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July/Aug 1987

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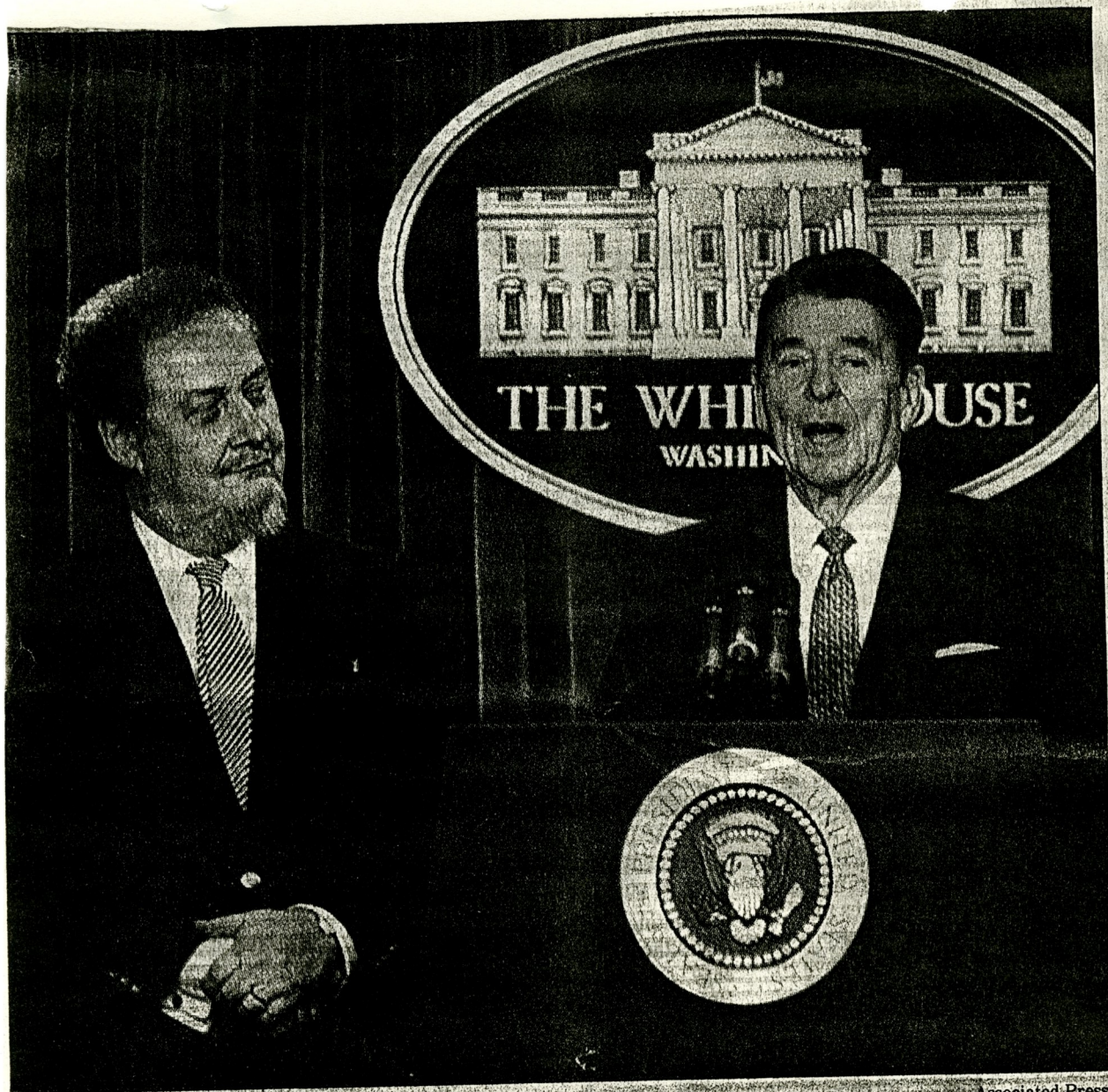
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CABINET BOOK

JULY-AUGUST 1987



Bork nominee 2955(1) to high court

Senate battle may flare over conservative picked by Reagan

By Mark Ragan
and Otto Kreisher
Copley News Service

WASHINGTON — President Reagan yesterday nominated conservative U.S. Appeals Court Judge Robert H. Bork to the Supreme Court, setting the stage for a potentially explosive battle with the Democrat-controlled Senate over his confirmation.

In introducing to reporters his nominee to replace Justice Lewis F. Powell Jr., Mr. Reagan described the 60-year-old Bork as "the most prominent and intellectually powerful advocate of judicial restraint."

Mr. Reagan said Bork — a former Yale Law School professor who served as U.S. solicitor general during the Nixon and Ford administrations — "shares my view that judges' personal preferences and values should not be part of their constitutional interpretations."

Bork, who has criticized Supreme Court rulings in favor of affirmative action and abortion, is best known

for his role in the so-called Saturday Night Massacre firing of Watergate special prosecutor Archibald Cox in 1973. As solicitor general, Bork carried out President Nixon's orders to fire Cox after then-Attorney General Elliot Richardson refused.

In what was seen as a major break for the White House, Richardson defended Bork on Monday, saying, "He would make a good justice. You can't blame him for the Cox firing."

With the exception yesterday of Massachusetts Sen. Edward M. Kennedy, who said he would vote against the nomination in the Judiciary Committee, Senate Democrats generally reacted cautiously to Bork's nomination.

But despite White House hopes for early confirmation, Senate Majority Leader Robert Byrd, D-W.Va., hinted that he might drag his feet on scheduling a confirmation vote if Republicans continue to block Democratic initiatives, particularly a bill to limit campaign spending in Senate elections.

See COURT on Page A-26

Associated Press

President Reagan nominated Robert H. Bork to the Supreme Court.

Court: Reagan nominates Bork

295560
Continued from A-1

the Republicans are going to on this binge of delaying and dragging their feet ... I will too — I'll play a little of same hardball, when it comes to g up the nomination," Byrd

Judiciary Committee chair- Sen. Joseph Biden, D-Del., said, ly intend to do everything in my r to hold full, fair and thorough ngs." len, seeking the 1988 Democrat- esidential nomination, said he is to "begin the hearings as itiously as possible ... once we done all the basic preparatory " He said he will appoint a of "distinguished legal schol- to review Bork's record before earings begin.

len said he had told White House of staff Howard Baker and At- y General Edwin Meese III that did not fit the "open-minded" of Powell, who was the swing for many issues before the

old them I had serious doubts ut if they nominated Judge that it would cause a very con- us and serious fight in the Unit- tes Senate," he said.

en said Bork appeared "settled views ... someone who has a sharp edge as to how he would

like to see the court move. ... What's happening here — possibly — is that we're taking an open-minded conservative and potentially replacing him with someone with settled views on every single issue that will affect the outcome of civil rights and civil liberties."

If, as is highly likely, the Bork nomination goes to the full Senate, where the Democrats hold a 54-46 edge, a united partisan front could block a majority vote to confirm. If there were enough votes to confirm Bork, a filibuster — which would require 60 votes to break — would mean the Republicans would have to get 14 Democrats to vote with them to end the debate.

If Bork is confirmed, he could play a pivotal role in possibly reversing the court's rulings that have authorized abortions and affirmative action programs giving preferential treatment to minorities and women.

Powell was the swing vote in several 5-4 decisions, including the 1973 ruling in Roe vs. Wade affirming a woman's constitutional right to an abortion, and in recent cases upholding affirmative action programs and separation of church and state.

White House officials said they do not expect a major ideological battle over Bork's nomination in the full Senate, although they anticipate some opposition from liberal Democrats on the Judiciary Committee.

Gary Bauer, the President's assistant for policy development, said, "In any legitimate confirmation process, a man like Bork will go through with flying colors. It's only if someone tries to subject him to a philosophical test that there would be any difficulty."

In addition to Biden and Byrd, Judiciary Committee members Sens. Howell Heflin, D-Ala., Patrick Leahy, D-Vt., Paul Simon, D-Ill., Dennis DeConcini, D-Ariz., and Howard Metzenbaum, D-Ohio, said they have not decided whether to recommend confirmation.

Leahy and Metzenbaum said they could not envision Bork being confirmed before Congress' August recess.

"The Senate will be in no hurry to bring this confirmation to completion," Metzenbaum said. "I don't know of any particular plans to stall, but many of us have deep concerns."

Metzenbaum described him as an "ideologue who has taken some very extreme positions in the past."

Simon, also seeking the Democratic presidential nomination, said he had a number of questions about Bork. "Is he open-minded? Is he fair? Is he sensitive to civil rights and civil liberties?"

Kennedy called Bork's role in the firing of Cox "unconscionable" and described him as "extremist."

Sen. Strom Thurmond of South Ca-

U.S. Supreme Court

July 1, 1987 President Reagan nominated appeals court judge Robert H. 60) to fill the vacancy left by Justice Lewis F. Powell Jr.'s retirement.

Robert H. Bork Age: 60 Nominated by: Reagan Nominated	Lewis F. Powell Jr.* Age: 79 Appointed: 1972-1987 Appointed by: Nixon Retired	Thurgood Marshall Age: 78 Appointed: 1967 Appointed by: Johnson	Harry A. Blackmun Age: 78 Appointed: 1970 Appointed by: Nixon
John Paul Stevens Age: 67 Appointed: 1975 Appointed by: Ford	Sandra Day O'Connor Age: 57 Appointed: 1981 Appointed by: Reagan	William J. Brennan Age: 81 Appointed: 1956 Appointed by: Eisenhower	Byron R. White Age: 70 Appointed: 1962 Appointed by: Kennedy

* Announced his resignation June 26, 1987 ** Appointed chief justice; nomination approved by the Senate
SOURCE: The World Almanac 1987

rolina, ranking committee Republican, said he was disappointed that Mr. Reagan had not followed his advice to nominate a Southerner to replace Powell, a Virginian. But Thurmond said he expects to support Bork.

Another committee Republican, Sen. Orrin Hatch of Utah, who had been mentioned as a possible nominee, said, "I expect there will be

some politics played" in the confirmation process, but he expects Bork to be confirmed without much delay. He called Bork the "quintessential judge."

Senate Minority Leader Robert Dole, R-Kan., said he "heartily supports" the nomination.

Senate Majority Whip Alan Cranston, D-Calif., said it is "quite possible" that Bork's nomination "could

fail the com "holds an ex Sen. Pete Wi mediate com said.

Liberal gr previous jud Reagan den choice of B

See C0

San Diego, CA
(San Diego Co.)
San Diego Union
(Cir. D. 217,089)
(Cir. S. 341,840)

JUL 2 1987

Allen's P. C. B Est. 1888

Courts Bork nominated; Senate battle may flare

Continued from A-26

campaign against him in paid television commercials.

"We're prepared to go to the mat on this one," said Art Kropp, president of People for the American Way, one of 40 Washington-based groups that have decided to fight Bork's nomination.

Kropp said his group will spend "whatever it takes" to defeat Bork by "getting the message out." He accused Bork of writing opinions as a judge on the U.S. Court of Appeals for the District of Columbia that have "undermined 30 years of advances in civil rights and civil liberties."

Mr. Reagan offered Bork the Supreme Court seat after a 20-minute Oval Office meeting yesterday. Then, with Bork at his side, he announced the nomination before reporters in the White House press room. Bork did not make a statement.

A White House source said Mr. Reagan, in the Oval Office session, asked Bork about his judicial philosophy. Although the White House circulated a long list of candidates for the vacancy earlier this week, the source said administration officials never considered any other candidate seriously.

"It's fair to say that it was always Bork," the source said. "He was at

the top of everybody's list."

A graduate of the University of Chicago law school, Bork was unanimously confirmed by the Senate for the appeals court post in 1982.

Mr. Reagan, who said he has known Bork for many years, considered Bork for the Supreme Court vacancy created last year when Chief Justice Warren Burger resigned and Associate Justice William Rehnquist moved up to take his place.

The White House source said Bork then was Mr. Reagan's second choice after Antonin Scalia, who received the President's nomination.

At his confirmation hearings for the D.C. Circuit in 1982, Bork attacked what he called "judicial imperialism" in which judges go "too far" in discerning rights not clearly spelled out in the Constitution.

Bork has said abortion should be a matter of local control.

At a symposium at the University of San Diego Law School, Bork once said, "The provisions of the Bill of Rights and Civil War Amendments not only have contents that protect individual liberties, they also have limits. . . . They do not cover all possible or even all desirable liberties."

"Freedom of speech covers speech, not sexual conduct. . . . The fact of limits means that the judge's authority has limits. . . ."

JUL 2 1987

Allen's P. C. B Est. 1888



Maria and George Deno

Todora—Deno

Maria Elena Todora and George Deno exchanged marriage vows June 6, in an afternoon, double-ring, nuptial Mass at Holy Trinity Church in San Pedro. The Rev. Tom Glynn officiated.

The bride, daughter of Tony and Maria Elena Todora of Rancho Palos Verdes, is a 1980 graduate of Miraleste High School, and a 1985 graduate of the University of San Diego, where she received a bachelor of arts degree in business and was affiliated with the Alpha Delta Pi sorority.

The groom, son of George and

Connie Deno of Las Vegas, is a graduate of Bishop Gorman High School, Las Vegas, and the University of San Diego, where he received a bachelor of arts degree in political science in 1985.

The bride's designer gown was of chiffon with French Alencon lace and bodice beaded with pearls and sequins. She wore her mother's custom-designed headpiece and matching bouquet made in Mexico City. Both were of handmade, individual wax roses, accented with tiny pearls, rhinestones and crystals. She also wore an antique medal of the Madonna

made of gold, silver and pearls.

The bridesmaids wore satin, floor-length, lavender dresses with short sleeves and bows in back. Attending the bride were her sister Sandra Todora, Laura Devere, Valerie Harter, Lisa Detkos, Victoria Biagiotti and Diane Culbreth.

Attending the groom were Anthony Todora, Steven Todora,

Deno, Kerry Culbreth and Rick Grippo.

Performing a reading in the ceremony were Carol Quattannens, Dennis Chamberland and Gregg Deno. The flower girl was Dahni Salazar. The ring bearer was Matthew Culbreth.

A dinner reception at the Breakers Hotel in Long Beach followed the ceremony. After a wedding trip to Hawaii, the

San Pedro, CA
(Los Angeles Co.)
News Pilot
(Cir. D. 14,248)

JUL 3 1987

Allen's P. C. B Est. 1888

JUL 2 1987

Allen's P. C. B Est. 1888

San Diego University graduate
Vickie Miranda, a resident of
Fullerton, was among the 1,250
students receiving degrees from
the University of San Diego.

Editorials

Lacking discipline

²⁹⁵⁵
¹²⁷
The State Bar's system of disciplining its attorneys was denounced recently in Robert Fellmeth's report that pinpoints the legal profession's inability to police its ranks.

Fellmeth, a University of San Diego law professor, who was appointed in January by state Attorney General John Van de Kamp to scrutinize the disciplinary system, concluded that it is "pretty much in shambles."

During the course of his five-month study, Fellmeth found a feckless process that is generally ignored by errant lawyers, who are seldom reprimanded, let alone disbarred, for defrauding or otherwise damaging their clients.

Last year, for example, the State Bar recommended 38 disbarments, of which 22 were approved by the state Supreme Court.

The high court also approved 81 suspensions and accepted resignations from 69 attorneys with charges pending against them. It should be noted that some of those cases had been pending for as long as 10 years.

In fact, the current backlog of cases under investigation for more than six months numbers 2,300. No one knows how many cases slip through the cracks because low-level bureaucrats fail to pass along consumer complaints to staff attorneys.

The State Bar says it received 8,000 complaints last year, or approximately one for every 10 lawyers currently practicing in California.

numerous complaints as "inquiries."

Even when client complaints are acknowledged, there is little likelihood that they will be pursued actively. Underpaid investigators with heavy case loads aren't motivated to go after what they consider to be small-time shysters.

Moreover, low morale has caused a high staff turnover that undermines the process still further.

No wonder Fellmeth calls for a complete overhaul of the system.

He would begin by empowering a panel of salaried administrative law judges, retired judges and distinguished private citizens to cut through the red tape that keeps unscrupulous attorneys in the profession. He would finance this stricter oversight by raising dues for State Bar members.

He would require lawyers to take continuing education or tests to ensure that they are qualified in a certain area of practice.

This overhaul appears unlikely, given the State Bar's lackadaisical attitude toward reform.

Indeed, State Bar President Orville Armstrong continues to insist that the Bar's disciplinary system is strong, even as he concedes that it requires some "fine-tuning."

Although he favors leaving the oversight process in the hands of the State Bar, Fellmeth is on target when he says comprehensive reforms are in order.

If the State Bar continues to resist cleaning house, it will deserve

Knowing 'how' to teach is the problem

A Tribune editorial, "Science teachers too often ill taught" (6-17-87), blames teacher-education programs that are heavy on "how to" courses and light on content. You must be writing about some other state besides California.

For at least the past 15 years, California-prepared teachers have not majored in education or taken more than one-fifth of their college coursework in education. That means that a person trained to teach biology in a California institution spends four-fifths of his or her time studying content.

At most of the Cal State and U.C. schools, students take only one introductory education course as undergraduates and complete their preparation as fifth- or sixth-year students. The rest of the units needed to graduate are "content" material, taught in colleges of arts and sciences and not in schools of education.

Here at USD, for instance, prospective biology teachers would complete at least 36 semester units of biology, the same requirement as for any other bio major. They also study chemistry, physics, calculus, computer science, environmental studies as supplements to their field. Added to this is a host of humanities and social science courses for the general-education requirement.

In their junior and senior years, students enroll in four courses

which are meant to teach them how to apply that content to the pupils in the K-12 schools whom they would be teaching. A semester of student teaching completes their program — 24 total semester units of education courses out of 124 required for graduation.

It is true that many present science teachers were not science majors.

In San Diego city schools, my five oldest children encountered social studies teachers teaching math, home economics teachers teaching chemistry and physical education teachers teaching many things besides P.E.

To suggest that teachers should not be blamed for this state of affairs and then to place the blame on their education courses begs the question. Schools of education have never been charged with teaching content, nor should they be.

Teacher preparation is a total college or university responsibility, and the content teaching rests solely with the professors and departments in the liberal arts disciplines.

Teachers who know content, but who don't know how to put it across to their pupils, are as big a problem in schools as are those who are ill-prepared in their subject fields. This semester, we experienced two examples of this principle.

Two of our students who were well-prepared in their content

field, both having advanced degrees in their subjects, did not succeed at student teaching in the high schools because they refused to do anything but lecture.

Their lesson plans were not creative, their understanding of the adolescent of 1987 was minimal, and their responses to the suggestions of their cooperating teachers and supervisors were negative.

No one questioned their knowledge of the subject, only their ability to translate that knowledge in a meaningful way to the 150 students whom they encountered each day.

This example is not unique to USD, but is repeated in many teacher-preparation programs throughout California.

Those who know "how" to teach most often find ways to learn "what" to teach. People who know how to get kids to learn, to feel good about their learning, and to open their minds to further learning are the kinds of teachers that the public schools want and need.

The Tribune's editorial writers have taken consistent stands belittling schools of education and "educationalists," as you often have called us. I think The Tribune's readers deserve a different and perhaps more accurate picture of the teacher-training programs in California.

