18-10, 13-6) into second place in the CCAA standings.

- Air Force (13-9, 1-1 MWC) held on to beat SDSU 7-6 last night at Tony Gwynn Stadium. The Aztecs (17-8, 1-1) rallied for three runs in the eighth inning but came up short as reliever Erik Fisher sealed the victory for Air Force.

- Point Loma Nazarene (15-9-1, 7-5) split a Golden State Athletic Conference doubleheader with Westmont College (4-19-1, 2-13), taking the first game 10-5 before dropping the second 5-4 at Carroll B. Land Stadium.

Softball

- SDSU defeated Texas A&M 3-1 in morning action before beating USD 7-1 in an afternoon game at the SDSU Tournament. Tiffany Goudy drove in two runs in the first inning as the Aztecs (20-14-1) held off the Aggies (22-6). SDSU starter Jessi Green improved her record to 7-3.

- Bre DeSanta went a complete seven innings, giving up only four hits and one earned run to help the Aztecs get past USD (8-22) for the second consecutive day. Shortstop Joann Figueroa went 3-for-4 with an RBI and Summer Ehrsam added two RBI for SDSU (21-14-1).

In earlier action, Texas A&M defeated USD 2-0 behind the pitching of Lindsey Rippee. The Aggies pitcher held the Toreros to two hits.

More softball

- Amy Rosson and Susan Churchwell pitched back-to-back shutouts as UC Davis swept UCSD 3-0 and 3-0 in a CCAA doubleheader at LaRue Field.

In the first game, Rosson (11-1) didn't give up a hit until the seventh inning, winning her 10th consecutive decision for the Aggies (18-7, 10-4). Leea Harlan (8-6) recorded the loss for the Tritons.

In the nightcap, Churchwell retired 14 straight batters, allowing only one Tritons runner to reach third base.

Swimming

The UCSD women's team finished fourth at the NCAA Division II Championships in Orlando, Fla.

Jennifer Watanabe finished second in the 200 backstroke (2:01.66), and Sandra Lopez, Denise Bogard and Rosanna Delurgio placed third, fourth and fifth, respectively, in the 200 breaststroke.
Local Baseball

Runs keep coming for lefty Barrett as Toreros cruise

By Kevin Acee
STAFF WRITER

Ricky Barrett can joke at this point and wait for everything to come around.

"I'm the luckiest pitcher in college baseball right now," Barrett said yesterday after another game in which he received a month's worth of run support.

The junior left-hander won his fourth game of the season as USD scored eight runs in the first inning and returned to the kind of baseball to which it has grown accustomed with a 16-3 West Coast Conference victory over San Francisco at USD's Cunningham Stadium.

For the ninth time this season the 20th-ranked Toreros (19-5, 3-1) scored in double digits as they stopped a losing streak at two games.

Second baseman Mike McCoy fell a single short of the cycle, drove in five runs and scored three, but he was hardly the only hitting star for the Toreros.

Left fielder Tony Perez had three hits in four at-bats with two RBI and a run before being lifted for a pinch hitter in the fifth inning. First baseman Jason Marian (three RBI) and right fielder Joe Lima (two RBI) also had three hits. In addition, designated hitter David Bagley (two RBI) and center fielder Tom Caple belted two hits apiece.

pitching elbow. The problem hampered him early last year as well before he went on to finish 9-3.

"I'm 100 percent now," he said. "It will get going."

Among the Toreros' 20 hits were two doubles, three triples and McCoy's three-run homer in the third inning that gave Barrett a 12-0 cushion.

"The only reason I'm winning now," Barrett said, "is because my offense is bailing me out."

In Barrett's past three starts, the Toreros have scored 10, 12 and 16 runs while he's been in the game. So, despite a 4.14 ERA and the fact he has lasted seven innings just three times, Barrett is undefeated, and USD has won seven of his eight starts.

"It doesn't feel like 4-0," Barrett said. "And it should be a lot better than that."

Should Barrett continue to pitch as he did yesterday — when a two-out, three-run homer in the fourth inning accounted for all the damage against him — it will get better for the WCC's projected Pitcher of the Year. He threw 110 pitches against the Dons (7-14, 1-3) and was still hitting 90 mph in his seventh and final inning.

Barrett was bothered early in the season by bone spurs in his
USD extra bases

- **David Bagley** (Rancho Bernardo) is 16-for-25 (.640) with four home runs and 11 RBI since becoming a starter seven games ago.
- Junior left-hander **Mike Osegua** (La Costa Canyon) has become a top-notch reliever, coming in to both get lefties out and work long stretches. Tied for the team lead with 11 appearances, Osegua has stranded all but two of the 13 runners he has inherited and has a 1.77 ERA in 20 1/3 innings.
- **Tom Caple** (Rancho Bernardo) was the preseason pick to be the West Coast Conference Player of the Year. To that end, he is on a nine-game hitting streak, is batting .355 and leads the team with 25 runs scored. How about Pitcher of the Year, too? The junior righthander is 4-0 with two saves and a 1.18 ERA in 38 innings.
- Senior second baseman **Mike McCoy** (Grossmont) has stolen 15 bases in 17 attempts.
Local Colleges

Toreros lose 4th of year, to USF

USD suffered only its fourth loss of the season and first in West Coast Conference play yesterday, falling 5-4 to host San Francisco in 11 innings.

It was USF's first victory over USD since April 2, 2000, in San Francisco.

Royce Fukuroku (3-for-5, three RBI) singled in pinch-runner Greg Kagawa from third against loser Tony Perez (1-2) in the 11th for the Dons (7-13, 1-2 WCC).