—ROBERT L. INFANTINO, Ed.D.
Director of teacher education
University of San Diego

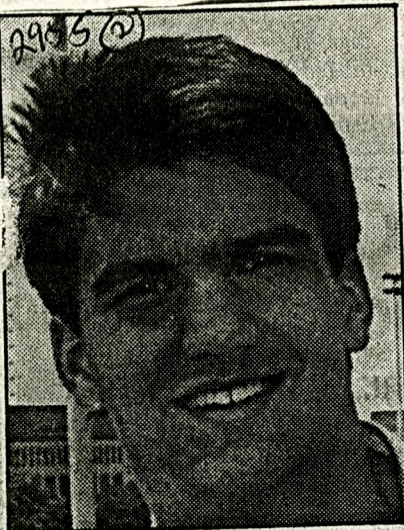
THE TRIBUNE. FRIDAY, JULY 3, 1987

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(Cir. D. 108,687)
(Cir. S. 124,935)

JUL 8 - 1987

Allen's P. C. B Est. 1888



BRIAN L. SOEHNGEN



VICKI GILCHRIST

Student Spotlight

Gregory Koppe, son of Peter and Lois Koppe, graduated with distinction from UNLV in three years. A graduate of Valley High School, he received his degree in business administration and was admitted to Phi Kappa Phi National Honor Society. Koppe was past president of Phi Alpha Delta pre-law fraternity which he helped establish at UNLV, and also was co-captain of the debating team. He is now a student at the University of San Diego School of Law and plans to practice in Las Vegas.

Several area residents recently received degrees from the University of Nevada, Reno. They are: **Mary Lilley**, **Richard Dell Madril**, **Robert Bjornson**, **Peter Duncombe** and **Alice Keffer Smith**, College of Agriculture; **Lisa Dornak**, **Bjorn Thorsrud**, **Jeffrey Church**, **Erin Collier**, **Bradley Ditsworth**, **Barbara Hansen**, **Anthony LaMancusa**, **Billie Joe Paulson**, **Larry Paulson**, **Robert Rudolphi**, **Elicha Varner**, **Jennifer Dean Berg** and **Michael Toms**, College of Arts and Science; **Karl Bennison**, **Leon Remon Hardison**, **Steven Hill**, **Kenneth R. Kreisler**, **Clark Plentzas**, **William Price**, **Andre L. Rhodes**, **Elijah Ondra Thorn** and **Paul M. Jeffrey**,

ana Barlow, **Amy Clark**, **Judy Cornelius**, **Mark A. Durbin**, **Lonnie Ellis**, **Stacy Ural King**, **Kevin W. Kirkman**, **Dawn Lawver**, **Kenneth Matthews**, **Michelle McWhorter**, **Pamela Moretti**, **Stacey Nitz**, **Jay Dean Overmoen**, **Sean Del Ray Rivera**, **Paul Ruston** and **Gary Smith**, business administration; **Sandra Burns**, **Melissa Pilar Oakes**, **Michael Parillo**, **Stephanie Simmons**, **Randi L. Varrato**, **Charles Walsh**, **Paula Romeo Walsh** and **Mary Ann Barth**, education; **James D. Donofrio**, engineering design technology; **Charles Robert Schrader**, civil engineering; **Todd R. Pickle**, **Michael Cyphers** and **Jack Luna**, chemical engineering; **Daryl Horne** and **Dan R. Johnson**, electrical engineering; **John Flores Mendoza**, **John C. Middleton**, **Joseph Pellissier**, **Michael Wallace** and **Steven Sandoval**, mechanical engineering; **Judith Reinhardt**, home economics; **Jeffrey Devine**, geology; **Phillip J. Robarts**, master's in science; **Scot Sandoval**, master's in business administration; and **Alice Vitalich McKay**, doctor of education.

San Diego, CA
(San Diego Co.)
Evening Tribune
(Cir. D. 123,092)

JUL 9 1987

Allen's P. C. B Est. 1888

National news

Letter from Washington:

USD law professor may gain from Bork nomination

By Mark Ragan

Copley News Service

Special to The Tribune

SIEGAN'S LUCK... The nomination of conservative U.S. Appeals Court Judge Robert H. Bork to the Supreme Court may have come at the right moment for University of San Diego law school professor Bernard Siegan, who faces confirmation hearings for a seat on the U.S. Court of Appeals for the 9th Circuit.

Until Bork's nomination, Siegan was widely viewed as the top target of liberal Democratic senators and the 40 groups that have opposed President Reagan's previous judicial nominees.

With a higher seat at stake, those groups may shift attention from Siegan to Bork.

"The whole trick for the Democrats on nominations now is to decide where they're going to deploy their forces," said Mark Goodin, spokesman for Sen. Strom Thurmond, R-S.C., the committee's ranking Republican. "If I were a lower court nominee, I'd be overjoyed about this."

However, Siegan's good fortune could run out. Although his confirmation hearing is set for July 21, the Senate Judiciary Committee may delay it until after the panel considers Bork's confirmation hearings.

A source said a delay is being considered because "neither side in the Bork battle wants to divert resources fighting over Siegan."

FRIENDS IN HIGH PLACES... Navy interests in San Diego may receive a boost from the likely promotion of Rear Adm. Benjamin F. Montoya.

Montoya, who was born in Indio, served in the Navy in San Diego before transferring to Washington.

Montoya is due to move up next month to become commander of Naval Facilities Engineering Command

and Chief of Civil Engineers of the Navy, where he could have even more influence over the allocation of construction money.

In his current post as director of shore activities planning and programming in the office of the chief of naval operations, Montoya generally has given a friendly reception to the delegation's appeals for construction and improvement funds for San Diego's Navy installations.

★ ★ ★

HIGH-TECH ON THE BORDER... Rep. Bill Lowery, R-San Diego, is seeking money for a high-tech X-ray machine that will help the U.S. Customs Service root out drugs and other contraband concealed in cargo crossing the U.S.-Mexican border.

Last month, a House appropriations subcommittee approved a Lowery proposal requiring the Customs Service to reserve \$600,000 for the purchase of six additional mobile X-ray systems.

Unlike airport X-ray machines that can discern the presence of metal, the new system — carried in large vans — contains state-of-the-art technology that can identify cash, narcotics and munitions, Lowery said.

Lowery said Customs officials in New York have been using the new technology and "were so impressed they have purchased eight of them with an option to buy 10 more."

The measure adopted by the subcommittee directs that one of the machines be sent to San Diego.

★ ★ ★

PACKARD APPOINTS NEW AIDE... Rep. Ron Packard, R-Oceanside, has appointed John Weil, the former editor of The San Marcos Courier as his new district representative in his Carlsbad district office.

Weil replaces Yvonne Murchison, who left at the end of May.

County Names Juvenile Justice Commissioners

The San Diego County Juvenile Justice Commission has selected officers for 1987-88.

Thomas D. Penfield, a San Diego attorney and professor at the USD School of Law, will serve as Commission Chairman.

Local attorney Josephine Medina will serve as first vice-chairman, and Pat Phoenix, a manager of San Diego Gas & Electric, has been selected as second vice-chairman.

Southeast Involvement Project executive director H. D. Murphy will serve as member-at-large.

The Commission is mandated to oversee the juvenile justice system as it applies to dependent and delinquent minors in San Diego County.

The Commission will meet Wednesday, July 15, at 2901 Meadowlark Dr., San Diego, Room 151 noon-2 p.m.

The public is invited to attend.

Los Angeles, CA
(Los Angeles Co.)
Los Angeles Times
(Cir. D. 1,076,466)
(Cir. S. 1,346,343)

JUL 12 1987

④ The long-delayed debate over the nomination of University of San Diego Prof. Bernard Siegan to a federal appeals court may again be pushed aside as the Senate considers the promotion of Robert H. Bork to the U.S. Supreme Court. A Senate aide said a scheduled July 21 confirmation hearing for Siegan is likely to be postponed until after the Senate acts on Bork's nomination. The nomination of Siegan to the U.S. 9th Circuit Court of Appeals has drawn criticism from liberals who oppose the libertarian scholar's constitutional interpretation of law. Like Bork, who is also under heavy fire from liberals, Siegan regards the "original intent" of the Constitution's authors as binding on judges.

Los Angeles, CA
(Los Angeles Co.)
Times
(San Diego Ed.)
(Cir. D 50,010)
(Cir. S 55,573)

JUL 12 1987

Christianity Author and lecturer George A. McPherson will explore the role of the individual Christian in the modern world coming to terms with a relational God and his explosive love, from 7 to 9 p.m. Wednesday in the Manchester Conference Center at the University of San Diego. Admission is \$45. To register, call USD Continuing Education at 260-4585.

Bork Due First

Debate on New Judge May Be Delayed Again

By JIM SCHACHTER,
Times Staff Writer

SAN DIEGO—The debate over the nomination of University of San Diego Prof. Bernard Siegan to a federal appeals court—already long delayed—seems likely to be sidetracked further as the Senate weighs Robert H. Bork's nomination as a U.S. Supreme Court justice, a key Senate aide said Thursday.

A scheduled July 21 confirmation hearing for Siegan—a Libertarian scholar whose views, like Bork's, have drawn heavy fire from liberals—will probably be postponed, according to Steve Metalitz, an aide to Sen. Patrick J. Leahy (D-Vt.), who heads a Democratic task force named to screen judicial nominees.

Even if the delay is brief, moreover, final Senate action on Siegan's nomination to the U.S. 9th Circuit Court of Appeals will probably be held up until after the Senate has acted on Bork, Metalitz said. The Senate Judiciary Committee has scheduled a hearing on Bork's nomination for Sept. 15.

In the meantime, the broad coalition of liberal groups that has stalked Siegan since his nomination by President Reagan to the appeals court in early February has largely turned its attention to combating Bork's ascension from the U.S. Circuit Court for the District of Columbia.

Focus Is On Bork

"There's so much to do on Bork at the moment that we have really focused on Bork," said Nancy Broff, director of the Judicial Selection Project, a coalition of two dozen liberal and civil rights organizations that lobbies against conservative judicial nominations.

Broff said Thursday that the coalition members plan to fight both nominations. "We are all aware there are times you have to be able to fight on two fronts at once."

But while Broff insisted the groups have made no decisions about how to divide their limited resources between the two nomination battles, she acknowledged that plans to issue a lengthy report critiquing Siegan's legal views have been indefinitely postponed.

Both Siegan and Bork are adherents to a school of constitutional interpretation that claims to regard the "original intent" of the Constitution's authors as binding on judges.

Though they share common critics and are acquainted with one another—Bork last year inaugurated a lecture series at USD honoring Siegan's late wife—they are not considered ideological clones by legal experts. Bork is widely regarded as more conventionally conservative, while Siegan is distinguished by his strongly Libertarian views on economic and property rights.

Los Angeles, CA
(Los Angeles Co.)
Los Angeles Times
(Cir. D. 1,076,466)
(Cir. S. 1,346,343)

JUL 12 1987

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JUL 12 1987

Allen's P. C. B. Est. 1888

Investment Accounts Gain Favor as Way To Pay College Costs

By EDWARD B. FISKE

An old-fashioned idea for financing college education is again winning converts: encouraging families to save and invest, rather than borrow, to pay for tuition.

Spurred by fears that the debt burdens of college students and their parents are getting out of hand, lawmakers and educators have designed a variety of pay-now, study-later plans, calling them the educational equivalent of Christmas clubs and Individual Retirement Accounts.

But critics have challenged the financial stability of some of the plans, suggesting that they are based on unrealistic economic projections. Others fear that some plans are forcing parents to commit young children to educational blueprints that may not meet their needs when they reach college age.

Payments to a Trust Fund

Despite such reservations, Michigan and five other states have enacted plans that permit parents to pay several thousand dollars into a state-run trust when their children are young in return for tuition guarantees when the children reach college age. Similar bills are awaiting signatures of the governors of Illinois and West Virginia and are under discussion in 38 other states including New Jersey and Connecticut.

The proposals vary on such points as what percentage of tuition they guarantee to pay, whether they apply to both state-run and private colleges and

Continued on Page 9, Column 1

Investing Gains Favor as Way to Pay for College

Continued From Page 1

whether they assure coverage of room and board as well as tuition.

Meanwhile, at least a dozen colleges are promoting their own prepayment arrangements; Duquesne University in Pittsburgh has already signed up 582 families. In New York the Board of Regents has endorsed a plan, modeled on Individual Retirement Accounts, that would permit parents to shield up to \$2,000 a year from state income taxes.

Striking a Nerve

A key argument for such plans is their implicit guarantee that, no matter how fast tuitions rise, they can be redeemed for a college education.

"You can see from the political response that they have struck a nerve," said Robert Schwartz, assistant for education to Gov. Michael S. Dukakis of Massachusetts. "People see the cost of college soaring, and they are scared that it will turn out to be beyond their reach."

Nonetheless, persuading families to accept such financial innovations means reversing the economic psychology of the 1970's and early 1980's. In those years high inflation rates made it difficult, and even financially unwise, to save money for future use, and federally subsidized programs made inexpensive loans readily available, even to middle- and upper middle-income families.

The climate has now changed. Inflation has eased, and Congress, through cuts in loan and grant programs, has made it clear that from now on the Federal Government will concentrate its funds for higher education on disadvantaged students.

An Impediment to Savings

"The one likely new source of funding for higher education is the savings that middle-class families are currently not doing," said Herman Leonard, a public finance specialist at the John F. Kennedy School of Government at Harvard University. "The trick is to find incentives to make them put money aside for college."

But one impediment to savings are the formulas used by the College Scholarship Service to guide colleges in determining eligibility for scholarship aid and the amount a family would be expected to contribute toward tuition. The formulas are based on the family income, savings and other assets

and have the effect of penalizing rather than encouraging savings.

"The basic principle is: Confiscate the family savings and then see what else they have to contribute," Mr. Leonard said. "From the point of view of the family, the best thing to do is buy a Mercedes the day before you fill out the form."

Mr. Leonard has been working on a new method to calculate parents' contributions that would allow them to deduct money that had been set aside for education.

The Duquesne Payment Plan

The concept of generating increased family savings as a way to finance college first attracted national attention two years ago when Duquesne University began its prepayment plan. Under the arrangement, parents pay several

Some plans will finance 4 years of tuition.

thousand dollars to the college now. The college invests the money and, when the student graduates from high school, it will provide four years of education at no additional cost to the family.

For example, parents of an infant would invest \$8,630 while those with an 8-year-old would invest \$16,470. Since the current annual tuition is \$6,825, either amount would constitute a considerable tuition discount over a four-year period. The university projects that an infant whose parents begin paying now would be guaranteed four years of tuition, a total charge of \$102,604, when the child reaches 18 years of age.

Examining the Numbers

The plan hinges on the assumption that the rate of return that the university receives on the invested funds will exceed tuition increases. Moreover, since the parents of students who do not eventually enroll are entitled to a refund only of the amount contributed, interest on these funds accrue to the institution.

At least a dozen other colleges have established plans similar to that at Du-

quesne. Canisius College in Buffalo, N.Y., for example, has signed up 22 families.

Some experts have questioned the financial viability of the prepayment plans and fear that faulty economic assumptions will force state governments to subsidize the tuition guarantees.

"What you may be doing is shifting the burden of education from the next generation of students through loans to the next generation of governors through state subsidies," said Aims McGuinness Jr. of the Education Commission, an organization that monitors state educational activities.

John D. Finnerty, executive vice-president of CSB Holdings Inc., a financial services concern in Princeton, N.J., examined the Duquesne plan and calculated what it would take to generate the tuition revenue for a four-year-old whose parents invested in the plan last year with the required contribution of \$9,182.

He concluded that if all investors actually enrolled, the Duquesne portfolio managers would have to achieve an average yearly investment return of more than 14 percent to cover the projected tuition charges in the years 2000 to 2004. Such a rate, he said, is "an unrealistic objective."

On the other hand, Mr. Finnerty said, if the portfolio managers achieved an average return of 9.5 percent — the rate at which stocks have increased over the last two decades — financial stability would require that five students not cash in their options for every four who did. "Duquesne is doing heavy discounting of tuition for those who sign up," he said.

Limiting Choices of Students

Lois Folino, associate director of alumni relations at Duquesne, acknowledged that the university assumes "that not everyone will show up." She also noted that the economics of the plan is based on the relatively modest costs of educating students who otherwise would not enroll. "It doesn't cost that much more to have 25 students in a biology class instead of 22," she said.

Others criticize the plans because they limit students to a single institution selected by their parents long before the young people are ready to enroll in college. Critics say that this could lead to undue pressure for chil-

dren to attend a school that might be inappropriate for them or force admissions officers to bend academic or ethical standards.

Last year Gov. James J. Blanchard of Michigan proposed a version of the plan that would address this problem. Under the new Michigan Educational Trust, approved in December, parents pay money into a trust and receive certificates that can be redeemed at any of the state's 44 public colleges and universities. The investment can also be applied to private colleges or out-of-state institutions, although without the guarantee that it will cover full tuition.

The Michigan plan is now on hold pending a ruling from the Internal Revenue Service on whether the price of the certificates and their value when redeemed will be taxable. A ruling is expected in late summer, which will be closely watched by other states and schools.

An Approach to Shift the Risk

To avoid questions about the viability of prepayment plans, some political and educational leaders have called for programs that would build up savings but not guarantee that the resulting nest egg would cover any set percentage of tuition. This approach would shift the risk from the state or institution to the individual family.

Such reasoning has led to a proliferation of proposals for savings plans, some of which would carry the incentive of tax deductions. Gov. John Ashcroft of Missouri is promoting a plan to allow families to set up "Family Savings Accounts" in banks and other financial institutions. The Regents' plan in New York would be similar except that the money would be contributed to a state-run trust fund.

The Legislature in Illinois has also approved a plan for education savings bonds. Under this scheme, a portion of state general obligation bonds would be set aside for purchase by families as a vehicle for saving for college. Income from the bonds would be exempt from Federal and state taxes. Some have proposed setting up such a program on a national basis.

"The main thing people need is an easy, systematic way of saving," said Troy Murray of Cambridge Associates, a higher education consulting concern in Boston.

JUL 21 1987

Allen's P. C. B. Est. 1888

South African comes 'home' to San Diego in search of a title

FOR Rosalyn Fairbank, the upcoming Virginia Slims of San Diego will be something of a homecoming.

A native of South Africa, Fairbank has lived in Rancho Bernardo for the past two years. At least she has



John
Freeman

Tennis

owned a condominium there. Because of travel demands, she is able to spend only a handful of weeks each year in her adopted home.

"It was a tossup between living in San Diego and Florida," said Fairbank, "who is unsure whether she will eventually seek U.S. citizenship."

"It would have been more convenient to pick Florida, but I felt San Diego was more my style. It's more relaxed here, more like (her hometown of) Durban."

Fairbank, an engaging 26-year-old, may not be among the world's most recognized players, but she figures to fare well in the \$75,000 event, set for Aug. 3-9 at the San Diego Tennis & Racquet Club.

As in past years, such headliners

as Martina Navratilova, Chris Evert Lloyd and Steffi Graf have opted to skip San Diego. They will resurface the following week for the \$250,000 Virginia Slims of Los Angeles at Manhattan Beach.

For sheer marquee appeal, San Diego's 56-woman field comes up short. But for players like Fairbank it provides a rare and welcome chance to win a singles title.

"I feel like I have a good chance to win," said Fairbank. "It's always nice to be home, but I can't relax or else I'll be in trouble."

Fairbank, who holds a world singles ranking of 21, reached the semifinals of last weekend's Virginia Slims of Newport (R.I.) before losing to Wendy White. (White will also compete in San Diego.)

San Diego's top seed is expected to be Lori McNeil, an upset loser to Fairbank in Newport's quarterfinal round. Second seed will be Kate Gompert, with Italy's Raffaella Reggi third and Fairbank fourth.