The 23rd-ranked Toreros (18-4, 2-1) scored in the second and fourth innings to take a 2-0 lead, but fell behind 4-2 after five innings.

USD chipped away with a run in the eighth, then tied it in the ninth on a home run by catcher S.C. Assael.

USF totaled 15 hits — eight off starter Aaron Wilson — while the Toreros had nine, led by David Bagley and Ben Quinto with two apiece. USF's Jesse Mena (2-0) went the final three innings to get the win. Starter Bryan Williams struck out seven in eight innings.
College Baseball

Lima hammers two homers in USD’s pounding of USF

No. 23-ranked USD started out well and never wavered in a 14-1 win over the University of San Francisco yesterday in West Coast Conference action at Benedetti Diamond in San Francisco.

It was the second straight win by the Toreros (18-3, 2-0) over the Dons (6-13, 0-2), and USD did it by pounding out 11 hits against four USF pitchers.

Right fielder Joe Lima hit two home runs to lead the offensive output. Senior catcher S.C. Assael was 2-for-4 with one run scored and two RBI. Designated hitter David Bagley homered and scored twice. Bagley was last week’s WCC Player of the Week.

Meanwhile, last week’s WCC Pitcher of the Week, right-hander Tom Caple, upped his record to 4-0, going seven innings before yielding to freshman Michael Bass. Caple fanned seven and allowed five hits and one run.

UCSD sweeps doubleheader

UCSD moved into third place in the California Collegiate Athletic Association after sweeping a doubleheader against Cal Poly Pomona, 8-1 and 4-1, at Triton Field.

With the sweep, the Tritons (16-9-1, 11-5) won for the eighth time in their last nine games.

In the first game, center fielder Matt Smith was 3-for-5 with two runs scored and an RBI; second baseman Anthony Lococo was 2-for-3 with a stolen base, a run scored and an RBI. Designated hitter Jeff Riddle and third baseman Ryan Larson were both 2-for-5, helping senior pitcher John Beaven (4-1) get the win.

Beaven struck out six and allowed one run on six hits over six innings before James Sanders came in to pitch three innings of perfect relief, earning his second save of the season.

In the nightcap, which went just 6 1/2 innings, the Tritons made use of their five hits, scoring two runs in the second and two more in the sixth inning. Smith had two hits and scored once.

Pitcher Alexander Cremidan (3-1) struck out seven and allowed three hits and one run over six innings. Robert Peelle earned his fourth save, striking out all three batters he faced in the seventh.

The Broncos fall to 11-12-1, 6-10.

PLNU splits doubleheader

PLNU split a doubleheader with The Master’s College in Golden State Athletic Conference action at Pete Reese Field.

The Crusaders (15-8, 6-4) pounded out 15 hits in a 19-6 shellacking of the Mustangs (11-9, 5-5) before falling 10-4 in the nightcap.

The Mustangs hurt themselves with five errors in the first game, but PLNU’s offense was unstoppable.

Designated hitter Matt Mamula was 3-for-4 with a double, a home run, two runs scored and three RBI while center fielder Brandon Hanly was 3-for-4, with two homers, three runs scored and six RBI. First baseman Brad Vericker doubled twice, scored twice and drove in three runs. PLNU pitcher Jeff Johnson moved to 6-1 with the win.

In the nightcap, three Mustangs homered and Crusaders pitcher Derek Davis (3-1) was roughed up for seven hits and six runs over 2 1/2 innings. Mamula was 2-for-3, and third baseman George Jimenez was 2-for-3 with an RBI.
College Baseball

Defense rescues Dunwell, Aztecs

By Kevin Acee
STAFF WRITER

IRVINE — Chris Dunwell sat in the dugout after a troubling and premature finish to his evening, and he smiled.

That is what good defense does for a pitcher.

It relaxes him. It preserves a win when he develops the yips.

It so seldom happened in recent years for the San Diego State baseball team.

Dunwell went from dominant to horrible in the sixth inning last night. But just as suddenly, the Aztecs tightened their grip in the field, literally holding on for a 5-2 nonconference victory over UC Irvine.

“I don’t know,” he said. “I felt good out there. That was probably my best stuff I’ve had all year through five innings.”

His walk of Jon Horwitz to lead off the sixth was his first in 11 innings. He followed that by hitting B.J. Eucce, then giving up a full-count single and another four-pitch walk to bring in a run.

That ended his night.

Reliever Erik Fiedler got two outs with just one more run scoring before hitting Brett Smith to load the bases. Gregg Wallis then hit a chopper into the hole on the right side that first baseman Jon Stephens dived on and threw to Fiedler in time to stop the damage.

After the Aztecs expanded their lead to 5-2 in the eighth, Irvine (12-11) put another runner on with one out in the bottom of the inning. But pinch-hitter Daniel Miramontes lined out to Stephens, who was holding the runner. Stephens promptly stepped on the bag to bring another abrupt end to a potential Anteaters rally.

Royce Ring pitched a perfect ninth for his sixth save in six tries as the Aztecs (15-6) won for the 10th time in 12 games.

The three-game series continues today at 4 at Tony Gwynn Stadium before concluding here tomorrow at 1.

USD rolls in WCC opener

Tom Caple and Tony Perez each had five RBI to help USD rout host San Francisco 18-6 in the Toreros’ West Coast Conference opener. USD, ranked 23rd, improved to 17-3 overall. USF is 6-12. Caple went 4-for-6 to lead the Toreros’ 23-hit effort. Perez’s three hits included a homer. David Bagley, Freddy Sandoval, Joey Prast and Mike McCoy also had three hits each. Starter Ricky Barrett (3-0) got the win.

Tritons win at Pomona

Andy Hanua pitched a six-hitter and Tyler Sullivan went 3-for-4 with three RBI to help UCSD (14-9-1, 9-5 CCAA) defeat host Cal Poly Pomona (11-10-1, 6-8) 8-1 in conference play.
After incredible start, USD turns to trials of conference play

By Kevin Acee, Staff Writer

Well, this has really been something so far.

Indeed, a buzz has germinated. College baseball is beginning to notice. People are talking about USD’s impressive start.

“I knew they were going to be good,” Loyola Marymount coach Frank Cruz said. “I don’t think anybody is going to be 16-3 playing on the West Coast.”

Yes, a third of their games finished, Toreros have surpassed even their grand expectations. They have won 16 of their 19 games, outscored opponents by almost a 2-1 margin and are ranked 23rd in the nation.

The final two-thirds of the season, though, is going to be the test. It will be much more difficult for a team with no tradition to turn the buzz into a roar than for it to fade into a whisper about what might have been.

West Coast Conference play begins today at San Francisco with USD as the favorite to win its first title.

But what lies ahead is bigger even than that.

The Toreros are finished with the Point Lomas and Cal Poly San Luis Obispos.

Every weekend through May they will play a WCC series. Next week, USC comes to town. Multiple games with Long Beach State, Cal State Northridge and San Diego State are on the schedule.

“We just need to carry our whole attitude on,” said junior Tony Perez. “We’re out to prove we are a pretty good team. Every game counts. Now, they start to count more.”

So far, the Toreros have been dominant without statistics that reflect it.

A .309 team batting average is not phenomenal for a college team, especially when most of that hitting is coming from four players. For USD to continue on anything close to this winning pace, Joe Uma (.250), Joey Prast (.232) and Lucas Wennersten (.280, 1 HR) must start hitting as expected.

A 3.94 staff ERA is decent, but that figure, too, is what it is largely because of the work of less than half the staff. Starters need to be working deeper than the average of 5 1/3 innings they are now. Relievers need to be more effective stranding runners.

“I should feel happier and more excited than I do,” coach Rich Hill said this week. “We’ve got some concerns. We’re not clicking. But where there have been some concerns, other guys have picked it up.

“(The rest of the season) is going to be the same for us. The opponent is nameless and faceless… We’re going to go about it the same way, trying to be relentless and win every inning.”

WCC honors

Tom Caple (Pitcher of the Week) and designated hitter David Bagley (Player of the Week) swept the weekly awards handed out by the WCC. Caple pitched seven scoreless innings against Michigan on Saturday to improve to 3-0.

Bagley went 9-for-11 over the weekend with five RBI and six runs scored.

WCC Baseball

Predicted order of finish (as selected by coaches)

West Division
1. USD 2. Loyola Marymount

Coast Division
1. Pepperdine 2. Gonzaga
3. Santa Clara 4. Saint Mary’s

■ Winners of the two divisions meet in a best-of-three series beginning May 24 at the site of the team that won the regular-season series between the two.
Aztecs giving Dietz less to worry about in terms of defense

By Kevin Acee
STAFF WRITER

There have been some rough games. At this level, where players are young and learning, there always will be.

But overall, San Diego State's defense has improved from 2001, when the Aztecs averaged almost two errors a game. Many of those came in crucial situations, a major factor in yet another season that ended before anyone wanted it to.

The biggest improvement has been at first base, where Jon Stephens has switched positions while giving the infield a makeover.

Stephens, a third baseman at Saddleback College last season, has committed two errors in 158 chances.

"It's cool," he said. "I don't have to worry about throwing the ball away."

And coach Jim Dietz doesn't have to worry about his first baseman letting the ball get away.

For a guy who had only played first base "off and on," Stephens has been impressive. His stretch for balls looks practiced, and he can scoop short-hopped throws and field tricky bouncers.

"I'm just kind of winging it," said Stephens, who is being tutored by former Aztec and son of Jim, Steve Dietz. "I'm learning as I go."

Said Jim Dietz, who saw three different first basemen make 13 total errors last season: "It's been good. All the plays in the infield end over there, so it's important."

Walking it in

It was one plate appearance in an inning that saw USD send 17 batters to the plate. It produced one run in an inning that saw USD score 13.

But Joey Prast's walk in the first inning of Sunday's 21-2 rout of Michigan was a perfect summation of the 23rd-ranked Toreros' offensive success.

Batting with the bases loaded, Prast took two swings for the fence. Then, with a full count, he changed his approach and battled off consecutive good pitches before drawing a walk that forced in a run.

The Toreros have walked nine times with the bases loaded this season.

"That's just our two-strike approach," Prast said. "We have confidence the pitcher can't beat us. Every guy is disciplined enough to know, when they do get two strikes, a walk is as good as a hit."

SDSU extra bases

■ Current Aztecs hitting streaks: Anthony Gwynn, 11 games; Jake McLintock, 10 games; and Josh Hill, seven games.

■ SDSU received 11 points in the Baseball Weekly/ESPN coaches' poll, good for 40th place.

USD extra bases

■ Coach Rich Hill decided he needed more offense from the catcher's position and has started S.C. Asasel the past six games. The senior is 11-for-23 with 11 RBI, and the Toreros are 6-0 in that span.