Defending champion Melissa Gurney will be seeded sixth. Her finals opponent last year, Stephanie Rehe, may chose not to compete because of a strained stomach muscle.

IT'S DO-OR-DIE TIME — The U.S. Davis Cup team — led by John McEnroe — faces a crucial elimination match against West Germany starting Friday at Hartford, Conn.



'It would have been more convenient to pick Florida (to live), but I felt San Diego was more my style'
— Rosalyn Fairbank

Boris Becker heads the West Germans.

Besides McEnroe, the U.S. team includes Paul Annacone, Tim Mayotte and the doubles duo of Ken Flach and Robert Seguso.

According to ESPN's Cliff Drysdale, a U.S. loss would likely symbolize a nadir in the declining fortunes of American tennis. (The losing nation will be dropped to zone play next year, and thus unable to win the Cup.)

Said Drysdale:

"They must win or the team could be stuck in the trenches of South America for the next few years, which is unthinkable. If they lose, it will greatly set back the perception of the U.S.'s effectiveness as a tennis nation."

"If they lose, it will finally make the U.S. sit up and take notice that

tennis in this country needs some support."

Equally intriguing will be how McEnroe plays.

Said Drysdale:

"This is a critical juncture in his comeback. If he beats Becker, he may decide he can make it. If he loses, he may quit."

ESPN will air the match live Friday night, and Saturday and Sunday afternoon.

NO MORE CLAY PIGEONS — Mats Wilander's win last Sunday in the U.S. Clay Court Championships at Indianapolis ended a 77-year era.

Starting next year, the event will be called the U.S. Open Hard Court Championship — for a very simple reason:

The clay courts will be replaced by

concrete, an effort to attract the tour's bigger names, who tend to avoid any clay not contained within Paris' Roland Garros Stadium.

At least one observer, Jimmy Arias, regards the move as shortsighted.

"It's stupid to rename this the U.S. Open Hard Court Championships," Arias told promoters.

"The U.S. Open is the U.S. hard court championship. You're not fooling anybody but yourselves."

THE RED-HEADED ACTOR

Who knows whether it's true or not, but according to Bild, West Germany's largest newspaper, Boris Becker hopes to become an actor some day.

Something about expanding his horizons, it seems.

Said Boris:

"I don't want to be remembered only as a Wimbledon winner. You have to develop yourself, you can't live in the past. You must set new goals for yourself."

"Perhaps I'll become an actor and maybe my movie will get good reviews. I'd be really happy then because I would have achieved something new."

Also, the report quoted Becker's father, as saying that his son would volunteer for West Germany's military service.

Herr Becker is not required by law to serve because he left West Germa-

ny before he was 18. He now lives in Monaco.

Said the father: "He plans to serve, we are only looking for the right moment. Perhaps next year."

DROP SHOTS — Terry Timmons has been added to the growing staff of teaching pros at the San Diego Tennis & Racquet Club. Timmons is part of a six-member staff.

USD tennis coach Ed Collins will host a three-day workshop for instructors and those interested in teaching the game, July 31-Aug. 1-2. For information, contact Collins at 260-4803.

Mark Littrell of Oceanside recently won the regional championship of Jantzen's \$15,000 Fast Serve Challenge. Starting Thursday, he competes in the finals at Maui, Hawaii.

Littrell's serve was timed at 135 mph in the regionals. He won the title three years ago. He is now the head pro at Fallbrook Tennis Club.

(John Freeman's Tennis column appears every other Tuesday in The Tribune.)

Del Mar, CA
(San Diego Co.)
Del Mar Surfcomber
(Cir. 2XW. 1,845)

JUL 24 1987

Allen's P. C. B. Est. 1888

UNIVERSITY OF SAN DIEGO —

Founder's Gallery, San Diego, 260-4682.
An art exhibition entitled "Corita Kent —
Serigraphs" features 20 prints depicting
love, hope and optimism. This artist has
created numerous works of art, her most
famous one being "Love," depicted on
U.S. postage stamps. Noon to 5 p.m.
weekdays. 2955

Encinitas, CA
(San Diego Co.)
Coast Dispatch
(Cir. 2xW. 30,846)

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JUL 24 1987

Allen's P. C. B Est. 1888

A melody for the undocumented



Staff photo/Tom Riggs

“There are families that have five or six people who want to become legal. When you multiply (mandatory fees) by six people, it comes out to quite a lot. It pained me to see people like this every day. Then it came to me that I could use my background to help them out.”

Soprano Virginia Garland

Soprano to sing Spanish zarzuela at church benefit

By Marty Wisckol
Beat Editor

“Noche Hispanica,” an evening of Latin music and dance which will benefit aliens seeking legal status here, is the merging of two personal interests of soprano Virginia Garland.

First, Garland loves the *zarzuela*, a Spanish musical form similar to the operetta that is virtually unknown in the United States.

“It is probably the most popular of classical music in Spain,” said Garland. “It’s quite entertaining and fun. It captures the many aspects of Spanish life, everything from the peasant to the aristocrat.”

“Second, it will raise money to help aliens — mostly Hispanic — who are going through St. James Catholic Church in their effort to take advantage of the alien amnesty program.”

“The bulk of the people who are coming (to St. James for help processing immigration applications) make no more than \$7,200 a year,” said Garland who, with her husband, Robert, volunteers at the church’s amnesty center.

The church, under the auspices of Catholic Community Services, has processed some 1,600 applications so far for the Immigration and Naturalization Service. Garland, who holds a bachelor’s degree in Spanish, has been particularly bothered by the financial obstacles some aliens face: The required medical check-up costs a minimum of \$45; the Catholic Community Services fee for photos, fingerprints and counseling is \$40; the INS processing fee is \$200.

“There are families that have five or six people who want to become legal,” Garland said. “When you multiply (mandatory fees) by six people, it comes out to quite a lot.”

“It pained me to see people like this every day. Then it came to me

Benefit is tonight

“Noche Hispanica” will be held tonight beginning at 7:30 at St. James Catholic Church, 625 S. Nardo Ave. in Solana Beach. It will feature arias from Spanish *zarzuelas* by three established opera singers and Mexican folk dancing by Ballet Folklorico Azteca. Tickets are \$5. Proceeds will benefit the church’s Amnesty Program Legalization Fund. For more information, call 755-2545 or 755-2965.

that I could use my background to help them out.”

“Noche Hispanica” is generating the first funds for the church’s Amnesty Program Legalization Fund and Garland hopes other contributions will follow.

Setting up the fund and organizing “Noche Hispanica” is only the most recent of Garland’s endeavors, one of the most significant of which was raising six children after her first husband died. She also founded the New Life Opera Ensemble of Solana Beach, which she directed for two years.

Garland, 49, has studied voice extensively since 1975, including a one-month intensive program with the late maestro Frank Basile in New York City. She is presently studying in San Diego with Carolee Thornburg.

She has been a fan of *zarzuelas* since discovering a record of Spanish soprano Victoria de los Angeles. Initially she had difficulty in finding the written music. Finally her accompanist, Janie Prim, brought her some *zarzuela* music and also put her in contact with another singer who was familiar with the music, Maria Antonia Rey. Last year, the two performed together in a *zarzuela* performed by the University of San Diego Opera Workshop, Pablo Sorasobal’s “La Tabernera del Puerto.”

Soprano Rey, who will join

See NOCHE/Page D8



Lupe Limon, left, is the daughter of the founder of Ballet Folklorico Azteca and now leads the group. Ballet Folklorico Azteca will perform Mexican folk dances at Noche Hispanica tonight.

NOCHE/Benefit show

Continued from page D1

Garland on stage tonight, is a native of Saragossa, Spain and has performed lead roles in opera and zarzuelas in Spain and South America, including holding the title of la Prima Soprana of El Teatro de Zarzuela in Madrid.

Also performing tonight will

be tenor Joseph Carson who frequently sings principal roles for the Pacific Chamber Orchestra. The three, accompanied by Prim, will sing some 50 arias from zarzuelas.

Rounding out the bill will be Ballet Folklorico Azteca, a San Marcos-based Mexican folk dance troupe of 19 members that performs throughout the county.

JUL 30 1987

Allen's P. C. B Est. 1888

USD Law Center Sues Licensor For Foreign-Trained Doctors

By LIBBY BRYDOLF

San Diego Daily Transcript Staff Writer

The University of San Diego Center for Public Interest Law has charged that the state physicians licensing board is discriminating against foreign-educated doctors in an illegal effort to limit the number of physicians practicing in the state.

In an amended class action complaint filed in U.S. District Court in San Francisco last week, the center asserts that the Board of Medical Quality Assurance (BMQA) violated open meeting laws, falsified documents and fabricated criteria for licensure to deprive qualified physicians the right to practice in the state.

According to center attorney Julfanne B. D'Angelo, BMQA has met frequently in violation of the Bagley-Keene Open Meetings Act and failed to consider applicants' cases on an individual basis.

"If they have evidence that my clients didn't complete a proper medical education, I'd like to know it," she said. "They've never allowed us to test their evidence or present any evidence of our own."

BMQA's decisions are regularly made in a "secretive and untrustworthy manner," D'Angelo asserted. All physicians must be licensed by BMQA in order to practice in California.

Although representing all foreign-educated physicians who have applied for state licenses since 1980, the suit specifically identifies a group of about 30 doctors trained at the University of Saigon Medical School in Vietnam after 1975. The center estimates the number of foreign medical graduates (FMGs) to be in the hundreds, with Vietnamese graduates numbering at least 30.

In San Diego, Robert Moser is associate director of resettlement programs for Catholic Community Services, a social service agency that is also a plaintiff in the suit. Moser estimated that about 12 Southeast Asian physicians are practicing locally — a number that is insufficient to serve the area's 45,000 member Asian refugee population, he said.

BMQA's rules are creating an "incredible waste of talent," he complained, adding that refugees prefer to visit physicians who can speak their languages and understand their cultures.

D'Angelo cited the case of one named client, Dr. Le Bup Thi Dao, a University of Saigon-trained pediatrician who has not received a state license despite completing a three-year medical residency at the University of California Irvine Medical Center and passing all re-

(Continued on Page 4A)

USD Law Center Sues —

(Continued from Page 1A)
quiescent exams.

Dr. Dao is one of the named plaintiffs in the suit, which also includes Eileen Wynne, a San Diego area medical student in Grenada, and Dr. Frederick Cruck Kraft, a Mexican-trained physician who was admitted to practice medicine in six states.

In the case of the Vietnamese graduates, the suit alleges that BMQA met in closed session Jan. 30 and 31, 1986, and voted to suspend processing of all applications from University of Saigon graduates, but failed to record that decision until the end of May, informing applicants by letters dated June 4, 1986. None of the applications has been considered on an individual basis, she said.

The problem is so widespread, the attorney asserted, that the state Legislature is taking action to assist post-1975 University of Saigon graduates who wish to practice in California. Senate Bill 1358, passed unanimously by the Senate and now pending in the Assembly, would set up a faculty council-in-exile composed of five former University of Saigon faculty members who would review the records of graduates and make recommendations to state officials.

D'Angelo referred to a state Senate subcommittee study of complaints about the board's handling of foreign medical graduates. The subcommittee ultimately compiled a 30-page "accusation" against the licensing division, charging numerous violations of the state administrative procedures act.

BMQA sees the problem differently. Concerned when the practice of "selling diplomas" came to light in 1983, BMQA has tightened up its standards for medical school curricula, according to BMQA spokeswoman Linda McCready. Prior to 1983, the board relied on certification from individual medical schools that individuals had completed training. Since then, the board set up specific standards for medical training.

Although McCready, who said the board had not been served with the suit, declined specific comment on the allegations, she said 30 percent of the physicians licensed in the last year were foreign-trained. She said she did not know how many foreign-trained applicants were turned down last year. The board currently has 25,000 applications in the pipeline right

now, she said.

As for the specific case of physicians trained in Vietnam, McCready said more than 200 University of Saigon graduates are practicing in California. All graduated prior to 1975, she conceded, and most were able to bring paper documenting their training with them.

In contrast, more recent in migrants fled quickly, often with only the clothes on their backs, to escape the new regime. Their case are more difficult, D'Angelo said, because the University of Saigon has not released data on its former students to California.

McCready also declined to discuss the specific cases mentioned in the suit. The board will be represented by the attorney general's office, she said.

The suit names past and current members of the 17-member board and various staff members of the licensing division as well as the Department of Consumer Affairs. One of the defendants named in the suit is San Diego County Medical Society President Jacqueline Trestrail, a radiologist who was appointed to the board last January. Trestrail, who is on vacation, could not be reached for comment yesterday.

Los Angeles, CA
(Los Angeles Co)
Times
(San Diego Ed.)
(Cir. D 50,010)
(Cir. S 55,573)

JUL 31 1987

Allen's P. C. B Est. 1888

Charges Expected Against 2 Who Survived Blast

By MIKE GRANBERRY and H.G. REZA, Times Staff Writers

Law enforcement officials said Thursday they expect to seek charges against two youths who survived Wednesday's pipe bomb explosion that killed Kevin Michael Ham during a pre-dawn escape in Del Cerro.

Sgt. Frank Barone, who is heading the Metro Arson Strike Team investigation, said charges against Paul Giacalone and Daniel Smith, both 17-year-old classmates of Ham's at University of San Diego High School, could range from "nothing at all to manslaughter," a felony.

Manslaughter Count Doubtful

Barone said it was doubtful that the two would face the manslaughter charge but they might be charged with "possession of explosive destructive devices," also a felony.

The explosion occurred around 3:30 a.m. Wednesday while the three youths were driving along Madra Avenue in an affluent section of Del Cerro, not far from San Diego State University. According to police, they were heading to Smith's house, northeast of where the explosion occurred. Ham was holding the device

out the window of the car.

The blast caved in the passenger door of the 1985 Ford Escort, blew out the back window and dislodged the other windows.

Deputy Coroner George Dickason said Ham suffered "multiple trauma, massive

'It was just a mistake, and once the whole story comes out, people will see what a harmless mistake it was.'

Donald Smith
Father of survivor

damage to all extremities, the chest and abdomen, and injures to the head as well. The right side of the body was basically shattered.

"If the bomb had gone off inside the car, the other two would have received injuries that would have been fatal. The [passenger side] door took a lot of the force. I don't know why he had it [the bomb] out the door, but he may have saved their lives by having it out there," Dickason said.

Ham was dead when paramedics

reached the scene.

Barone said Smith and Giacalone, who were treated for minor injuries, were questioned by police and then released Wednesday night to the custody of their parents.

"We didn't handle them any different-

ly from any other juvenile," he said. "We don't take a juvenile up to the hall, unless it's a capital-type crime. I think the world is safe with these kids staying with their parents."

He said strike team agents believe that Ham, Smith and Giacalone were responsible for another pipe bomb blast that caused extensive damage July 21 to a car on Wandamere Court in San Carlos.

"Our investigation indicates they are probably responsible for that," Barone said. "No, I'll say they are responsible for

that." The youths are not suspects in any other pipe bomb explosions.

He said the three apparently learned how to make pipe bombs by reading a book called "Improvised Munitions Black Book," published by Desert Publications of Cornville, Ariz. He said a copy of the book was confiscated from Smith's home in the 6700 block of Bestwood Court in San Carlos. Strike team agents also confiscated from the home a large cache of explosives used to make homemade bombs.

A loaded AKM semi-automatic rifle was found near where the bomb went off.

Detective John Buono said strike force agents had been told by Giacalone and Smith that Ham, also 17, not only made the bomb that killed him but also owned the rifle.

Donald Smith, the father of Daniel Smith, said Thursday night that he was mainly upset with the media for using photographs of his son.

"They didn't have the right to do that," he declared. "I have an attorney coming over here right now to prove they didn't have a right to do that."

Please see BLAST, Page 4

BLAST: Charges Expected Against 2 Teens Who Survived Pipe Bomb

2955
Continued from Page 1

Smith disputed the nature of the incident as serious, saying: "It was just a mistake, and once the whole story comes out, people will see what a harmless mistake it was. The kids just made a mistake, like kids will."

He said he couldn't tell the "whole story" just now, that it would have to wait "a couple of weeks."

Earlier, Smith had said: "This is just a devastating thing, and the press is blowing it out of proportion, as they always do. They're sensationalizing it, as always."

Family Labeled as Quiet

Smith, a loan officer, was in Hawaii at the time of the accident. He returned late Wednesday to take custody of his son from police. He said he is on medical leave from work, having been diagnosed recently as having cancer.

Joe Bessler, a computer consultant who lives next door to the Smiths, said the entire family was very quiet.

"This was an utter surprise," said Bessler, adding that he has known the family for eight years. "We don't know the boy very well because our kids are of a different generation." (Bessler's children

are 8 and 11.)

"The Smith kid just didn't stand out. He never made much of an impression. If anything weird had been going on, we would have heard about it. Anything that happens in this neighborhood—such as a cat going up a wrong tree—gets reported. It's reported by the under-5-foot intelligence network, which is all these kids that live around here. Believe me, anything having to do with weapons would have been reported right away."

"I would say, in a nutshell, that Daniel Smith was, is, just a very nice, very quiet kid, as is his whole family."

Giacalone lives a few miles away in the 6100 block of Chrismark Avenue in Del Cerro. He refused to come to the door, but his sister, Teresa, did.

"He's caring, loving, a very good student," she said. "This is a situation of being in the wrong place at the wrong time. He feels very remorseful, especially over the death of a friend. He's an outstanding kid."

"We feel this was just a freak accident—one he'll never forget. We just want the world to know Paul is very much loved by his family. We're all very supportive of him."

Teresa, who is married but declined to give her current name, described her brother as a "curious, inquisitive teen-ager." She said her brother was "not involved in the making of the bomb."

Terrie Forrester, who lives in San Carlos, said she had met Giacalone through her children's involvement in Mission Trails Little League. She said her husband, Peter, coached a Little League team and Giacalone had been especially helpful with "coaching, umpiring. The kids liked him a lot," Forrester said.

"He was a good kid, very polite, not obnoxious, just a nice kid," Forrester said.

No Malicious Intent Seen

Maureen Hetzel said she was Ham's seventh-grade science teacher and eighth-grade teacher at St. Michael's Catholic School in Poway.

Hetzel and others have described him as an industrious and inquisitive youth interested in science. She offered a theory as to what motivated Ham to start fooling around with explosives.

"I don't believe that it was done with anything malicious or destructive in mind," Hetzel said. "Curiosity, perhaps experimenta-

tion, led him to his involvement, but whatever the reason, it was not malice."

"He was always one of the top winners in the science fair."

Ham has an older brother, Christopher, 19, and a younger brother, Brian, 15. Hetzel said Ham's brothers are equally bright and that they, too, were frequent science fair winners.

"He liked to learn and was a very inquisitive child. I can't imagine him doing anything destructive. It's not within the realm of possibility," said Hetzel, who has taught at St. Michael's for eight years.

The funeral for Ham is scheduled at 10 a.m. Friday at St. Michael's

Church in Poway. Before moving to Escondido, Ham's family was active in the parish.

Ham's father, Charles, an orthopedic surgeon, answered the door Thursday at his Escondido home but declined to comment.

A neighbor who asked not to be identified said the Hams have lived in the house about six years. The woman, who has known the Hams for five years, called them a "wonderful family."

The Hams normally were aware of where their sons were at all times, the neighbor said. Ham had received permission to spend the night at Daniel Smith's house the night of the explosion, the neighbor

said. She said she had met with the grieving family and the Hams are "devastated."

Ham delivered the Escondido Times-Advocate for more than four years until he quit in March, said Jeff Brinley, the circulation promotion manager.