■ A couple of reminders of how hard it is for USD to get respect nationally: Last week, after a 6-2 loss to the Toreros, Cal State Northridge had 36 points to USD's 12 in the coaches' poll; USD beat Oklahoma State two Saturdays ago, yet the Cowboys are ranked No. 12 by Collegiate Baseball while USD is not ranked.
Local Colleges

Toreros hammer Michigan in baseball

The USD baseball team, ranked 24th in the nation, notched its fourth consecutive victory, pounding out 11 hits in a 9-4 win over Michigan yesterday at Cunningham Stadium.

Toreros pitcher Tom Caple (3-0) struck out 10 Wolverines in seven innings, allowing just four hits without a run.

USD (15-3) broke out early, scoring three times in the first and adding four runs in the second off Michigan pitcher Jim Brauer, who allowed 10 hits and nine runs over six innings of work.

David Bagley homered, scored two runs and drove in three, and Jason Marian also homered and scored twice for USD. Freddy Sandoval doubled and drove in two and Tony Perez tripled and scored twice against the Wolverines (1-7).
Local Colleges

Aztecs hit Southern Utah hard in rout

By Kevin Acee
Staff Writer

Aztecs hit Southern Utah hard in rout for SDSU's power rating but could be magnificent for its self-esteem.

Coach Jim Dietz, who got his 1,200th victory, substituted en masse in the sixth inning. That stopped neither the hitting nor the scoring against the Thunderbirds (1-15).

Over the past nine games, the Aztecs are batting .338. They are 7-2 in that span.

Last night was the fifth straight game in which SDSU (12-6) reached double digits in hits. McIntock, a freshman from Bonita Vista High who became a starter seven games ago, extended his hitting streak to eight games. Josh Allen had two singles, Jon Stephens drove in two runs, and Riley Barrett homered in his first at-bat in place of Lee.

Gwynn has raised his batting average 60 points in his nine-game hitting streak. And Lee, who was batting .170 just a week ago, is 8-for-15 in the past five games and has reached base eight straight times.

USD beats Michigan

S.C. Assael finished 4-for-5 with four RBI to lead USD to a 12-9 win over Michigan at Cunningham Stadium.

Tritons win in ninth

Keith Hernandez doubled down the left-field line in the top of the ninth to score Tyler Sullivan and give UCSD (11-8-1, 6-4 CCAA) a 4-3 win over host Cal State San Bernardino. Tommy Sereno (2-0) won.
Men's BASEBALL at the Cunningham Baseball Stadium

University of San Diego 2002 Baseball Schedule

Mar 30 Loyola Marymount 11am
Apr 09 Northridge 2pm
Apr 12 Santa Clara 3pm
Apr 13 Santa Clara 1pm
Apr 14 Santa Clara 1pm
Apr 16 Long Beach State 2:30pm
Apr 26 Gonzaga 3pm
Apr 27 Gonzaga 1pm
Apr 28 Gonzaga 1pm
Apr 30 San Diego State 3pm
May 10 Portland 3pm
May 11 Portland 1pm
May 12 Portland 1pm

Come see the Nationally Ranked Toreros compete for the West Coast Conference Title

For more information call 619-260-7550
Palomar shortstop proves to be a hit

Palomar College's Kyle Floquet jokes about having clandestine urges to pitch. Although such thoughts may come from having major league baseball ancestry, he is aware the notions are more pipe dream than possibility. His late great-uncle Bob Muncrief pitched 12 seasons in the major leagues, listing Dizzy Dean, Bob Feller, Satchel Paige, Joe DiMaggio and Mickey Mantle among his teammates. "I met him when I was a 10-year-old Little League pitcher," Floquet said of Muncrief, who posted 80 victories during a 96-game pitching career that included stints with the Browns, Indians, Pirates, Cubs and Yankees. "Uncle Bob could tell old baseball stories non-stop." Floquet says he's been intrigued by those tales, but fantasizing about a big league career has not been his focus. "My main thing is to go play Division I ball," he said.

Earning all-state recognition as a freshman outfielder and now one of the top shortstops in the Pacific Coast Conference, Floquet won't be spinning any curveballs in college. "Pitching is fun, but I know that's not my future," the 5-foot-10, 170-pound sophomore said. "Because of my size, infield is my best shot at making it to the next level."

Palomar coach Bob Vetter believes second base is Floquet's ultimate destination. "You have to see this guy play to realize all the things he can do," Vetter said. "He's not flashy, but he's able to make adjustments. We asked him to bat third last year and have him hitting leadoff this year. Nothing bothers him, and that makes him successful under pressure."

Floquet led Palomar with a .374 average last season and is hovering around .400 this spring. "He has a great two-strike approach," Vetter said. "Even when it may look like he's fooled on a pitch, Kyle finds a way to put the bat head on the ball."

He strikes out less than 5 percent of the time. "A lot of my hits come with two-strike counts," said Floquet, a Granite Hills High alum. "I think I'm actually a better hitter when I'm behind because I concentrate so much better. No panic, I just react quicker."

A man of consistency, Floquet has hit safely in 23 of his last 26 games and 47 of 52 the past two seasons. "I don't think about stuff like that," he said. "I just play the game."

A Grossmont tradition

Few in the PCC play with more intensity than Grossmont College's Travis Udvarhelyi. A one-time 150-pound southpaw quarterback at Patrick Henry High, the sophomore center fielder is making a bid to become the Griffins' sixth conference Player of the Year in the last seven seasons. "I've always been able to hit, make contact, but I've been fortunate in that I've found more holes this year," Udvarhelyi said.

Hitting safely in 17 of his last 18 games and 23 of his past 25, Udvarhelyi has hiked his average to a conference-leading .449. "He generates great bat speed," Grossmont coach Ed Olsen said of the Griffins' leadoff hitter. "That's the key. He can go the other way and pull the ball with authority. And he's as good a drag bunter as I've ever had."

Ten doubles, six triples and three home runs are included among Udvarhelyi's 61 hits. He ranks second on the club with 27 RBI and tops the squad with 41 runs.

"I've put on close to 40 pounds since high school," said the 6-foot, 190-pounder, who batted a modest .287 last year. "I've been able to increase my strength and stamina while still shaving a couple of tenths off my 60-yard time (down to 6.4 seconds)."

Those numbers have attracted interest from Long Beach State, Washington State, San Jose State, USC, Gonzaga and UC Riverside. While Olsen says his star pupil is "absolutely" of Division I caliber, he also believes professional scouts are undervaluing Udvarhelyi's ability.

"He has improved so much defensively," Olsen said. "He is doing an excellent job of reading the ball off the bat. He recognizes what pitches are being thrown and that allows him to get a better jump when the ball is hit. "They say the knock on Travis is his arm strength. My contention is who in the major leagues is throwing guys out from center field? Hitters are so much bigger and stronger these days that the center fielder is playing much deeper. Being able to run balls down like Travis can is a value that is being overlooked."

If he is able to maintain his current pace and the defending champion Griffins hang on to their 21/2-game lead over Palomar in the second half of the PCC season, Udvarhelyi should be able to continue Grossmont's tradition of fielding the conference Player of the Year.
Holland brushes off New Mexico rumors

By Hank Wesch
STAFF WRITER

USD basketball coach Brad Holland yesterday downplayed rumors of his candidacy for the opening at the University of New Mexico created by the recent resignation of Fran Fraschilla.

Holland's name was on a list of "interested" candidates in The Albuquerque Tribune. Others included former NBA players Michael Cooper and Sidney Green, former Iowa State and Chicago Bulls coach Tim Floyd — who the paper reported was No. 1 on athletic director Rudy Davalos' list — and former Lobo assistant Tony Benford.

"That (speculation) stuff happens," Holland said. "I've done nothing to create it, and I haven't been contacted."

Holland conceded that the New Mexico job would be of interest to any coach with upwardly mobile aspirations. The Lobos have a strong basketball tradition and routinely play to capacity or near-capacity crowds at The Pit, their 18,018-seat campus arena. They're a member, along with San Diego State, of the Mountain West Conference, which placed three teams in the NCAA Tournament this season.

"Obviously, it's an intriguing job," Holland said. "But I have a good job here. My situation here is solid, and I'm thankful for that. I'm not looking to move. So there's nothing there."
Senior catapults Toreros into semis against Gonzaga

By Hank Wesch

University of San Francisco junior guard Shammond Smith was "just didn't want to lose" and was geared up to do whatever it took to win.

But so was USD senior guard Andre Laws.

And Laws made two megaplays in the closing seconds of last night's West Coast Conference Tournament quarterfinal game — a resounding dunk with 18.9 seconds left and a 23-foot, three-point jumper with 4.4 remaining — to pull the Toreros from three points behind to a 69-67 victory.

With it, fifth-seeded USD advanced to the tournament's first semifinal tonight at 6:30 against No. 2 Gonzaga, an 82-64 winner over Loyola Marymount.

"We've been talking all week about believing in us, believing in our team," USD coach Brad Holland said of a Toreros group that was 0-4 this season in major-competition games that went down to the last minute. Games against Washington, USC, Pepperdine and Gonzaga. "And when the moment looked bleak, our team believed."

"All season we've had those shots that could have tied or won the game, and we weren't making them," Laws acknowledged. "But like coach said, we all believed. It showed a lot, and it's just a blessing. You never know what is going to happen and it just happened tonight, in front of our crowd. It's something special. It's a game we'll"
Laws hits in clutch to knock out USF

always remember.

Common sense said that USD (16-12) couldn't expect to cruise to another 20- or 33-point victory against San Francisco like it had the last two times the teams met at the Jenny Craig Pavilion. And common sense was right.

The Dons (13-15) flirted with letting the Toreros get away, falling behind by as many as 12 points in the second half. But Stallworth would have none of it, scoring 18 of his career-high 28 points in the second half to bring USF back.

And the last three of them, on a wide-open 20 footer from just left of the key with 27.3 seconds left, gave USF a 67-64 lead.

"As a senior, that's your worst nightmare out there to have them hit a three like that," said USD forward Tom Lippold, who contributed 13 points and was pivotal playing the unfamiliar small forward spot much of the game. "But I think we all kept our cool pretty good when it would have been easy to say 'Oh, my God.'"

At that point, the Laws Show began.

Following a timeout, the Toreros put the ball in Laws' hands and the 6-1 Alaskan bolted through USF for the most thunderous dunk of USD's season. USD then gave two fouls, the second one sending USF's All-WCC forward Darrell Tucker (16 points) to the line for a one-and-one with 15.7 seconds.

Tucker missed, USD rebounded and gave the ball to Laws again. He dribbled past midcourt calmly as the clock ticked down, drifted to the left wing and launched the game-winner despite being contested by USF 7-0 center Hondre Brewer.

"I just tried to create some space for myself," said Laws, who finished with 19 points and three assists.

USF got off a desperation three-pointer at the buzzer that wasn’t close. A USD celebration that was probably equal parts pride and relief featured Laws doing a chest-out strut for the Toreros fans in the crowd of 4,431 shortly after being mobbed by his teammates.