The family had owned the route for "quite some time," he said. Ham inherited the route from his older brother, Christopher, who is a college student. Ham earned about \$170 a month from the route.

Ham's route was in a hilly area of Escondido, and he used a moped to deliver the paper. Brinley called Ham a "conscientious carrier."

JUL 31 1987

Allen's P.C.B. Est. 1888

2 law profs²⁹⁵⁵ who refused²⁹⁵⁵ to give up

Diligence in fight for anti-SANDER initiative pays off

By Carol Sottili
Staff Writer

When the San Diego city clerk reported that an initiative intended to halt the SANDER-trash-to-energy project had not qualified for the November ballot, the attorneys who drafted the measure went through "three or four days of unspeakable distress."

But Robert Simmons and John Minan, professors at the University of San Diego Law School, refused to accept the conclusion that insufficient valid signatures had been collected to qualify the initiative.

For nearly a month, the news grew more and more gloomy for San Diegans for Clean Air, the group behind the initiative. But Simmons and Minan had reason for optimism.

"We went from suspicion, to hope, to conviction, to evidence that proved our conviction," Simmons said.

The city clerk's office dealt the first blow July 2, when it announced that a random sampling of the petition had not produced a proportion of valid signatures high enough to qualify the initiative.

Eleven days later, the situation grew worse, as the county registrar of voters declared that a more thorough check of the signatures had produced 5,657 fewer than the 54,454 needed to qualify the measure.

The City Council reluctantly agreed July 20 to spend \$30,000 to conduct a signature-by-signature check of the more than 79,000 names gathered. But a week later, the regis-

See SANDER on Page B-3

SANDER: Profs kept²⁹⁵⁵ up the fight

Continued from B-1

trar's office announced that the initiative still was 2,956 signatures short of qualifying. Its chances of making it to the November ballot seemed to be evaporating.

Meanwhile, however, Simmons and Minan were spending hours researching the law. They carefully reviewed the City Charter. It confirmed that an initiative, in order to qualify for the ballot, must contain valid signatures from 10 percent of the voters registered during the last general election.

The registrar's office had been using the November 1986 election voter rolls as the benchmark for qualifying the initiative. At a meeting between Simmons, Minan and members of the clean air group, nobody could agree as to whether the 1986 election was a general or a special election.

"I decided that the easy way to find out was to go and check," Minan said.

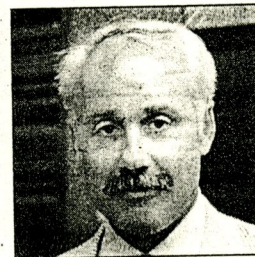
Minan's review of the council's action ordering the November 1986 election defined it as a special election, primarily because there were only a series of initiatives before voters and no candidates were scheduled to run citywide.

So the registrar's office had erred, Minan and Simmons concluded. The last general election, held Nov. 5, 1985, should have been the bench-



The San Diego Union

Robert Simmons



The San Diego Union

John Minan

mark. And because there were fewer registered voters during that election, the initiative had enough signatures to qualify for the ballot from the very beginning.

His argument was indeed convincing. On Tuesday, City Attorney John Witt upheld their legal challenge, and the council voted to place the measure on the November ballot. The once disheartening picture had brightened considerably for SANDER opponents.

Minan and Simmons, who have been active in the anti-SANDER movement for some time, said they acted out of a conviction that the San Diego Energy Recovery plant would have lasting detrimental health effects on their families, friends and fellow citizens.

The measure would block the plant planned for Kearny Mesa from being built. The plant would burn 2,250 tons of city trash to make electricity for 60,000 people each day.

Minan, a Tierrasanta resident who has spent years researching and writing on solar technologies, said he became interested in the issue after reading a pamphlet handed to him at a shopping center.

He was initially concerned for his immediate family, which includes two children, 8 and 14, but soon that concern extended to others.

"I thought of the 15,000 schoolchildren within a three-mile radius (of where the plant would be), and their accumulation of toxins," he said. "I saw a significant effect on those least able to defend themselves, like children and the elderly."

The initiative would ban trash-to-energy plants, or "garbage incinerators," as Minan prefers to call the plants, within three miles of schools or hospitals, effectively killing the SANDER project.

Simmons is no stranger to public policy issues. He has been active in Utility Consumers Action Network, a watchdog group that keeps an eye on SDG&E, and ran unsuccessfully for Congress in 1984.

But the SANDER cause has sparked his interest on both environmental and legal grounds.

"This is the most fascinating of all public interest issues I've ever been involved in," Simmons said. "There are challenging and fascinating legal issues. And we're talking about preserving the quality of life."

JUL 16 1987

Allen's P. C. B. Est. 1888

Haidinger Heads San Diego World Affairs Council

Tim Haidinger, of Rancho Santa Fe, head of New West Ventures, a business development firm, has been elected president of the San Diego World Affairs Council. He succeeds Dr. Patrick Drinan, chairman of political science at the University of San Diego. Haidinger, a graduate of Notre Dame and Stanford universities, recently was named to the California Community Colleges Board of Governors by Gov. Deukmejian.

Other new officers are: first vice president — C. Arthur (Buck) Borg, a retired diplomat; and vice presidents — Ann Ryder Randolph, who heads her own marketing and communications firm, and Gary Johnson, chief of the Arthur Young office in San Diego.

John McNeece, an attorney, is secretary and Lowell Blankfort of Chula Vista, a newspaper publisher, will continue as treasurer.

Officers and Directors were elected at the organization's annual meeting June 24. Special tributes were presented to Dr. Patrick Drinan, Chairman of the Political Science Department at USD, the outgoing President, and Mrs. Janice Sears, founder of the Great Decisions Series, as the Member of the Year. Dr. Arthur Hughes, President of the University of San Diego, was elected as an honorary board member, joining Hon. Pete Wilson, Joseph F. Abely, Mrs. Helen Copley, Gordon C. Luce, Adm. Horacio C. Rivero, and Mrs. Irving Salomon.

Maquiladora Discussion

Rancho Santa Fe,
(San Diego Co.)
Rancho Santa Fe 2
(Cir. W. 500)

A panel of experts will discuss the pros and cons of the Maquiladora industry in a public forum Wednesday, July 22, at 6 p.m.

Experts participating in "Maquiladoras Revisited" include Dr. Stephen Jenner, assoc. director of SDSU's Institute for Regional Studies of the California; Daniel Pegg, San Diego Economic Development Council; and Tijuana attorney Gonzalo Gomez-Mont.

Among issues scheduled to be discussed is the economic benefit derived by San Diego and Tijuana from this investment. Policy questions, including continuation of special tariff treatment for maquiladoras, will be debated by the group. The costs and benefits for U.S. industry and labor will be discussed and the effects on maquiladora employees will be examined. Audience questions will be welcome.

The discussion will be at Tijuana Tilly's in Mission Valley. Buffet is \$12.50 for Council members and \$15 for non-members. The discussion only is \$3 for members, \$6 for non-members, and \$1 for student members. For reservations, call the World Affairs Council at 231-0111.

The World Affairs Council is a private, non-profit, non-partisan organization of people in the San Diego community who are interested in learning and understanding more about international affairs.

The Council brings prominent foreign policy makers and thinkers to San Diego to present authoritative views on issues of global concern to the city at luncheons, dinners and forums. The Council also coordinates the Great Decisions Series for San Diego Schools and study groups, and holds discussion groups on current topics.

JUL 24 1987

Allen's P. C. B. Est. 1888

UNIVERSITY OF SAN DIEGO —
Founder's Gallery, San Diego, 260-4682.
An art exhibition entitled "Corita Kent — Serigraphs" features 20 prints depicting love, hope and optimism. This artist has created numerous works of art, her most famous one being "Love," depicted on U.S. postage stamps. Noon to 5 p.m. weekdays.

2955

Elk Grove, CA
(Sacramento Co.)
Citizen
(Cir. 2xW. 11,494)

JUL 22 1987

Allen's P. C. B. Est. 1888

Laura Louise Smith

Laura Louise Smith, 1978

graduate of Elk Grove High School, graduated from the University of San Diego, June 14 with a bachelor of arts degree in biochemistry and cell and molecular biology.

Smith, who maintained a 4.0 grade point average during her undergraduate studies, will be attending the University of San Francisco Medical school this fall to pursue a career as a physician.

Smith is the daughter of Fay Slater, a science teacher at Joseph Kerr Junior High School, and Robert E. Smith of Sacramento.

San Diego, CA
(San Diego Co.)
San Diego Union
(Cir. D. 217,089)
(Cir. S. 341,840)

JUL 26 1987

Allen's P. C. B Est. 1888

New dorms due at USD in September

More than 500 students at the University of San Diego can look forward to new dormitories in September when the \$10.6 million, six-building East Campus Student Housing Center opens.

C.A. Larsen Construction Co. said the 154,000-square-foot project lies on 15 acres north of Linda Vista Road, just west of Via las Cumbres and across from the university's sports center.

Included will be 135 fully furnished two-bedroom, two-bath units and 21 furnished one-bedroom, one-bath units. Parking will accommodate 500 cars.

Schoell-Paul Inc. designed the project to conform to the campus' Spanish Renaissance motif.

Los Angeles, CA
(Los Angeles Co.)
Times
(San Diego Ed.)
(Cir. D 50,010)
(Cir. S 55,573)

JUL 31 1987

Allen's P. C. B Est. 1888

THEATER

It began with a dramatic poem written by a college English department chairman who wanted to comment on Mary Shelley's novel, "Frankenstein."

The piece, which the educator wrote to embody Victor Frankenstein's Faustian quest, inspired a local artist to create a series of paintings. A composer later took the themes suggested by the characters and situations in the work to write a jazz score. The trio will now bring the creation to the stage.

The Center City Arts Assn. production of "Monstrum" premiered Thursday and will continue through Aug. 9 at San Diego City College Theater.

Will Robertson directs a cast of actors, dancers and singers in the jazz opera brought together by University of San Diego educator Bart Thurber, San Marcos artist DeLoss McGraw and composer Nancy Rees, who is now a music professor in New York. McGraw designed the set. Richard Redlin plays Frankenstein and Cristine Sevec his betrothed, Elizabeth, in the stage production showing at 8 p.m. Thursday-Sunday.

San Diego, CA
(San Diego Co.)
Evening Tribune
(Cir. D. 123,092)

JUL 31 1987

Allen's P. C. B Est. 1888

Former journalism professor at USD, John Bremner, dies

John Bremner, a dynamic professor who once taught journalism and English at the University of San Diego, died yesterday at his home in Ponce Inlet, Fla., of cancer at age 66.

Bremner, who taught here from 1957 to 1961, had retired to Florida after ending a lengthy and honored teaching career at the University of Kansas in 1985.

Bremner's theatrical, intimidating methods were beloved by the thousands of students who studied under him, and many described him as one of the most inspirational persons they met.

"Absolutely, he was very dynamic," said John Bowman, a Ramona High School English teacher who took classes at USD under Bremner with Bill Hagen, The Tribune's film critic.

"He was a very charismatic individual who was a great influence on guys like Hagen and myself. He knew what he was talking about. We used to call his lectures the Gospel according to St. John because what he said was gospel."

"Of course, we only said that behind his back."

Standing 6-foot-5 and weighing 260 pounds, Bremner cut an imposing figure in university classrooms and seminars in newsrooms across the country. Longtime colleague Lee Young remembered him as a "delightful terror to students."

Bremner would stalk around his classroom, often quoting Robert Frost and the Bible or lamenting

having to teach his students basic grammar. Occasionally, he would stick his head out a classroom window, wave a white handkerchief and shout, "Help me! They're all idiots in here!"

"Professor Bremner motivated all who knew him to do their best," said Kansas Dean of Journalism Mike Kautsch. "He was a master teacher of editing. He showed through his teaching the importance of language."

A native of Brisbane, Australia, Bremner received a bachelor of sacred theology degree from Propaganda Fide University in Rome in 1941, and continued theological studies at All Hallows College in Dublin, Ireland. He was ordained a Roman Catholic priest in 1943, and remained a priest for 24 years.

Bremner worked as a magazine editor, newspaper columnist and radio writer and announcer in Australia before coming to the United States in 1950. He earned a master's degree in journalism from Columbia University.

He also taught at the University of Iowa, where he received a doctorate in mass communications in 1965.

In 1969, he came to the University of Kansas and in 1977 was named Oscar S. Stauffer Distinguished Professor of Journalism.

Bremner, who will be buried Tuesday in Lawrence, is survived by his wife, Mary, and a sister in Sydney, Australia.

JUL 31 1987

Allen's P. C. B Est. 1888

THEATER

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Members of the team which keeps USD dining services running smoothly include (left to right) Cheryl Berlin, Rudy Spano, Karen Woolsey and Mark Reinholtz.

At 'Home' In The Spanish Renaissance

University Center,
University of San Diego
San Diego, California

By MITCHELL SCHECHTER

Photographs By GEORGE KOSTA

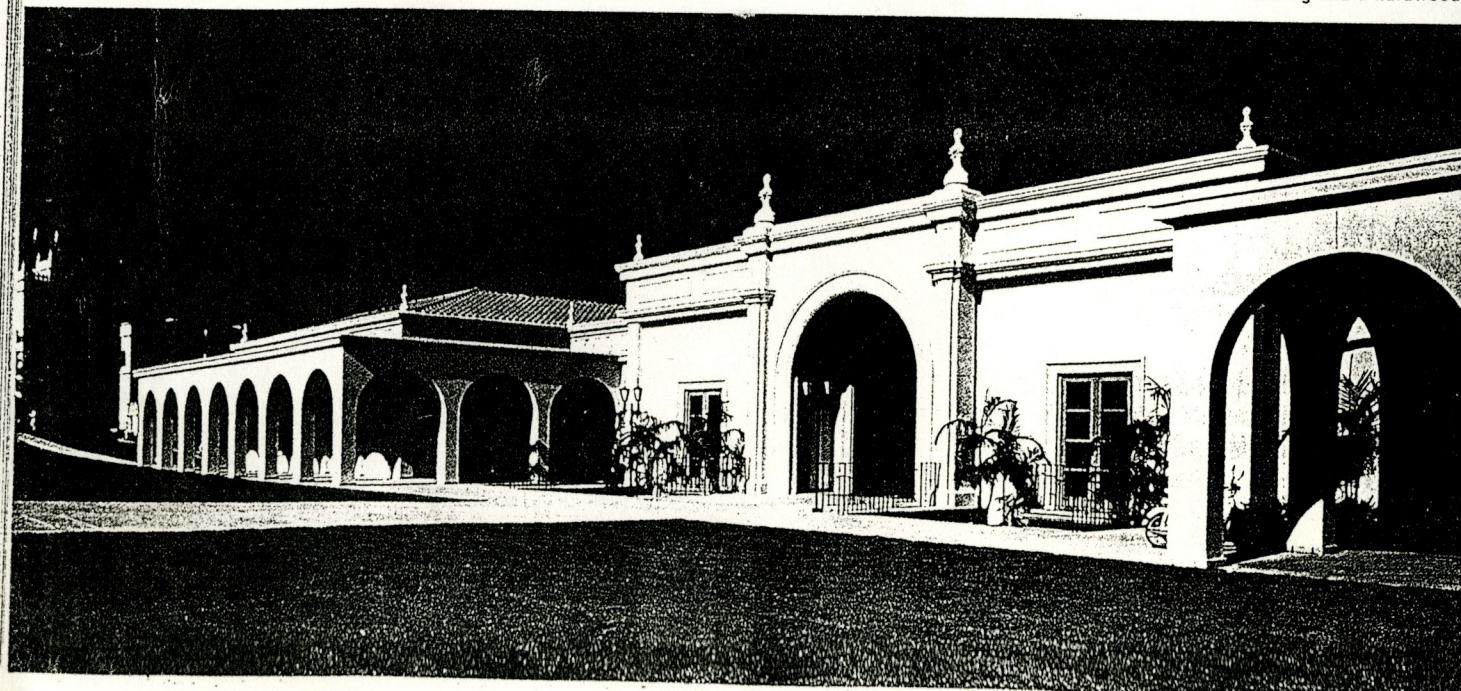
The 180-acre Linda Vista campus of 5,300-student University of San Diego (USD) spills across a hilltop due north of the city's burgeoning downtown district, overlooking the blue shimmer of Mission Bay. The steep, scrub-covered slopes of Tecolote Canyon. Founded in 1949 as a College for Men and a College for Women under the auspices of the bishop and diocese of San Diego, USD today is a private, introspective, Catholic institution which seeks to provide a 'holistic' liberal arts education to academically qualified students from Southern California and throughout the west.

Both the approximately 2,100 resident students and those who commute to class are drawn to USD by a climate to study in an intimate atmosphere with professors who, while overwhelmingly of Ph.D level, are devoted to teaching, rather than research. When students are on campus, however, pursuing studies in such fields as law, nursing, business and religion, they do so in structures and buildings complexes that articulate USD's commitment to offer a historical, classically influenced perspective on education as clearly as could any professor. This is because all of the buildings scattered across USD's rolling acres are done (or derived from) a singular and singularly appropriate architectural style—Spanish Renaissance.

"We're a small school and we intend to stay small," commented Rudy Spano, the genial, 39-year-old director of dining services at USD. "For us to compete successfully with such larger, wealthier local institutions as San Diego State and University of California/San Diego, we have to have a distinct identity and a positive reputation. The Spanish Renaissance campus helps us there, because it's the only one of its kind in the country. It also communicates our dedication to preserving traditional Western values and it provides members of our community with a carefully designed environment in which they can see the evolution of contemporary society."

While faithful to USD's Spanish Renaissance style, University Center features "residential" details such as a red-tile roof.

Design highlights in the 355-seat main dining room include an archwork enclosure, high coffered ceiling and a hardwood







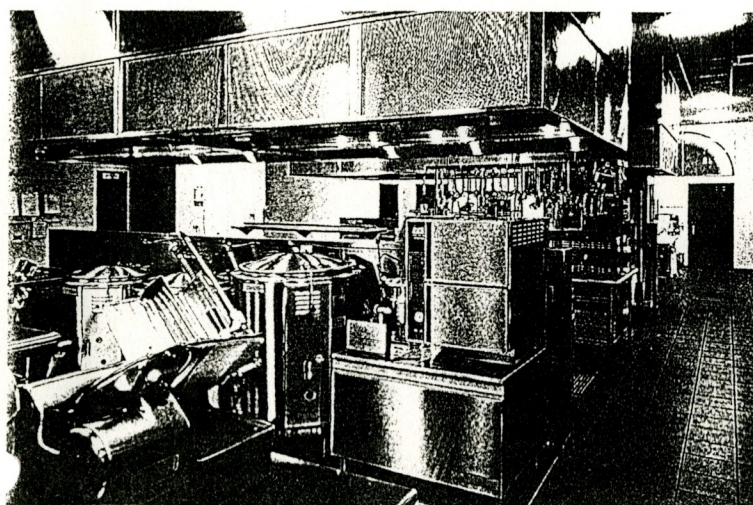
University Center projects a residential, relaxed quality, emphasized by modest facade moldings, spare roofline ornamentation & a cheerful red-tile roof.

The multi-station marketplace in University Center was designed to resemble a Mediterranean village's outdoor market. Pictured are the Bakery/Creamery area, the convenience store-style Mini Mart and some of the interior seating area.