Asked if the sensation of such a victory could carry over for USD the rest of the tournament, Holland answered a question with a question: "Why can't it carry over? A play like that can send you to great heights. Hopefully we'll use it that way.

"It gave us one more breath. We'll breathe in deep and try to get this done."
The Toreros' Andre Laws tries to drive between Jason Gaines (left) and Tayo Akinsete.
USD's Jenny Craig Pavilion, host site of the WCC Tournament for the last two years, is in line to host for two more.

Meeting Friday, the WCC executive council, which consists of athletic directors and institutional representatives from all eight schools, voted to recommend the JCP as the tournament site for the 2003 and 2004 events.

The recommendation must be approved by the WCC presidents at their meeting in April and there is no reason to expect that it won't be done.

WCC commissioner Michael Gilligan said that historically, the presidents have "almost never" gone against a recommendation.

Last year's tournament could have been the last at the JCP. The league had tentative plans to institute a new format in which the league regular-season champion hosted the semifinals and finals. But the event was such a success in its inaugural year here, it was decided to return it this season.

It looks like it's staying for two more years at least.

— HANK WESCH
Toreros aim to reverse WCC's home-court hex

By Hank Wesch
STAFF WRITER

The West Coast Conference Tournament has come to their house for the second straight year. And the USD men are hoping to be somewhat less gracious hosts — on the basketball court, anyway — this time.

Coach Brad Holland's Toreros take on San Francisco tonight at 6 at the Jenny Craig Pavilion in a rematch of an opening-round game a year ago won by USD 62-42. The following night USD Jost to Gonzaga in the semifinals.

So the Toreros enter the 2002 edition with an understanding of why no host team has won the championship in the event's 15-year history. And a realization of how difficult a task winning three games in three nights on your home court under tournament circumstances really is.

But with the hope that familiarity of surroundings still might breed success this time.

"I think we've played better at home this year than last year," Holland said. "And while our home record isn't stellar (9-6), we've played some awfully good teams very, very well.

"Home is more like home than last year. And hopefully it will be somewhat of an advantage to us."

The JCP has been a house of horrors for San Francisco. In three games against the Toreros there, the Dons' average margin of defeat has been 26 points, with the most decisive being 88-55 two weeks ago.

That was the second in a three-game USF losing streak following the loss of senior point guard Ly Ryan Russell to a knee injury. The Dons ended the streak and closed the regular season with a 97-81 home victory over Portland a week ago.

"We went through a late-season swoon with the loss of our point guard, but I think we got it back this past weekend," said USF coach Phil Matthews.

USD went 4-2, with the losses to WCC co-champions Pepperdine and Gonzaga, to close the regular season after losing freshman point guard Mike McGrain to a foot injury. McGrain appears sufficiently recovered to see some time in a reserve capacity this weekend.

It's the same opponent for the opener, but a different situation and feeling this year, said senior All-WCC guard Andre Laws, USD's leading scorer at 18.1 points per game.

"I think we're a lot more focused and intense. And I think we believe more this year than we did last year," Laws said. "The last six or seven games we've been playing really well. Last year we were really inconsistent and never really found our rhythm. This year we found it. It took a long time, but we found it and it seems like everybody's clicking right now."
Earning respect key for midmajor circuit

Can WCC get three to dance?
Pressure mounting for regular-season co-champ Waves

One, two or three?

Eight West Coast Conference men’s basketball teams convene tomorrow at the Jenny Craig Pavilion, each intending to be the one that emerges late Monday night with the league’s single guaranteed place in the NCAA Tournament.

But regardless of which team that turns out to be, it’s a sure bet that WCC folk will spend considerable time between the crowning of the tournament champion and NCAA Selection Sunday making like an orphan named Oliver, imploring, “Please, sir may I have more?”

A league that has been accorded one NCAA representative in-14 of the past 20 years enters the tournament with two teams, regular-season co-champions Gonzaga (26-3) and Pepperdine (20-7), with worthy claims to be NCAA-bound.

Gonzaga, ranked seventh in the nation and having advanced to the NCAA Sweet 16 the past three years, is a lock. But with no assurances beyond the tournament champion, there is justifiable fear around the WCC that Pepperdine could be passed over if it is an early-round tournament upset victim.

Or could the league get an unprecedented three representatives if a team other than the Big Two wins the championship?

“I think our league is every bit as strong as the Missouri Valley Conference a few years ago when they got three teams in,” said USD coach Brad Holland. “But the way the RPI (Ratings Percentage Index) has worked in the last few years, I think it is going to be super difficult for us to get three teams in if say, we (USD) were to win the tournament.

“I don’t think that’s right. I think Gonzaga and Pepperdine have tremendous teams. They’ve proven themselves. Obviously Gonzaga has respect now, but to me Pepperdine hasn’t gotten enough of that based on their strength of schedule and who they’ve beaten.

“The reality is that Gonzaga is in no matter what, but Pepperdine probably has to do very well in the conference tournament.”

Pepperdine has the second-best RPI — the computer-generated ranking of more than 300 Division I teams upon which the NCAA Selection Committee relies — and the best strength-of-schedule rating in the WCC. The Waves had an RPI of 46 and strength-of-schedule rating of 99 at the start of the week to Gonzaga’s 25 and 141.

Pepperdine beat both UCLA, then ranked No. 11, and USC, currently No. 19. Three of the Waves’ losses this season were to Oregon, Arizona and Georgia, currently Nos. 13, 14 and 16 in the nation. Two of those were on the road.