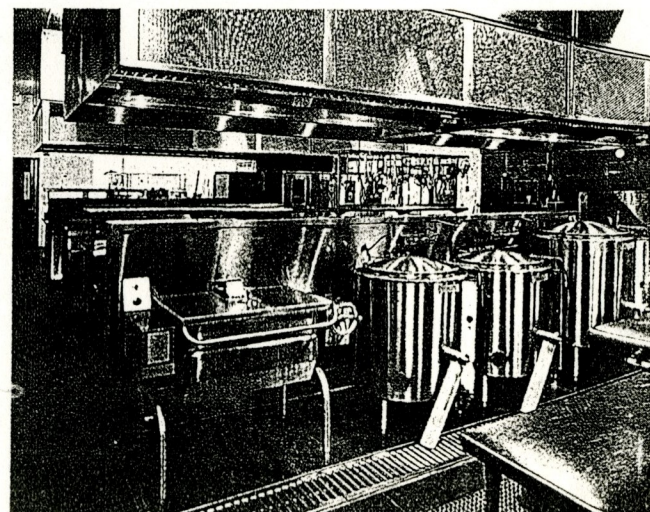
Yet, for all USD's campus has to offer, up until last January it lacked a single, central facility in which students, faculty and staff could relax, mingle, study or share a meal. Then, the two-story, \$10.8-million University Center was opened, with 74,000 square feet of dining, serving and kitchen space; centralized offices for USD's student groups; meeting rooms, study lounges, a furnished foyer and spaces for games-playing, TV-watching and music-listening. Now, for the first time, USD commuters have an alluring on-campus retreat, faculty and students can continue the education process over a meal or a snack in a variety of informal outdoor and indoor foodservice areas, and the 35 full-time members of the dining services' staff have been able to enhance the perceived value and variety of their products in a building whose design and ambiance have won the endorsement of everyone who's experienced them. In short, with the advent of University Center, members of the USD community finally have an on-campus 'home.'

Seen amidst its more ornate "administrative-style" Spanish Renaissance 'cousins,' such as DeSales (the orig-

inal College for Men), Founders' and Camino Halls (the original College for Women), University Center projects a more residential, relaxed quality, emphasized by its modest facade moldings, spare roofline ornamentation and cheerful red tile roof. Both within and without, as designed by architect Roy Drew, founding partner of Mosher Drew Watson Ferguson in nearby Point Loma, the building's dominant architectural motif is its classically proportioned graceful arches. Whether strung together in sequence to form external sun-shaded corridors, or cloisters, that allow weatherproof circumnavigation of the building while preserving maximum interior space, or used to segment the high-ceilinged, 355-seat main dining room into more intimate eating areas, these arches allowed Drew to create a uniform grid upon which to lay out University Center's two stories of interior spaces. Many of these spaces, including dining services' lower-level "Courtyard Grille" and main-floor Faculty/Staff dining room and "Marketplace," also have window walls whose high-bowed glass form framed wooden arches (teak on the outside, mahogany within) which reflect the curved pro-



The main production kitchen (below and left) in University Center has equipment laid out in ranks across the space's shorter axis. Grills, steam kettles and convection ovens are key equipment pieces.



Design Capsule

Project: Create a two-story Spanish Renaissance-style University Center to offer an on-campus 'home' to university students, faculty and staff. Design foodservice production, serving and dining spaces; study, activity and recreation areas, and meeting rooms.

Program: Create authentically decorated and furnished foodservice operations including a ground floor main dining room with U-shaped scatter-system servery, a faculty/staff dining room with its own servery, a multi-station Marketplace, and a main production kitchen. On lower level, design a grill unit for fast foods.

Foodservice Director: Rudy Spano

Interior Designer: Therese Whitcomb, University of San Diego

Foodservice Consultant: Aubrey Devine, Pasadena, California

Architect: Roy Drew, Mosher Drew Watson Ferguson, Point Loma, California

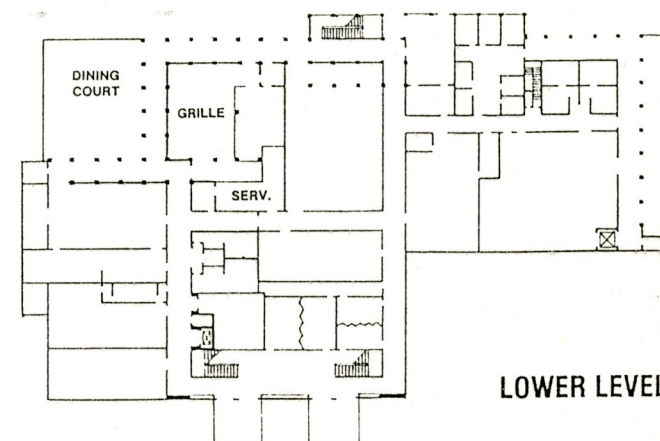
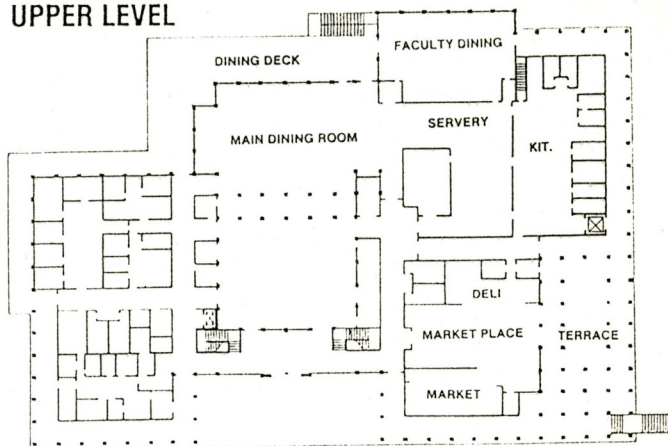
Meals Served: Main dining, 1,800 per day; Faculty/Staff dining, 90 lunches per day; Marketplace, 2,800 transactions per day; Courtyard Grille, 600 transactions per day.

Average Check: Main dining, N/A; Faculty/Staff dining, \$2.25; Marketplace, \$1.75; Courtyard Grille, \$3.50.

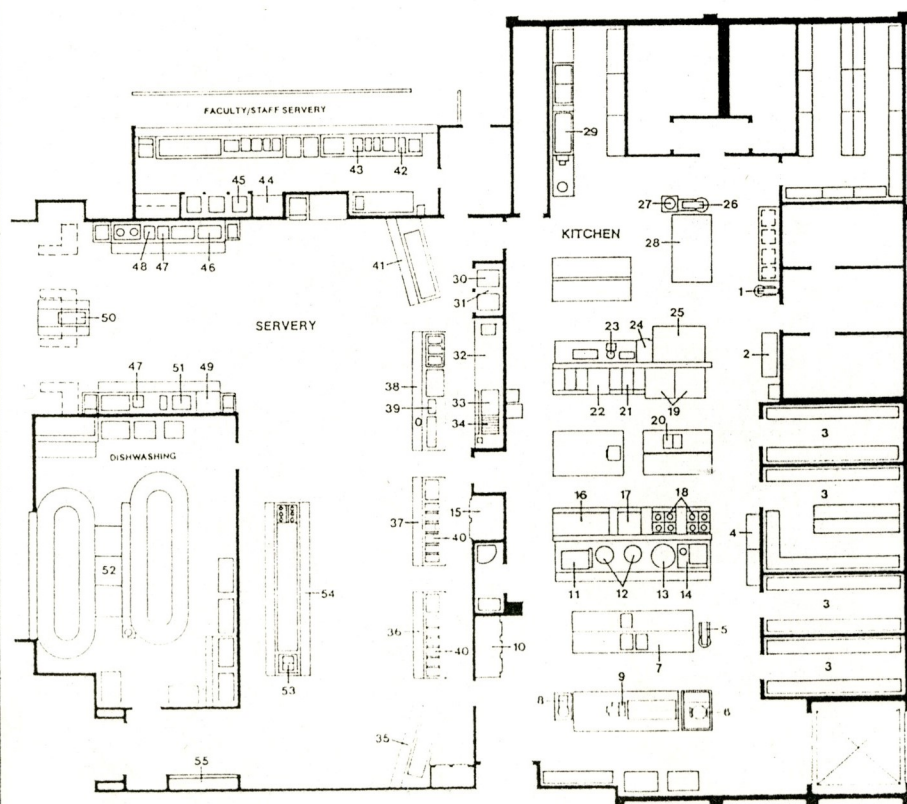
Employees: 35 full-time; 200 students

Project Cost: \$10.8 million

UPPER LEVEL

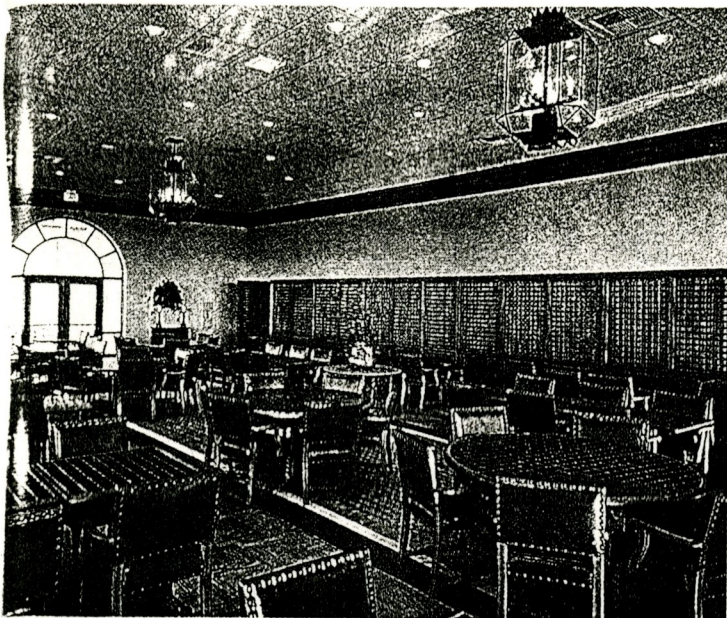


LOWER LEVEL



EQUIPMENT KEY:

- | | |
|---------------------------|---------------------------|
| 1. 30-qt. Mixer | 30. Port. Rack |
| 2. Pot Rack | 31. Roll-thru Refrig. |
| 3. Cold Storage | 32. Counter |
| 4. Pot Racks | 33. Griddle |
| 5. Mixer | 34. Broiler |
| 6. Vertical Cutter | 35. Specialty Counter |
| 7. Veg. Prep. Sinks | 36. Salad Counter |
| 8. Food Cutter | 37. Hot Food Counter |
| 9. Slicer | 38. Sandwich Counter |
| 10. Steamer | 39. Toaster |
| 11. Braising Pan | 40. Hot Food Wells |
| 12. 40-gal. Kettle | 41. Dessert Counter |
| 13. 60-gal. Kettle | 42. Coffee Maker |
| 14. Steamer | 43. Ice Dispenser |
| 15. Pass-thru Hot Cabinet | 44. Food Warming Cabinet |
| 16. Griddle | 45. Roll-in Refrig. |
| 17. Griddle | 46. Beverage Counter |
| 18. Ranges | 47. Juice Dispensers |
| 19. Ovens | 48. Hot Choc. Dispensers |
| 20. Slicer | 49. Ice Dispenser |
| 21. Fryers | 50. Condiment Counter |
| 22. Counter | 51. Milk Dispenser |
| 23. Trunnion Kettle | 52. Ware Washing Assembly |
| 24. Proof Box | 53. Plate Chiller |
| 25. Oven | 54. Salad Bar |
| 26. 60-qt. Mixer | 55. Tray & Silver Counter |
| 27. Dough Divider | |
| 28. Bakers' Table | |
| 29. Pot Sinks | |



The Faculty/Staff dining room (left) features extensive use of Flemish blue, a Spanish Renaissance 'signature' color. The lower-level Courtyard Grille (above) draws customers to University Center for burgers, chicken sandwiches and 'home-made' pizza.

portions of the structural elements.

The fact that these arches are also a historically accurate component of Spanish Renaissance architecture was not lost on professor Therese Whitcomb, director of design for USD, who worked with Roy Drew in developing the concept of University Center and was responsible for selecting all its interior decor and furnishings. An acknowledged authority on European Renaissance architecture and design, Whitcomb described the hallmarks of the Spanish style as "symmetry, most of all, and the use of classical forms such as columns, arches and cloisters." Spanish Renaissance building facades are traditionally made of stucco or stone, and are often overlaid with Moorish "plateresque" ornamentation in foliate or abstract geometric patterns. Interior spaces, Whitcomb explained, make use of high, coffered ceilings with exposed beaming, tile or hardwood floors and crown moldings of dark wood. Traditional fabric and furnishing colors range from dark turkey red through paler peach, antique white and taupe to a "special, gun-metal Flemish blue that is very cool and balances the environmental colors," according to Whitcomb. "All this concern for environmental details appeals to many USD students who grew up in parts of the country where nothing is older than their parents and who come here hungry for 'roots,'" she added. "The university has selected Spanish Renaissance as its signature style because it was developed during a period of eclecticism and cross-cultural influences, which is what education is all about. It's also, obviously, an enduring style, one not likely to go out of fashion, it's perfectly suited to San Diego's 'Mediterranean' climate and it's very practical."

Rudy Spano agreed with Whitcomb, citing not only interior materials' durability and ease of maintenance, but also the increased respect customers have shown for the new foodservice facilities and their appreciation of the comfort and beauty of their surroundings.

"Formerly," Spano recounted, "our only cash operation was situated in the basement of Serra Hall. If 20 people were in the place, it looked overcrowded. We had two board plan dining halls—DeSales and Camino—

which were unattractive, noisy and poorly laid out. On the other hand, the staff and faculty were able to dine pleasantly in a comfortable but small [60-seat] facility also located in DeSales. We also had our own Banquets and Catering finishing kitchen in Manchester Conference Center, but we didn't feel we were able to give students a dining experience that was equal to the quality of their education, or a place they could call their own. Now, of course," Spano added, smiling broadly beneath his thick walrus moustache, "with University Center being open this past semester, all that's changed."

One simply has to tour the assorted foodservice operations now being refined into maturity at University Center to understand Spano's satisfaction.

On the main (ground floor) level, down a short corridor from an upholstered furnishing group done in muted 'period' colors in the entry foyer (a popular student hangout), and adjoining a modern-looking, A/V-equipped, 550-seat meeting room called the Forum, is a dining complex consisting of a large production kitchen, double-sided, U-shaped servery and the main and Faculty/Staff dining rooms.

The kitchen, brightly lit and decorated with pastel-hued food graphics, was designed as a narrow rectangle, with equipment and prep areas laid out in ranks along the shorter axis. There is a 'dedicated' elevator in the southeast corner of the kitchen which the staff uses to transport supplies up from a large "long-term" storage area located on the lower level near a receiving dock. The long eastern wall is partly filled by a bank of walk-in coolers and freezers. The pantry and salad prep form the southern-most rank; moving north, there is next a steam line rank; then a row of grills, fryers, convection ovens and range tops; a bakery area, complete with rotating ovens comes next, while a pot-and-pan washing area in the northwest corner, a dry pantry, staff restrooms and foodservice offices in the north-east corner complete the layout. Spano noted that workflow was highly efficient in this kitchen, but that some

continued on page 194

Spanish Renaissance *continued from page 190*

staffers had been hesitant to learn to use newly purchased equipment, such as a vertical chopper, and that all had had to become accustomed to new traffic patterns and storage systems.

"Right now, my most important pieces of equipment," Spano said, "are the convection ovens, the steam kettles, in which we do our very popular Mexican items, and the grills, where we do many breakfast orders."

Doors cut into the wall separating kitchen and servery give staff access to the various hot and cold serving stations scattered within the peach-walled, incandescently lit, U-shaped space. Customers (up to 800 at lunch, 600 at dinner, 400 at weekday breakfast and 400 at weekend brunch during the school year) are offered a diverse array of rotating selections from a five-week cycle menu. While eggs, grilled meats and cold cereals are steady sellers at breakfast, USD students may choose among two daily entrees and a vegetarian dish at lunch and dinner, as well as salad

"Right now, my most important pieces of equipment are the convection ovens, the steam kettles, in which we do our very popular Mexican items, & the grills, where we do many breakfast orders."

—Foodservice Director Rudy Spano

bar items and a soup of the day. Different vegetables are offered at lunch and dinner (a starch is also served in the evening), there is a dessert bar featuring baked goods made on-site, and Spano has introduced an entree bar concept that entices customers with a changing assortment of casseroles, sandwiches, salad plates and pasta-based dishes. On one recent summer's eve, a chalkboard by the dining room's entry was etched with the following dinner fare: Minestrone soup, salad bar selections, ginger bread, cucumber salad, Swedish meat balls, chicken Marsala, rice pilaf, braised celery with walnuts, French bread, vanilla/chocolate cream pies and fresh fruit.

Because most USD students have purchased one of several available "all-you-can-eat" meal plans (which come with their own "Plus Account" charge cards), there are no registers in the servery. Once customers have had their IDs checked at the entrance, they have free access across the servery's terra cotta tiles to the day's selections and the main dining room beyond.

With its 18-foot high, acoustic-tiled, coffered ceiling above hanging fixtures designed in Spanish Renaissance style by Roy Drew and Therese Whitcomb, enclosing colonnade of light, airy arches and tall, arch-framed windows capturing much of San Diego's typically brilliant sunshine, the main dining room in University Center is unusually bright and refreshing. Diners emerging from servery's dimness first catch the gleam of the room's polished hardwood oak flooring; then they can cast their gazes beneath the arches and through the windows, perhaps to search for

friends seated out upon the 100-seat outdoor dining balconies that run along the north and west walls, or perhaps simply to admire the light-washed views.

If they choose to eat indoors, savoring the coolness that's as much a product of University Center's efficient air handling system (individually adjustable units fight the heat in nine different zones) as the building's thick, light-colored walls and spacious interiors, USD customers can sit on broad, flat, fabric-covered wooden chairs at brick-hued, wood-trimmed tables, either two-top squares or six-place rounds. Though the room is large (and can be expanded to seat more than 800 when a "disappearing" movable wall dividing it from the Forum is stored away), both Spano and Drew mentioned that extra acoustic facings above the linked interior arches help to modulate the noise levels that tend to result when high-energy college students get a chance to eat and socialize in the dining room of their long-awaited new 'home.' (Extra lighting is also available from arch-mounted sconces and incandescent ceiling soffits.)

Adjoining the main facility's northeast corner, with its own entry, foyer and straight-line servery, is the 120-seat Faculty/Staff dining area. Here, more custom-made 'period' fixtures descend from an acoustic tiled ceiling. Below, the room is both cool—with Flemish blue studded leather armchairs, round hardwood-edged tables topped with grouted tiles of the same signature blue and a blue-bordered herringbone-patterned rug—and bright, with arch-framed windows to the north and east emitting 180-degree views of the canyon and its environs.

Spano pointed to the teak lattice-work part-wall that separates the facility's servery, and the cart holding area leading out of the kitchen from whence the servery is supplied and cleared, from its dining area. "When you look at all the design details collectively," he commented, "it's easy to understand why a few people have told us that they find this room very 'masculine.' Nonetheless, we've also had a lot of compliments and good participation. We serve about 90 lunches a day here between 11:30 a.m. and 1:15 p.m., mostly soup and salad combinations, although we also offer two entrees from the main menu and a carved or specialty item. Our check average here is \$2.25. [USD faculty and staff may charge their meals to either personal or departmental charge accounts, or pay cash.] Everyone's proud of the fact that all the furnishings in this room are faithful to the Spanish Renaissance style," Spano added, "and students like the fact that their professors are eating in the same building."

One dining services cash operation that is open to everyone on the USD campus is the Marketplace, located just to the right of the entry foyer on University Center's main floor. Designed to (roughly) resemble an open-air market one might find in a Mediterranean village, with 'flagged' tile flooring, deep earth-toned walls and streetlamp-style wall fixtures, the Marketplace contains 100 seats (90 more are available on a balcony outside) and a variety of serving areas. There's a deli operation at the north end of the area, complete with a brass-trimmed, self-serve salad bar, soup wells, beverage dispensers and chillers holding brand name canned and bottled drinks,

continued on page 196

Spanish Renaissance *continued from page 194*

and display cases and counters where bulk salads, hard-boiled eggs, custom-made single- and double-decker deli sandwiches and other items are sold. Casual seating at small round tables, some shaded beneath umbrellas, lines both sides of the main trafficway here, and just behind a mobile wooden flower peddler's cart to the south is the Marketplace's Bakery/Creamery unit. Among the customer favorites offered in this area from tile-based display cases are premium ice cream in bulk, dishes, cones, sundaes, splits, malts and shakes; on-premise baked muffins and cookies, and commercially-purchased bagels, donuts and cakes.

In the facility's southeast corner lie what appear to be the transplanted, fully stocked shelves of a local convenience store. This is the Marketplace's "Mini Market," which Spano called "our 'shop-and-go' concept. Our resident students come here for snacks, a six-pack of soda and chips, for instance. For commuters and students living in university apartments, we offer notions, sundries, beauty and health aids and groceries, especially packaged—not frozen—dinners, which sell very well."

Since USD dining services' cash sales are up 50% over a year ago, according to Spano, it's apparent that customers are appreciating their modern convenience store, as well as the department's more traditional offerings. Overall, the marketplace records 2,800 transactions a day during the

school year, with an average check of \$1.75. Meal plan customers may pay cash at any of four registers located in the different areas, or use their charge cards to "spend" a \$3 cash equivalent for a "full meal," or a lesser amount for a snack and/or beverage. Spano noted that this transactional system "gives students a lot of flexibility and encourages them to try out all our different facilities. That's helped us some with the problem we've had with lines forming at

In the facility's southeast corner lie what appear to be the transplanted, fully stocked shelves of a local convenience store—USD's "Mini Market."

different areas during early morning and lunchtime peak hours," he added.

One foodservice operation that will, paradoxically, probably be seeing both more customers and shorter lines starting this fall is the Courtyard Grille. This facility, with 140 indoor seats and 100 more outside on a patio abutting a landscaped hillside, offers customers char-grilled burgers topped "their way," 'home-made' pizza (both dough and sauce are prepared in the kitchen above and baked on

continued on page 198

When you make juices like Apple-Boysenberry, Cherry



Spanish Renaissance *continued from page 196*

premise) and best-selling chicken breast sandwiches (\$2.69), among other items. The Grille's floors are tile, walls and server canopy are decorated in tones of mauve and dusty rose and, in an alcove where campus combos and comedians sometimes perform, large muraled figures of mythological beasts drawn from Moorish tapestries ennobled the wall.

"We've had to make some adjustments here," Spano advised. "For example, in the space where we now have a

"We want . . . to encourage students *not* to stay locked in the fashions of the moment, because that's the only way they'll ever reach their higher selves."—T. Whitcomb

gourmet coffee bar [along a wall adjoining the pizza and burger stations] we had originally intended to install a small pub operation. Now, we're still discussing just what other concept might work better in that space.

"Also, although our burgers and pizza are popular, they take a while to make. So, if customers have to wait both to order an item *and* while we make it, they get discouraged.

The Mind In Question *continued from page 123*

According to another psychologist who asked that his name not be used, "Though some companies do use tests to 'match' a person with the 'right' job, more often than not, tests are used to fill a job with the 'right' person. While a test-taker can probably guess what an employer considers to be the 'right' personality traits for a job, he or she can't know enough to think through every question carefully and make sure responses to similar types of questions are consistent. For that to happen, the test-taker would have to know the assumptions from which the test was designed, how patterns of responses are interpreted and to what end. People may think they can fake these tests but, for the most part, they're kidding themselves."

Here's a view from one personality test-taker: "A lot of it was really 'Mickey Mouse' psychology, kind of like being back in Psych 101. It was pretty easy to see what they were getting at with some of the questions."

The speaker was a woman who had taken a day-long personality/psychological test at the insistence of a previous employer.

"There were too many black and white questions," she recalled. "Would you rather live in a big city or in a suburban area with a lot of community activity? I'd rather live in neither. Would you rather go to a party or read a book? Well, sometimes I'd rather go to a party. Other times, I'd rather read a book. But if you're applying for a sales job, you know you're supposed to go for the party. You can see through some of the questions and answer accordingly. If you're after a sales job, you check all those things that show you are outgoing and gregarious."

What I think we're going to do is add another register in that area, to break up the lines a bit," Spano continued, "and we might try to do more pre-grilling of burgers, to move traffic faster when we're busiest."

Spano, a native of Carlsbad, California (30 miles up the coast from San Diego), has been at USD for five years, after spending the previous five employed by the foodservice department at University of California/Santa Barbara. He said that it is the pride he takes in his management team of Cheryl Berlin, Mark Reinholz, Doug Garner, Jennie Minor and Karen Woolsey, the staff, the products they serve and the new facility they serve them in that nourishes his on-going commitment to USD. "The respect we get now from our customers has done wonders for our self-satisfaction," Spano asserted. "Operating in University Center has allowed us to mirror the quality of its design and interior decor, to let students know that the dining experience we can now offer is superior to any they could have in town."

Design Director Whitcomb was equally emphatic, adding, "We want design projects at USD, such as University Center and its foodservice operations, to help students go beyond the norm, to encourage them *not* to stay locked in the fashions of the moment, because that's the only way they'll ever reach their higher selves."

From all appearances, the dining services department staff at USD are operating in an environment that allows their service mission to be exactly that. ∅

One job applicant, determined to give away no personal information in her personality test, carefully chose answers that she felt were non-revealing. In completing the sentence, "I don't like...", for example, she filled in "peas."

Testing companies emphasize that no one answer can determine a test result; it is the pattern of answers that dictates the findings.

"Tests should have some sort of distortion/lie scale built in," said London House's Terris. "The fact is that most people are afraid to lie too much on a test. They're afraid to deviate too much from their personalities. Test-takers' tendency is to make themselves look a little better, but most don't want to look *too* good."

Kuhn, of Reid Psychological Systems, claimed his company's honesty test is almost impossible to fake and he's got years of "fakability studies" to back him up. His first such study was administered 15 years ago to 170 convicted felons in Illinois Penitentiary and none of them passed. His most recent was conducted two months ago. The test group was told in advance what factors were important in passing the test and what attitudes they should try to emphasize. "There was a slight increase in the pass rate, but not enough to alter the overall value of the prediction," said Kuhn. "What we have found is that the underlying desire of people to express their real feelings is so strong that their feelings cannot be derailed."

"Faking" personality tests can be a great deal more complicated than "faking" honesty tests, because you're not always certain which personality type is the right one for a particular job or a particular employer. Said one professional man who had to take a battery of tests in order to get a long-awaited promotion, "When I first started taking the

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EXECUTIVE NEWS FOCUS REPORT

Back-to-school, Executive Style

by Christopher M. Kuhn

The notion of continuing your education has probably crossed your mind. Several reasons hold most people back. You don't have time. The nearest campus is out of your way. You'll have to sacrifice your performance at work to take classes. The thought of being a student again doesn't appeal to you.

Most of the universities in San Diego County realize this. Many have programs to help those in the workforce to take classes, for whatever reason, at times when they don't conflict with work. Universities have campuses all over San Diego County. When you consider the

numerous benefits of continuing your education, going back to school isn't a bad idea.

Whether your embarking on a second career, fresh out of college or looking for career advancement, continuing your education can prove to be very beneficial. You can get a degree or just take a class for your own information. Continuing your education can improve skills of executives and enable your company to be more competitive. And contrary to what you might believe, it can be easy, convenient and even fun to go back to school.

Coleman College

Programs and Degrees:

- Associate, Bachelor's and Masters Degrees in Computer Information Science.
- Associate and Bachelor's Degrees in Computer Electronics Technology.
- Certificate programs available in Computer Information Science, Computer Electronics Technology and Data Entry.
- Bachelor of Business Administration Degree.

When Classes begin:

La Mesa Campus
Day
Aug. 3
Sept. 8
Evening
Aug. 3
Oct. 12
San Marcos Campus
Day/Evening
Aug. 3
Oct. 12

Tuition and Fees:

Undergraduate Division — \$80.00 per quarter unit (includes books and normal supplies) and a registration fee of \$100.00 for all programs to reserve a spot in class. Graduate Division — unclassified status available for those taking classes for their own need. There is an application fee of \$50.00 and tuition charges of \$100.00 per quarter (includes textbooks).

(*allow sufficient time to apply and gather all transcripts from undergraduate work)
Addresses/Phone Numbers:
7380 Parkway Drive
La Mesa, CA 92041-2435
(619) 465-3990
100 N. Rancho Santa Fe, Suite 133
San Marcos, CA 92069
(619) 747-3990 (Inland)
942-6200 (Coastal)

National University

Programs and Degrees:

- Programs in Management and Business, Computer and Technical Studies, Career Development (Continuing Education)
- Special Programs: Women over 40 and Single's Opportunity Symposium (Continuing Education)
- Women's Opportunity Week — Oct. 17-24 (free seminars)

When Classes begin:

Varies with program (next semester begins September)

Tuition and Fees:

Range is \$55.00 - free (public service)

Addresses/Phone Numbers:

San Diego Campus
4007 Camino del Rio South
(619) 563-7292
North County Campus
2022 University Dr., Vista
945-6292

Marine Corps Recruit

Depot Learning Center

Building 111
563-7482

Rancho Bernardo Center

1646 Bernardo Ctr. Dr. #185
941-6340

Balboa Center

4719 Viewridge Road
563-2500

Naval Training Center

Building 241
563-7486

Miramar Learning Center

8380 Miramar Rd.
563-7330

Kearny Mesa Learning Center

3580 Aero Court
563-7308

Southbay Learning Center

12 N. Euclid Ave., National City
563-7414

National University Department of

Continuing Education

University Park
San Diego, CA 92108
(619) 563-7298

SDSU

Programs and Degrees:

- Open Campus (Extended Studies) — Work towards a degree, but to earn a degree you have to be officially enrolled (up to 24 units through extended ed) extended ed)

Pick up an application at the Extended Studies office, no prior registration so you have to crash (add the class based on space available) on the first day of classes, August 31.

Open University — Without being officially enrolled, eligible to take any class offered at SDSU.

When Classes Begin:

August 31

Tuition and Fees:

\$72 per unit

Addresses/Phone Numbers:

SDSU

5300 Campanile Dr.

San Diego 92182

265-5821/265-5152

North County

800 W. Los Valencitos

San Marcos 92069

265-2436/471-0210

Imperial Valley

720 Heber St.

Colexico 92231

265-4201/357-3721

United States International University (USIU)

Programs and Degrees:

- Bachelor of Science degree in the School of Engineering and Applied Science.

•Bachelor of Science and Master's degrees in Business Administration and International Business, Doctorate in Business Administration, with specialization in Finance, International Business or Strategic Management.

•Degrees available in the Schools of Education, Human Behavior and others.

When Classes Begin:

Sept. 14-16 registration for new and returning students and payments of all tuition and fees for the fall quarter. Sept. 17 classes begin.

Tuition and Fees:

\$25.00 filing fee

\$795.00 for a five-unit class per quarter

(\$159.00 per quarter unit).

\$100.00 tuition deposit due after acceptance prior to enrollment (rule of thumb: at least one month before classes begin).

Addresses/Phone Numbers:

United States International University

10455 Pomerado Road

San Diego 92131

(619) 693-4772

North San Diego County Center

2204 El Camino Real, Suite #A

Oceanside 92054

976-6611

Palomar College Office

727-7550

Camp Pendleton Center

725-6327

Mira Costa College Office

757-2121

UCSD 1590

University of SAN DIEGO (USD)

Programs and Degrees:

- Courses and Certificate of Professional Designation in Personal Financial Planning, Personal Management, Marketing Communications, Financial Institution Management, Engineering Management, Real Estate, Real Estate Development, Purchasing Management, Accounting, Business Administration, Information Systems, and Management and Construction and A/E Practices (application fee is \$25, call UCSD Extension at 534-3400).

•Executive Edge — outdoor leadership program for executives (\$795 fee, courses are Aug. 6, Aug. 20-23 and the follow-up is Sept. 2 — they start again in Nov.)

•EPSE — executive programs for scientists and engineers.

•LAMP — leadership and management program \$3,200 which includes dinners, plus an additional \$300 for books, apply by Oct. 1.

•TRACT 5000 — three-part program that focuses on management and leadership.

•CONNECT — program in technology and entrepreneurship (call 534-6144 for information).

When Classes Begin:
Next quarter begins Sept. 21 (beginning date of class may vary, as will duration of class)

Tuition and Fees:

Fees vary with program so call UCSD Extension for information.

Addresses/Phones:

Penny Nichols

UCSD Extension, X-001

UCSD

La Jolla, CA 92093

Phone 534-3400, toll-free from North

County 436-0859, or toll-free from east or south San Diego County 232-7321.

Executive Education

University of Southern California (USC)

Programs and Degrees:

- Master's of Science in Systems Management (awarded through the University of Southern California Graduate School).

Includes 12 three-unit classes offered in six eight-week sessions. Allows people in the work force to take classes in the evenings while working.

When Classes Begin:

The next two sessions run Aug. 31 - Oct. 22 and Oct. 26 - Dec. 18.

Tuition and Fees:

\$40.00 Application Fee

\$333.00 per unit

Addresses/Phone Numbers:

San Diego Center

(619) 279-0581

North County Center

725-5229

Coronado Center

435-1474

Programs and Degrees:

- Graduate Programs: Arts and Sciences, Business Administration, Education, and Nursing.

•Joint Degree Programs: International Relations/Juris Doctor, Business Administration/Juris Doctor, International Business/Juris Doctor and Business Administration/Nursing.

•Graduate Certificate Programs: Paralegal Studies and Historic Site Archaeology.

•USD also offers programs leading to the degrees of Juris Doctor and Master of Laws through the USD School of Law.

•Distinguished Speaker Series (contact Continuing Education for information).

When Classes Begin:
Sept. 2-4 Registration of new and graduate students (and fee payment).

Sept. 8 classes begin. (Applicants must hold the bachelor's degree for the equivalent).

Tuition and Fees (Continuing Education)

100 - 300-level courses are \$280.00 per unit.

600-level courses are \$295.00 per unit

(Contact Continuing Education for 500-level courses).

Application fees are \$35.00 for a Master's

Degree and \$40.00 for a Doctoral Degree.

Addresses/Phone Numbers:

Office of Continuing Education

University of San Diego

Alcala Park

San Diego 92110

(619) 250-4585

Law School Admissions Office

University of San Diego

Alcala Park

San Diego 92110

250-4600 (extension 4409)

Office of Undergraduate Admissions

University of San Diego

Alcala Park

San Diego 92110

250-4505

Western State University (WSU) College of Law

Programs and Degrees:

- Juris Doctor and Bachelor of Science in Law.

•Joint Degree Program: Juris Doctor/Master's in Business Administration.

•Special Program in Applied Legal Education: Trial Practice, Advanced Trial Practice and the WSU Legal Clinic.

When Classes Begin:
Aug. 27 (Applicants may be accepted until the first day of the semester, but are encouraged to apply as soon as possible).

Must take the Law School Admissions Test (LSAT) administered by Law School Admissions Services (Call for other requirements).

Tuition and Fees:

\$254.00 per semester unit (\$100.00 tuition

deposit required upon acceptance).

\$25.00 application fee and a \$25.00

registration fee per semester.

Addresses/Phone Numbers:

Admissions Office, Western State

University

2121 San Diego Ave.

San Diego 92110

(619) 297-9700

Law School Admissions Services

Box 2000

Newtown, PA 19540

AUG 1 1987

Allen's P. C. B Est. 1888

Family Unaware, Prober Says

10 Pipe Bombs Found in Home of Blast Victim

By MIKE GRANBERRY, Times Staff Writer

A county law enforcement official said Friday that 10 pipe bombs, like the kind that killed a 17-year-old Escondido youth early Wednesday, have been confiscated from the boy's home and turned over to sheriff's deputies.

Sgt. Conrad Grayson, who heads the sheriff's arson and bomb squad, said his unit had assisted agents from San Diego's Metro Arson Strike Team in searching the home of Dr. Charles Ham in the Lomas Serenas area of Escondido on Thursday.

Ham's son, Kevin Michael Ham, a straight-A student at University of San Diego High School, was killed when the pipe bomb he was holding while riding in a car exploded around 3:30 a.m. Wednesday on a quiet residential street in Del Cerro. Suffering minor injuries from the blast were Daniel Smith and Paul Giacalone, 17-year-old classmates of Ham's.

The blast awakened residents in the 6200 block of Madra Avenue,

not far from Lake Murray and San Diego State University. It damaged the passenger door of the 1985 Ford Escort, shattered the back window and loosened all other windows from the hinges. A loaded AKM semi-automatic assault rifle was later found near the site of the blast, apparently where the boys threw it into some bushes.

Gun Traced

Sgt. Frank Barone, heading the investigation for the Metro Arson Strike Team, said Friday that investigators now know who originally purchased the rifle but that it wasn't one of the three boys or anyone connected with their families.

"We don't know how or where they got the gun," said a MAST investigator, who asked not to be named. Carrying a loaded gun in the city limits is a crime.

Barone also disputed published reports about evidence uncovered from Ham's home. He said a similar

cache of explosives was found at the home of Daniel Smith on Bestwood Court in San Carlos.

"I'm not going to confirm or deny anything," Barone said. "I didn't give anyone any information. We found a lot of stuff [at Ham's home], but I'm not gonna say what we found."

"I do know the family knew nothing about that stuff. The family was completely unaware, and they're still in a state of shock."

Dr. Ham is an orthopedic surgeon with an office in Poway. The Hams live in an affluent section of Escondido. The funeral for Kevin Michael Ham was held Friday at St. Michael's Catholic Church in Poway.

Barone said he and his staff will meet next week with representatives of the San Diego County district attorney's office to recommend charges against Daniel Smith and Paul Giacalone. He said the charges could be as serious as manslaughter, a felony, but more likely would fall under "possession

of explosive and dangerous devices," also a felony.

Barone said no explosives had been found at Giacalone's home on Chrismark Avenue in Del Cerro, nor has Giacalone been linked to a pipe bomb explosion on Wandermere Court in San Carlos on July 21. Smith and Ham have been linked to that incident, which caused \$1,000 damage to the undercarriage of a car.

Material 'Primitive'

Sgt. Grayson of the sheriff's arson and bomb squad said the material uncovered from Ham's home was "very primitive, very deadly, very erratic—that's why he died."

He said a boy was killed in 1985 when a pipe bomb similar to Ham's exploded in his face. Grayson said several books offering instructions on how to make such bombs are "increasingly available" in the county. He listed them as "Impro-

Please see FOUND, Page 10

FOUND: 10 Pipe Bombs

Continued from Page 1

vised Munitions Black Book," "The Anarchist Cookbook," and "The Poor Man's James Bond."

Barone said a copy of "Improvised Munitions Black Book" was confiscated from Smith's home. According to MAST investigators, Smith and Giacalone have said that Ham learned how to make the fatal bomb by reading "Improvised Munitions Black Book."