Which leaves Waves coach Paul Westphal, in his first year back in college after six-plus seasons in the NBA, to wonder.

“I think we’ve done everything anybody could expect us to do in order to qualify for the NCAA Tournament,” Westphal said. “I’m not worried about it. The only reason I’m talking about it is because everybody’s asking about it.

“I’m naive enough to think that if you just go ahead and play a tough schedule and win enough games, that’s good enough. When computers start deciding everybody’s fate rather than wins and losses we’re probably all in trouble.

“I’m still trying to figure out UCLA — just to pick a school out. They (experts) are saying (UCLA) is in as a No. 6 seed and all that. Well, I do think we have a better record and we beat them at their place.”

“To me, there’s no question Pepperdine is one of the top 64,” Holland said. “To me, Pepperdine is significantly better than the fifth- or sixth-place teams from the ACC or the SEC.
USD's Marta Menuez gets past Santa Clara's Courtney Cushing for a layup and two of her 12 points. Charlie Neuman / Union-Tribune

Toreros quickly exit tournament as Broncos romp

By Nicole Vargas, STAFF WRITER

For four seasons, America's Finest City has been the Santa Clara women's basketball team's worst nightmare.

Entering last night's West Coast Conference Tournament, the Broncos were 0-5 in San Diego during that time, dropping four games to USD and making a quick exit from the WCC Tournament last season with a loss to Portland.

On the verge of graduating its senior class without a win here, Santa Clara finally shook its jinx, thanks to the offense of its own San Diego County product and a storm of three-pointers.

The No. 2-seeded Broncos routed the No. 7 Toreros 82-52 in the first round at Jenny Craig Pavilion.

USD (13-15) made its third straight first-round exit from the conference tournament, which for the past two years has been played on its home floor.

"To have a chance to win the ballgame, we had to come in and execute a good game plan and limit their good looks and shoot well," said USD coach Kathy Marpe. "Looking at the stats, we didn't do either. They did a good job defensively and they took us out of our defensive flow."

Five players scored in double figures for the Broncos (20-8), led by El Capitan High grad Kendra Rhea. The current WCC Player of the Week scored 17 points and had six rebounds, both team highs.

"The fact that it was down here was huge to me," said Rhea, a junior. "Of course, I wanted to play well in front of my family and the town, but just the fact that we won was huge. We wanted to keep on going."

Rhea was followed in scoring by All-WCC seniors Caroline Gruening (13 points) and Becki Ashbaugh (12), who combined to hit 4-of-4 three-pointers.

After building a 32-25 lead at halftime, the Broncos outscores USD 50-27 to build their final 30-point margin.

"We were frustrated, you could tell," said USD senior Janeene Arendsen, who scored five points. "They kept going on runs, and nothing we could do could stop them."

Erin Malich led the Toreros with 17 points, and Marta Menuez added 12.
THE MARCH IS ON

USD's Janeene Arendsen (front) runs into trouble trying to drive past Santa Clara's Tammy Annas in the WCC Tournament. Toreros also ran into trouble and lost the game. Charlie Neuman / Union-Tribune
Rhea excited about playing in title game

By Nicole Vargas, STAFF WRITER

With a guaranteed NCAA Tournament berth on the line, playing in today's West Coast Conference Women's Basketball Tournament championship game is a treat for any player.

For Santa Clara's Kendra Rhea, though, there is a little more excitement in her voice when she talks about stepping onto the floor of Jenny Craig Pavilion for the biggest game of the season.

"For me, it's always great to play here," said Rhea, who graduated from El Capitan High. "I like playing in front of the home crowd, and the fact that the whole team is playing well and I am having some big games just makes it that much better for me."

Rhea and the No. 2 seed Broncos (21-8) play No. 1 Pepperdine (22-7) at 2:30 p.m. (Fox Sports Net 2).

With All-WCC forward Annie Garrison in the lineup, Rhea saw limited playing time in her first two seasons, averaging 5.5 points and 3.2 rebounds in 15.5 minutes per game.

After Garrison graduated last year, Rhea was given the job of stepping into her shoes. And Rhea has responded with solid numbers of her own.

"I'm playing like I can," said Rhea, who has started 19 games this season while averaging over nine points and nearly seven rebounds. "That's been really encouraging."

The WCC Co-Player of the Week followed her career-high 22-point performance against No. 7 USD in the first round with 19 points in the semifinals win over No. 3 Saint Mary's on Friday.

"Our defense is clicking, our offense is working great," Rhea said. "We're starting to really pull together as a team."
Local Colleges

Long Beach St. sweeps Toreros

The USD softball team dropped a double-header to Long Beach State 10-0 and 8-2 yesterday at the USD Softball Complex.

In the first game, Lindsay Knoff (8-9) limited USD to two hits over seven innings to pick up the win for the 49ers (24-13). Christina Zepeda led Long Beach State with two hits, two runs and two RBI, including an inside-the-park home run in the fourth inning. Desi Collo and Jennifer Delpit had the only hits for the Toreros (8-24). Anna Russell (4-9) took the loss.

In the nightcap, Panita Thanatharn went 3-for-4 with three RBI and Natalie Walker 3-for-3 with a run and an RBI to pace the 49ers. Melissa Backstrom went the distance with a five-hitter to even her record at 1-1.

Ashley Miller and Desi Collo each had an RBI for USD. Toreros starter Allison Williams (4-9) took the loss, giving up eight runs over the final four innings.

USD hosts Saint Mary’s at 1 p.m. Monday.