"We're seeing about 63,000 new people a year move into the county," Grayson said. "Kids are watching movies like 'The Terminator,' which shows a guy making a pipe bomb."

"I'm not a psychologist, but there's a lot more interest in this type thing. Kids come home, look at TV, see bombings in Europe—they grow up with this type thing. They have curiosity in what bombs do. And a lot of these kids are smart."

"Our biggest problems with pipe bombs involve boys in the 10-to-19 age bracket. These kids also suffer from a lot of boredom. Danger counteracts boredom."

Grayson said the 10 pipe bombs confiscated from Ham's home were "small potatoes" compared to pre-

vious cases. A search of one teenager's home several years ago netted 43 pipe bombs.

"We've had lots bigger cases than the Ham case," Grayson said, adding that four San Diego County teen-agers have been killed by bomb explosions since 1983—two due to pipe bombs, two to military explosives obtained illegally.

He said that in 1986, the sheriff's arson and bomb squad responded to 210 bomb calls (in which pipe bomb cases are included). He said the number had accelerated 28% from 1985-86 and that 126 bomb calls have been reported so far this year.

"So, we're ahead of our pace," he said. "Pipe bomb cases don't constitute an epidemic yet, but we're seeing them more and more, and the increase is troubling."

He said parents on the lookout for warning signs should take note of "any explosive matter, large numbers of matches, fuses, anything that looks suspicious like that."

He said a pipe bomb can be of "any length, any material—it's a 'body' with two end caps and a fuse. It gets more sophisticated from

there. Most are extremely primitive, which is why they perform so erratically and end up killing people. You fill them with gun powder, black powder, certain types of homemade powder or high explosives.

"Usually, hands get blown off, arms are torn loose, eyes are blown out. Then, in cases like Ham's, lives are lost. Kids who experiment with these things are doing nothing more, really, than playing with suicide."

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AUG 2 1987

Allen's P. C. B Est. 1888
Lincoln High School

Summer Students Find Out About Problems They'll Face in the Future

12-20 2955
By GENE YASUDA,
Times Staff Writer

With 20 pairs of eyes glued on her, teacher Carol Radford of the San Diego Natural History Museum dripped water through cotton-ball "clouds" suspended on blue nylon mesh that spanned across a miniature-sized city.

A group of first- and second-graders enrolled in the museum's "Nature's House" course craned their necks to see the water drop on "magic paper" held by Radford. The "magic paper"—actually litmus paper—measured the water's acidity.

It was all part of a hands-on lesson designed to introduce these youngsters to a problem that may well plague them in the years to come: acid rain.

When Radford poured water through "clean" clouds—those suspended over the model's countryside—the litmus test detected no acid.

But when the exercise was repeated a second time, with the clouds soaked with vinegar-laced water to simulate air pollution, the litmus paper rapidly changed colors, bringing forth "oohs" and "aahs" by the children—a sure

Please see SUMMER, Page 7



Chris Campbell, 14, right, launches model of bird into air as instructor William Trumble, center, and other youngsters

watch during a class in the International Aerospace Hall of Fame's innovative summer program on principles of flight.

DON BARTLETT / Los Angeles Times

MMER: Innovative Programs Providing Thoughts for Young M

20
from Page 1

Wednesday's lesson had that causes acid to get in Radford asked her class, "What does acid rain do to plants and animals," the class replied in chorus.

of "magic paper" and a room filled with toys and buildings is just one of creative teaching methods used in a multitude of programs offered by various institutions this summer. The Natural History Museum, the Junior Theatre, the Aerospace Hall of Fame, among others, have been offering programs to the public—from toddlers to high schoolers—that are not only fun but also complement what is taught during the regular school year. At most of the institutions, the programs run through August. During the school year, the programs are busier because they're more popular with many more kids, and they don't have the time to do them," said Radford, who has a degree in education and has been teaching at the museum for seven years.

One important thing these programs do is that environmental issues aren't some abstract concepts in a complicated science class, she said in describing "House"—a \$38 course that explores the interaction of nature's major elements: air, water, and land.

To make them realize the impact of their very young lives, the program has a section where they perform a play. "That their actions have a delicate balance of nature," said Radford. "For example, they nag their moms to go down the street, they see that their car is contributing a lot of pollution in the air."

Growth Problems

Weeklong classes lasting each day, Radford's 20 students developed their version of "Finest City" from a sphere complete with an atmosphere, lakes and rivers. The children cleared the forest model environment and built a thriving city. The city was lined the coastline, the airport, cars lined the roads.

The first- and second-grade children quickly that rapid growth. "Where are we going to put all these people?" Radford asked. One student pushed a toy dump truck and around their city of a suitable site. Unable to find an area, the youngster dumped the garbage into the city's

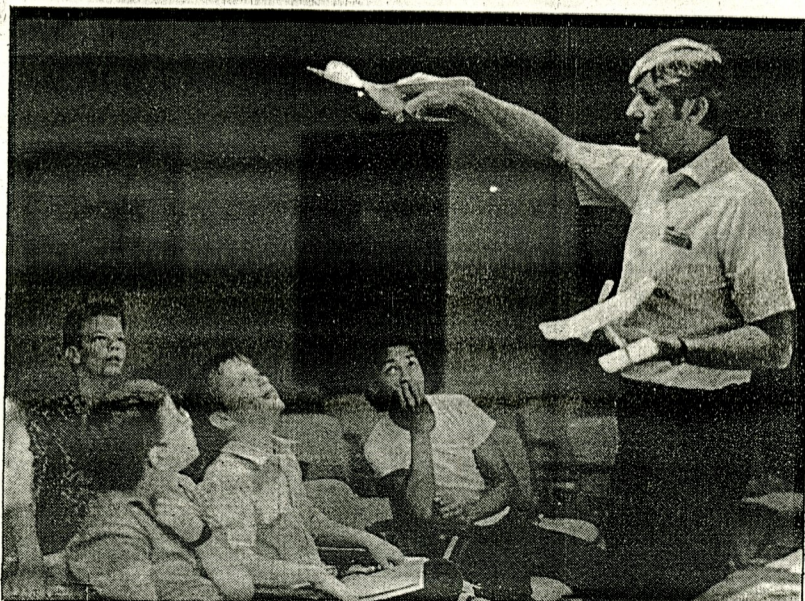
the greatest of solutions, said, "but at least we're learning about problems confronting our community. We need to be ones the City Council can work with."

Radford, who sat in on the program, was delighted that her 6-year-old son, Matthew, was getting a glimpse of the complex problems of the future. "I thought environmental education would be teaching at the San Diego State University this fall," she said, a Mission Hills resident.

Radford teaching college kids about environmental problems and how they can't pick it up," she said. "I worry sometimes that they're absorbing the information and coming home the other day and telling their parents about it. It's a whole family how we live."

On Stage

Radford, 7, when asked if she would like to be a museum classes will be in school beginning in September. "Oh, yeah!" she replied. "I've been in a museum class just as well have been in a museum class at the San Diego



William Trumble uses model airplanes to demonstrate the principles of flight during program. Photos by DON BARTLETT / Los Angeles Times



Trumble uses a hair dryer and a small hot-air balloon to demonstrate how this type of craft can remain airborne.

"What we do teach is how to be assertive and how to express yourself. Whether you are an engineer, a doctor, a lawyer or whatever, sooner or later, there is going to come a time when you want to talk about something with conviction... something that you really care about that you'll like to address."

He watched his students, who had just finished dancing and singing in a production of "The Wizard of Oz," mill about backstage dripping in sweat, praising not only the acting but also the light and scenery work of those students behind the curtain. "I think they also really learn the meaning of teamwork," he said.

"Most of our students have been with us for four or five years and have put on shows for the umpteenth time," said Jennifer Nash, the theater's school director. "They've practically grown up with the theater. A lot of them keep in touch once they leave."

mer to work as a teacher's assistant.

"Through acting, I've gained a tremendous amount of self-confidence. I spent four years at JT, but I wish I had started earlier. I think the programs are even more important because so many art and theater programs are being underemphasized and underfunded in the public schools."

Not for Everyone

But at \$120 for a two-week session at Junior Theatre, the program is not available to everyone—especially those children who come from low-income families.

"We have always wanted to extend our programs to all kids," Nash said. "It's a direction we realize we must head for in the future. There have been a couple of possibilities discussed, for example, placing a satellite of the Junior Theatre into the heart of low-income communities. But the problem is always the funding."

The hall of fame offers five one-week programs free of charge to students from fifth through ninth grade during the summer through a grant from the Reuben H. Fleet Foundation, said IAHF spokesman John Roche. The emphasis is on introducing students to an aerospace career.

And its success only emphasizes the need for similar cost-free programs, Roche said.

"The program started in its current format last year with 84 students," Roche said. "Now we have more than 250. We passed around brochures in the city and county school districts, and in churches, in the first week of May. By the end of the month our classes were completely filled up."

Whets Appetites

"The program is designed to whet appetites in the aerospace field," said instructor Bill Trumble, an avid model builder and a teacher at Twin Peaks Middle School in Poway. "It gives them just enough background in the subject for the motivation to continue on."

But this program, like others throughout the park, isn't designed to make students slave over books.

"I don't think you can make it too tough [with books and tests]," Trumble said. "You have to re-

member it's too stay in for a long summer."

With that in mind, his students nearby aviation Miramar Naval Air Station.

After viewing them try their design.

"We give the fabricate an aircraft design out of Styrofoam," Trumble said. "We get designs. One is loaded with far more missiles than it can carry. But that's not good for these kids' imagination and creativity."

By participating in the programs, Trumble said, also get access to IAHF and to its facilities. They get a chance to see the aviation greats like Amelia Earhart.

"At the Hall of Fame, those people who said, 'And when I see that the dream is well.'"

Allen's P.C.B. Est. 1888

'Rent-A-Judge' Program Is Now In Private Hands Orange County Company Plans More Offices In Trimming Court Backlog

By PAULINE REPARD

San Diego Daily Transcript Staff Writer

University of San Diego Law Center's "rent-a-judge" program has been taken over by a private outfit from Orange County.

A panel of 16 retired judges put together by the Law Center, a dozen cases in progress and the office administrator were all acquired by Judicial Arbitration and Mediation Service (JAMS) of Santa Ana.

Retired Judge Warren Knight's interest in branching out his company to San Diego coincided last year with the San Diego Law Center's interest in handing over its Alternatives to Litigation program to a private firm.

The Law Center, sponsored jointly by the USD School of Law and the county bar association, originates many programs with the intention of seeing them break away and stand on their own or go under someone else's wing.

Non-profit Alternatives to Litigation sprung up in 1983, tapping local retired judges and some lawyers to resolve major commercial disputes outside the court system.

"The use of ATL was growing, rather steadily," said attorney Craig Higgs, chairman of the Law Center Advisory Board. "But its long-term usefulness was a bit in question because of Superior Court efforts to speed up the litigation process."

Under new local rules of court, 90 percent of all civil cases are to come to trial a year after being filed. Calendar management had already reduced trial time from about three years to an average of a year and three months.

"Over a year ago," Higgs said, "we started thinking of spinning off ATL to another party. Judge Louis Welsh knew Judge Knight, introduced him to us, and we were very impressed with what he had done in the past."

What Knight had done was retire in 1979 from eight years on the Los Angeles County Superior Court bench, and hire himself out as a private arbitrator — the sort now called "rent-a-judge."

"Over the next eight years," Knight said in a telephone interview from his Santa Ana office yesterday, "I was joined by various retired judges from the Los Angeles Superior Court and appellate courts. I have 16 to 18 here

Rent-A-Judge

(Continued from Page 1A)

now.

"Several people became curious if I would ever open offices in other areas. I had to make a decision as to the future of the company. My thought was to build up more of an institution, get more organized."

After getting a good reception in San Diego from the Law Center, Superior Court Presiding Judge Thomas Duffy and other judges both current and retired, Knight opened his company to a limited stock offering in May.

He said he "raised considerable capital, selling to close friends."

Presiding Justice John Trotter, of the Fourth District Court of Appeal in Santa Ana, invested heavily in the company and will retire Aug. 31 to take a marketing and business development position, Knight said. He noted he and Trotter have been friends for 25 years.

Businessman Peter Donald was hired as president, and put in charge of the San Diego office that opened last month.

JAMS is now operating out of temporary offices, with two hearing rooms, on the third floor of the First Interstate Bank building, 401 B St. Office administrator Barbara Price said 4,000 square feet on the second floor, with five hearing rooms, should be ready for them by mid-September.

Knight, 58, said he might take the company public in two years. Meanwhile, he has set up another office in Los Angeles, with a panel of eight retired judges, and is thinking ahead to San Francisco.

"You need the support of judges and the legal community before you can open up an office," said Knight. "People won't retain a private judge unless they know and respect that person. This is something that's needed in every metropolitan area."

"Anything that can be helpful to resolve disputes outside the court system, we'll do. Settlement conferences, a mediator to listen to both sides, or a private trial, and arbitration."

He noted the state Constitution provides for the appointment of a private judge with all the power of a Superior Court judge.

Parties who agree to arbitration are held to the final decision, and may appeal only on grounds of arbitrator misconduct. Mediators, by contrast, have no authority to impose a ruling and merely try to get both sides to reach a solution.

More and more, commercial contracts — such as between a broker and client — specify that disputes must be taken to arbitration rather than court. Judges also often encourage lawyers to look into alternatives to litigation as a means of resolving cases more quickly.

Higgs noted that San Diego judges referred cases to ATL; other cases came in before a lawsuit was filed, or just afterward.

He had no statistics on how many cases ATL handled, but said the number of hours put in by panel judges trebled in the last few

years, to 221 hours just in March.

Carol Hallstrom, founding director of the Law Center, noted that the original concept behind ATL was mediation. Over years of evolution in the hands of retired judges, however, focus shifted to arbitration.

She said center directors began to discuss launching into some new endeavor, as yet unsettled, but aimed at a general public not involved in large commercial disputes.

"ATL never reached out to the smaller business people," Hallstrom said. "We've been trying to assess for a number of months what types of legal services are most fundamentally needed in the community, and the appropriate role of the Law Center in such programs."

"When Judge Knight decided to come into San Diego, it accelerated our decision. Some on the board wanted to move away from ATL, others wanted to hold on. But the Law Center does not administer long-term programs."

Around June, she said, the board came to a consensus to pull out of the rent-a-judge business and look for something new. ATL was phased out as of July 1.

The Law Center had previously run Community Mediation Services in Golden Hill and Mira Mesa, and now is involved in the Immigration Law Coalition and San Diego Volunteer Lawyer Program.

Higgs said possible new directions include working with the city attorney's office to create a code enforcement mediation program to step into neighborhood disputes over trash, fire hazards, parking and similar difficulties.

He acknowledged that ATL was making money, despite its non-profit status.

Administrative fees of \$65 were charged for half-day matters, \$110 for a full day. Cost of the hearing ran \$200 an hour, with \$125 going to the judge. Further research service came at \$150, with another \$125 for the judge.

"That's the only downside to this whole thing — it provided money for our program," said Higgs, adding the money was channeled back into USD to pay for operations and a secretary.

"ATL was providing a service to people with lots of money. We want to redirect our efforts to those people not being served by the legal system."

Price, as ATL's office administrator before hiring on with Knight, said the university program drew anywhere from one to five new cases each day with just word-of-mouth advertising.

JAMS, she said, is attracting more clients, and with Trotter as promotor, more are expected. Price said a dozen ATL cases in progress were carried over to the private firm.

JAMS President Donald said his company charges \$250 an hour, of which the judge gets \$135. A full

day is usually figured as six hours.

The company has almost no competition in the area, except for nationwide American Arbitration Association, which emphasizes commercial contract arbitration.

Knight said his is the only other private arbitration company in San Diego, Orange and Los Angeles counties. Some retired judges work independently out of their homes, or holding hearings in the offices of one parties' lawyer, he noted.

He added that, when he first investigated San Diego, he met with judges Duffy, Michael Greer, Welsh and others on the ATL panel.

"San Diego is not a county you want to walk in on and set up a competition," Knight said. "You need the legal community's acceptance. I got their endorsement and began to explore it more. The panel judges said they would join me if I set up here."

"I'm pleased with the fact we were able to do this. I think this field is gaining more acceptance."

His president agreed.

"I think this will really catch on," Donald added. "People save money and disputes are resolved quickly. Obviously some come here because they can't get into court — two weeks to a hearing is better than a year."



Forest Lawn exhibit gives insider's look at Vatican

THROUGH THE eyes and artistic talent of Vernon Howe Bailey (1874-1953), visitors to the Museum of Forest Lawn in Glendale have an opportunity to walk behind the scenes of the Vatican and enjoy personal glimpses of St. Peter's Basilica, the private apartments of the Noble Guard and the colorful Gallery of Maps.

More than 40 original large watercolors painted over a two-year period in the 1930s by Bailey, when he was invited to visit the Vatican and draw — without restriction — its great works of art and architecture, are now on display at Forest Lawn, 1712 South Glendale Ave., Glendale.

THE EXHIBIT, on loan from the University of San Diego, will be enlarged and expanded during August and reopened prior to Labor Day. The exhibit will then remain on public display through the balance of 1987. Forest Lawn Museum is open daily, including weekends, from 10 a.m. to 5 p.m.

This first public display of Bailey's Vatican Memorial Series in 40 years depicts historical rooms and hallways, many of which have been off limits to the general public for hundreds of years.

THE SERIES is not only a tribute to the artistic wealth of the Vatican, but also to the remarkable talents of a highly acclaimed illustrator with an ability to capture the mood, feeling and setting in his art. Bailey left behind the first intimate and comprehensive collection of art devoted entirely to one of the world's great institutions.

Bailey had been an illustrator for newspapers and magazines. He was hired by the Boston Herald as its special artist for the coronation of King Edward VII in

London and later had assignments for Harper's, Collier's, McClure's, and Metropolitan magazines.

But he got his artistic breakthrough in 1927 when he created 41 lithographs of the new skyscrapers of New York. They were exhibited in America, Britain and Spain.

THEN, IN 1932, when Bailey was in Rome where his work was being shown, he was approached by Vatican officials. They invited him to visit the Vatican to draw — without restriction — the great works of art and architecture. For two years Bailey explored the Vatican, capturing its essence in a group of watercolor and pencil drawings that collectively represent "The Vatican Memorial Series."

It is this series that is now being shown visitors at Forest Lawn in Glendale.

Views included in the display are those of The Vatican Library, Gallery of Maps, The Consistorial Hall, Ducal Hall, the Pauline and Sistine Chapel, the Borgia Apartments, the papal Throne Room, the Egyptian Room, Hall of the Greek Cross, Raphael's Room, Hall of the Vestments, Hall of the Four Winds (where the Gregorian



Entrance to museum housing Howe exhibit through '87



Pope Sixtus IV, and nephew who became pope, are in painting titled 'The Melozzo Room'

THURSDAY, AUGUST 6, 1987

THURSDAY, AUGUST 6, 1987

calendar was elaborated in 1500; the Hall of Statues, Hall of the Muses, the Etruscan Museum, the Royal Staircase, and the Plaza of St. Peter's and its 234-columned colonnade.

DURING HIS two years in the Vatican, Bailey had access to each of its 11,000 rooms. He basked in the shadows of the great art legacies of Michelangelo, Raphael and Canova.

The remarkable series of personal glimpses of the Vatican was last shown publicly in 1947. The collection was put in storage. Recently the paintings were bequeathed to the University of San Diego, which loaned them to Forest Lawn for exhibition.

THE VATICAN'S wealth of art as reflected through the work of Bailey, can now be enjoyed by those who visit the Forest Lawn Museum display in Glendale through the remainder of this year.