Tennis

The San Diego State men’s and women’s tennis teams both improved in the Omni Hotels Collegiate Tennis Rankings released by the Intercollegiate Tennis Association.

The men jumped from No. 40 to No. 25 in this week’s rankings, while the women moved from No. 53 to No. 39. The rankings are a season best for both teams.

The men are 7-6 this season and have won four of their last five matches. All six of the Aztecs’ losses have come to teams currently ranked among the top 13.
Aztecs fall to A&M, beat USD in softball tourney

The San Diego State softball team split the first day of action at the SDSU Tournament, losing 1-0 to No. 20 Texas A&M before beating crosstown rival University of San Diego 4-2 at SDSU Field.

Freshman pitcher Bre Santa took the loss for the Aztecs in game one, giving up six hits and the lone run in six innings.

Kelly Ferguson knocked a ball off the head of SDSU third baseman Kelcy Murphy in the fourth inning, resulting in the game-winning run for the Aggies (22-5).

In the second game, Kellie Nordhagen went 3-for-4 with one run and one RBI to lead the Aztecs (19-14-1). Murphy rebounded from game one, finishing 2-for-4 at the plate and scoring two runs.

Sophomore Jeni Tornquist picked up the win, giving up six hits and one earned run in seven innings against USD (14-7).

More softball

Point Loma Nazarene breezed into the semifinals of the Redlands Tournament with three straight shutouts.

The Crusaders' toughest game was an 8-0 romp over Redlands as Leslie Ludlow tossed a one-hitter.

PLNU blasted Colorado College 24-0 with Jessica Rapora going 5-for-5 with two RBI and two runs, Martha Serrato going 4-for-4 with six RBI and three runs and Cheryl Bolding going 4-for-5 with three RBI and four runs. Brenda Wheeler tossed a two-hitter.

Finally, the Crusaders brushed aside Mary Hardin-Baylor 10-0 behind a one-hitter from Miranda VanderVoot.

Women's tennis

The 53rd-ranked SDSU women's team upset 17th-ranked Notre Dame 5-2 at the SDSU Courts.

Lindsey Hedberg, Katja Karrento, Katalina Romero and Katey Becker won their singles matches in straight sets to lead the Aztecs (6-6). No. 1 SDSU singles player Silvia Tornier rallied to beat Becky Varnum 3-6, 6-1, 7-6 (8-6).

Men's tennis

The SDSU men's team rolled into the semifinals at the Blue Gray Collegiate Classic at Lagoon Park in Montgomery, Ala., defeating South Alabama 4-0.
Softball

- SDSU scored four runs in the first and held on to beat San Jose State 4-3 at the Cal State Fullerton Tournament. The four runs came on a bizarre sequence. With the bases loaded, Tiffany Goudy lined a hit to right, scoring Kelly Nordhagen. Goudy moved off first base, drawing a throw, and Sarah Hershman, who was on third, ran home. A throw to third sailed high, allowing Janna Kovensky and Goudy to score. Sophomore Jessi Green (4-2) earned the win for the Aztecs (12-10-1), who later beat Portland State 4-1.

- USD lost a pair at Azusa Pacific, 4-1 and 3-0. USD (8-18) managed just five hits in the first game and three in the second against Azusa Pacific (14-6), which had 10 hits in the first game and 11 in the nightcap.
Local Colleges

USD men pull upset in tennis

No. 57-ranked USD upset No. 36 Northwestern 4-3 in men's tennis at the Toreros' West Tennis Courts yesterday.

With the victory, the Toreros (8-8) improved their home record to 8-1. Rob Blair, Jason Pongsirikul, Ricardo Rizo and Stephen Taylor won in singles for USD. Northwestern is 10-4.

Softball

PLNU swept Hope International 9-0 and 4-0 in a Golden State Athletic Conference doubleheader at PLNU. Leslie Ludlow struck out four and allowed three hits in the first game, and Miranda van der Voort fanned four and gave up two hits in the nightcap.

The Crusaders had 10 hits in each game. Martha Serrato (Orange Glen), Autumn Yanez and Tiffany Satalino had two hits each in the first game for the Crusaders (31-4, 11-3). Ludlow was 3-for-3 against Hope (9-23, 0-16) in the second game.
USD linebacker Elkins honored for inspiration

The National Football Foundation and College Hall of Fame named USD outside linebacker Josh Elkins the 2002 Willie Jones Most Inspirational Player yesterday at the Football Foundation Headquarters on Balboa Avenue.

Elkins, of Antioch, overcame injuries from a near-fatal automobile accident three years ago and stayed a part of the USD football program, carrying a 3.0 grade-point average.

He attended all the football team meetings, practices and weightlifting sessions and was allowed to get in one play this past season.

Elkins' injuries included second- and third-degree burns to over 60 percent of his body. He had two broken ankles, a cracked heel, three broken toes, a broken fibula, broken femur, broken hip and broken collarbone.

USD coach Kevin McGarry once noted, "I don't think there is anybody I've ever met in my life who is a more inspiring person to me than Josh."

McGarry also said, "(Josh) is the most upbeat and optimistic person on our team, and he doesn't see his scars or injuries as obstacles. He's an inspiration to everyone on our team."

The Willie Jones award is given yearly by Cubic Corporation CEO Walter J. Zable's chapter of the National Football Foundation to pay tribute to Lincoln Prep High honors student Willie Jones.

Jones was gunned down at a high school graduation party in a drive-by shooting in 1994. Jones was headed to Columbia University on a full scholarship in hopes of becoming a doctor.

— KAREN PEARLMAN