There is no admission charge and parking is free.

Convenient route to Forest Lawn Park from the San Gabriel Valley is west on Foothill Freeway to Ventura Freeway, continue west to Glendora Avenue and then south to 1712 S. Glendale Ave.

ON THE COVER

The Hall of Tapestries is one of the 41 watercolors of the Vatican Memorial Series Vernon Howe Bailey created while residing in the Vatican for nearly two years in the early 1930s. That series now on display at Forest Lawn Museum in Glendale, offers an intimate look at the Vatican and its art masterpieces.



Power of Michelangelo's painting of Sistine Chapel is captured in Howe watercolor



Young visitor reads about Vernon Howe Bailey Vatican Memorial Series surrounded by many of the famous scenes



Swiss Guard on duty outside apartments of the pope



Slow-Growth Forces Now Hold City Hall Power

By RALPH FRAMMOLINO, Times Staff Writer

The meetings convened in a conference room in San Diego City Hall during the last two weeks, the participants summoned by Mayor Maureen O'Connor to hammer out a behind-the-scenes compromise over how to control urban growth.

On one side of the negotiating table sat some of the heavyweights in the local development industry. A premier land-use attorney with a stable of impressive clients; the president of goliath Pardee Construction Co.; the lobbyist for the Construction Industry Federation, a trade group that serves as a rich source of political contributions.

On the other side of the table: A Pacific Beach activist, a Mission Hills real estate agent and an architect with offices in Del Mar—leaders of a group calling itself Citizens for Limited Growth.

"I don't know who those people are, but that doesn't seem to really matter, does it?" said Kim Kilkenny, the lobbyist. "... These people have power. Very real power."

Unlikely Choice

Two years ago, "power" would have been an unlikely choice of descriptions for the people who found themselves eyeball to eyeball with representatives of the development industry last week.

Yet they and a handful of other environmentalists and slow-growth advocates have emerged as a political phenomenon, an unstoppable force for change in municipal government—despite the lack of financial resources and social connections that normally accompany movers and shakers at City Hall.

Brought to life with the stunning 1985 victory in Proposition A, the slow-growth ballot measure, leaders of the environmental movement have used the threat of still another citizens' initiative to outmaneuver the powerful building industry and convince the City Council to limit the number of new homes to be built over the next 18 months.

And Friday, the group won another victory when the City Council voted to adopt restrictions on what can be built on hillsides, canyons, wetlands and flood plains.

Loose-knit Union

The loose-knit union of activists has ties to community groups and environmental organizations, most notably the local chapter of the Sierra Club, which has 11,000 members.

Their personal political views run the gamut from liberal Democrat to evangelical Christian Republican. Their occupations include attorney, homemakers, architect, and a Social Security employee. One current leader was once a developer in the Midwest.

Some of them are veterans of many community-versus-developer skirmishes or have been bird-dogging the actions of the City Council for years; others have just recently begun, bringing to the battle fresh energy and outrage.

Their power, they say, comes from the fact that the majority of San Diegans feel the same way they do about controlling growth.



Bob Hartman, a supervisor in a San Diego Social Security office, was a charter member of San Diegans for Managed Growth and currently serves on the executive committee of the local chapter of the Sierra Club. He is also secretary of the California Sierra Club.

Linda Martin, 47, is co-chairman of Citizens for Limited Growth. She moved to San Diego in 1983. She wasn't involved in the strategy of Proposition A but helped with the effort to collect petition signatures and work the phone banks. In the 1960s, Martin and her first husband developed a half-million dollars in income property in the Midwest. Martin serves on the county's Growth Management Task Force.

David Kreitzer, 57, is the business manager of the college business department at Harcourt Brace Jovanovich. A San Diego resident for 22 years, he chaired the first Rancho Bernardo Planning Board in 1979. In early 1985, Kreitzer joined San Diegans for Managed Growth and eventually became its chairman. He also serves on O'Connor's citizens task force on growth.

Kathy Giles, 39, was elected a member of the Scripps Ranch Community Planning group last month. She became an active member of Citizens for Limited Growth after she discovered the controversial County Island development bordered her backyard. She is an evangelical Christian Republican and homemaker.

Dwight Worden, 40, is an attorney who wrote Proposition A and several other growth-limitation initiatives for groups throughout the county. He graduated in 1974 from the University of San Diego Law School, where he helped found the Environmental Law Society. He was Del Mar city attorney from 1977 to 1983. Worden is a member of the Sierra Club and moved to San Diego in 1970.

The Players



Bob Glaser, 33, operates the La Jolla Group, a political consulting firm that specializes in Democratic candidates and environmental causes. Glaser's firm collected petition signatures and ran the Proposition A campaign in 1985. A San Diegan since 1960, Glaser is a spokesman for the Clean Air initiative and is running for the 6th District San Diego City Council seat.

Emily Durbin, 54, was chairwoman of the local chapter of the Sierra Club in 1984 and 1985, when Proposition A was written and passed. Durbin, a San Diego resident since 1975, helped organize the club's backing of that initiative, and has since joined Citizens for Limited Growth as a private citizen to fight for added protection for the city's canyons and wetlands.

Jim Kelley-Markham, 34, lives in the Mission Hills area and is an architect with offices in Del Mar. Long involved in community affairs, Kelley-Markham is a member of Uptown Planners, and was an unsuccessful candidate for City Council and city's Planning Commission. His architectural firm does about a third of its business designing single-family homes for developers in La Jolla and Del Mar.

Tom Mullaney, 38, is co-chairman of Citizens for Limited Growth. Owner of Pacific Properties, he is a Mission Hills real estate agent. He wasn't involved in the Proposition A campaign, but became active in the latest fight to limit growth after he read a call to arms against growth written by Linda Martin for the Sierra Club's newsletter. Mullaney has lived in San Diego since 1979.

Illustration by
STEVE LOPEZ
Los Angeles Times

Please see GROWTH, Page 4

9 Aug 1987

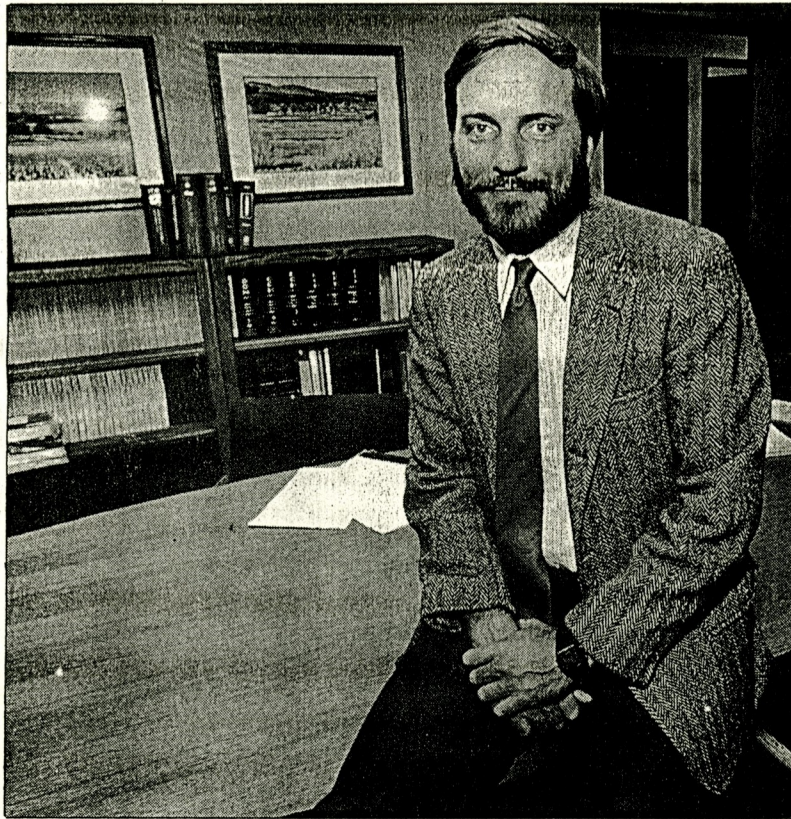
DWTH: Environmentalists Flex Muscles in Showdowns Over Lin

Page 1

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DAVE GATLEY / Los Angeles Times

firm favoring Democrats and envi-
ronmental issues, would collect
signatures for initiative petitions
and help conduct the campaign on a
paltry budget.

What San Diegans for Managed
Growth offered voters was Propo-
sition A, a revolutionary measure
requiring a citywide vote for ap-
proval for any construction project
proposed for the urban reserve.

56% Majority

Despite heavy spending by de-
velopers, who outspent the slow-
growth advocates many times
over, the measure passed with a
56% majority in November, 1985.

The outcome gave the slow-
growth coalition instant credibility,
said David Lewis, the campaign
consultant hired to fight the initia-
tive.

"Pre-Prop. A, everyone knew
they were there," Lewis said. "I
don't think anyone worried about
them. They were a fringe group
and a pain in the ass. . . . But the
scenario has changed."

"Prop. A was sort of the test case
whether this amorphous coalition
of environmentalists types could
put together a ballot measure and
deliver," said Worden, author of
other initiatives aimed at limiting
growth in Coronado, Riverside,
Iredlands, Corona, and Del Mar.

"They've always known where
the public opinion lies," Worden
said about members of the slow-
growth movement. "What's
changed is that it is organized and
is focused in an effective way."

Some of the early activists have
become woven into the fabric of
city government. Sal Giametta, a
member of San Diegans for Man-
aged Growth, is now an aide to
O'Connor. Lynn Benn, who served
on the Torrey Pines community

planning group, was recently ap-
pointed to the city's Planning com-
mission.

Meanwhile, political consultant
Glaser said the Prop. A campaign
helped show slow-growth advo-
cates exactly what they had to do if
they needed to put another citizens'
initiative on the ballot.

First off, he said, they know any
initiative must be written to ad-
dress a single issue, rather than a
whole range of environmental and
growth concerns. They also have
learned that it takes initiative cam-
paigns a "bare minimum" of
\$35,000. The trick, said Glaser, is to
find several large donors to supple-
ment the smaller contributions com-
ing in from Sierra Club mem-
bers and other environmentalists.

In addition, Glaser said, slow-
growth advocates should aim to put
an initiative on the ballot during
odd-numbered years when there
isn't the plethora of federal, state
and local candidates to crowd the
ballot. That way, said Glaser, the
newspapers can dedicate more
space to the initiative campaign,
which needs plenty of free publici-
ty to counter any heavy spending
by developers.

Another Hard Reality

But with that knowledge came
another hard reality.

"Prop. A was a very long and
difficult effort for a group of volun-
teers to go through," said Emily
Durbin. "I don't know anybody
who is jumping up and down and
anxious to repeat that. I think that
many of us view it as the tool of last
resort. . . ."

Yet it wasn't long after Prop. A
that slow-growth advocates found
themselves reaching for the club of
the initiative again. Although vot-
ers had expressed their anti-

growth sentiment by shutting
down the urban reserve from de-
velopment, council members con-
tinued approving dense projects
for the city's suburban and inner-
city neighborhoods.

Of particular concern, said those
involved in the Prop. A fight, were
the council's decisions to adjust the
boundaries of the urban reserve to
allow for construction of a freeway
and development of the 385-acres
County Island project in Scripps
Ranch without a citywide vote.

Debate Expanded

"It definitely was the recognition
that Prop. A wasn't enough and
there was a need to do something
more," said Benn. "We felt that the
City Council hadn't really respon-
ded to the growing support, the
growing concern for the quality of
life and for limiting growth."

Thus, the debate became what
should be done about the stop-
and-go traffic, overcrowded
schools, inadequate parks and in-
ner-city canyons threatened by
development.

Meanwhile, the character of the
core group began to change, and it
took on some new activists with
fresh enthusiasm for an initiative
fight.

One of them was Linda Martin, a
Pacific Beach woman who moved
here from Hawaii in 1983. Born in
the Midwest, Martin's involvement

'Prop. A was sort of
the test case whether
this amorphous
coalition of
environmentalists
types could put
together a ballot
measure and
deliver.'

Dwight Worden
Author of Prop. A

The second would
strict development of
wetlands, flood plain
yons—including all
can be viewed from
Diego's freeways and
a provision that has
ment industry worried

In May, the activists
Proposition A exam-
yet another nonprofit
Citizens for Limited
purpose of the recon-
Martin said, is to p
initiatives, which sh
designed to "break th
economic boom cycl
ing outsiders to San
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"It draws a lot of c
the pyramid schemes,
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tality. There's no co
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quick turnaround, th
it."

Enjoyed Success

So far, the group
success without havin
the ballot.

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initiative to convin
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Interim Developer
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Clout Counts

Kilkenny, the dev
who participated in
talks, credits the
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And so it should be
of the group.

"We slapped them
and made them w
Glaser.

in the slow-growth movement is an
ironic twist because she and her
first husband became small-time
developers by building income
property during the early 1960s.

But Martin said her experience
living in major American cities
caused her concern about the way
San Diego was growing out, and not
up. She also said her penchant for
community organizing drew her
into the Proposition A fight, during
which she served as a foot soldier
by passing out leaflets at shopping
centers and circulating petitions.

Other New Faces

Other new faces came forward.
Tom Mullaney, a Mission Hills real
estate agent who became interest-
ed in the slow-growth movement
after reading an article by Martin
in the Sierra Club newsletter; Giles,
a born-again Christian and Scripps
Ranch homemaker, who got in-
volved because her backyard is
adjacent to the proposed County
Island project.

"Two years ago, I would have
never thought I would be involved
with the Sierra Club," said Giles.
"But what I've noticed is that
growth development in San Diego
crosses all party lines."

"You can't stereotype the people
who are concerned about growth,"
she said. "You can't say they're just
a bunch of left-wing tree-loving
people. I am a very conservative
Republican."

With the infusion of new blood,
the core of advocates once again
tapped Worden to help write two
initiatives aimed at blunting
growth.

The first would have dramati-
cally slowed the city's general growth
rate by imposing a limit on the
number of new homes that could be
built. The limit would start at 6,000
units the first year, drop to 5,000
the second and level off at 4,000
units from the third year on.

AUG 9 1987

Allen's P. C. B. 1st. 1988

Beware of Texan bearing gifts

Exec of failed thrift wooed San Diegans

By Susan Burkhardt
Staff Writer

Don R. Dixon, accused of causing the most notorious thrift failure in recent U.S. history, smoothed his way into prominent San Diego business, political and religious circles with a \$3 million gift to the University of San Diego in 1984.

For the next two years, the 48-year-old Dixon wined, dined and wooed San Diego's influential at the expense, according to court documents, of Vernon Savings and Loan of Texas, in order to win friends and political influence and unload some of his thrift's problems on unsuspecting San Diego residents.

The personable Texan — a non-Catholic — used a new friendship with the Roman Catholic Bishop of San Diego, Leo T. Maher, to obtain an introduction to Pope John Paul II and Rep. Bill Lowery, R-San Diego, and to gain a seat on the USD board of trustees, according to interviews with spokesmen for Lowery and Maher, and others.

The USD contribution was in the form of stock in Dixon's company, Dondi Financial Corp. — the holding company for Vernon Savings.

The stock — like the underlying asset, Vernon Savings — is now worthless.

The Federal Savings and Loan Insurance Corp. seized Vernon Savings on March 20, claiming that it had a net worth deficit of at least \$350 million and that 96 percent of its loans were in default.

The FSLIC subsequently sued Dixon for allegedly looting millions of dollars from the S&L through fraudulent accounting, falsifying board minutes, and misappropriating millions of dollars of Vernon's assets for "wildly excessive perquisites for himself and his family."

Those included a \$2 million beach house in Del Mar, a \$5 million art collection, nearly \$1 million in personal living expenses in Del Mar and hundreds of thousands of dollars for pleasure trips to Europe, the FSLIC alleges.

USD holds a written agreement from Dixon that he will buy back the stock for \$3 million cash, but Dixon's affairs are muddled in bankruptcy. USD spokesman John Nunes declined to comment on the contribution, but did say that Dixon's term as a USD trustee expires Aug. 31, and he will not be invited back.

San Diego developer and USD trustee Douglas Manchester recalled having first heard about Dixon in 1985 from the bishop, who described Dixon as a new trustee who made one of the largest single contributions to the university.

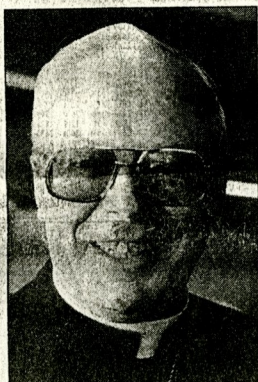
That contribution and Dixon's claim of owning a thrift with \$82 million in net worth gave him credibility, Manchester said.

"Dixon's relationship with the bishop gave him credibility with us,"



The San Diego Union/Tony Doubek

Don Dixon's new house in Rancho Santa Fe was not completed after the failure of his Texas S&L.



Bishop Maher
Denies being "used"



Bill Lowery
Embarrassed congressman



Doug Manchester
Ties brought troubles



Larry Taggart
Dixon consultant

said Lowery aide Ben Haddad.

Both Lowery and Manchester have been embarrassed by the relationship they subsequently developed with Dixon, who has been described by his own attorney as a "wheeler-dealer." The bishop, too, has had to explain why he went to Europe in May 1985 at Vernon Savings' expense.

Except to issue a general denial of any wrongdoing, Dixon's attorney, Marc Levinson, said he did not wish to discuss specific allegations against his client because Dixon's defense "is fairly complicated."

Dixon was born in Vernon, Texas — the town that also witnessed the birth of Vernon Savings. Dixon acquired in 1982 what was then a small, sleepy savings and loan using borrowed funds.

At that time, Vernon had \$82.6 million in assets and no significant regulatory problems. But by 1986, the thrift had assets of \$1.3 billion and most of its loan portfolio was bad.

A 1960 graduate of UCLA, with a bachelor's degree in business, a self-employed Dixon dabbled in real estate and antique cars before acquiring his thrift. He reportedly had fine taste in furniture, art, wine and cars.

In his current bankruptcy, he lists his current business as new cars, real estate and financial consulting. He estimates his income this year will be \$104,500, compared with \$1.9 million in 1986 and \$2.9 million in 1985.

Most of Dixon's friends and acquaintances in San Diego say they haven't seen him for several months. He moved out of the Del Mar beach house in December 1986. He is trying

to make a new life for himself in Laguna Beach, his attorney said. Meanwhile, many rueful San Diego residents are trying to forget him.

Dixon and the bishop

Court records show Maher and Monsignor I. Brent Eagen, pastor of Mission San Diego de Alcala, were entertained at Vernon's expense in Paris, London and Rome for a week to 10 days in April and May 1985 — shortly before the bishop allegedly introduced Dixon to Lowery and recommended Dixon to Manchester.

The bishop, while admitting he was at the same party with Dixon and Lowery and did make some introductions in Dixon's behalf, has disputed Lowery's assertion that he actually introduced Dixon to Lowery.

He also said Dixon did not "use" him because Dixon had "plenty of contacts without me."

The European trip cost Vernon Savings \$17,522.05, but that did not include the cost of the Vernon corporate jets, which took Maher, Eagen and the Dixons to and around Europe. Eagen and Maher noted that the Dixons had other guests, and that the two prelates returned to San Diego on a commercial jet while the Dixons continued their trip through Europe.

Maier and Eagen also said they had no idea their travel, food and lodging were charged to Vernon Savings and Loan.

Maier said he accepted the offer of the trip as a matter of convenience.

See Dixon on Page J-8

Dixon: Noted San Diegans wooed

from I-1

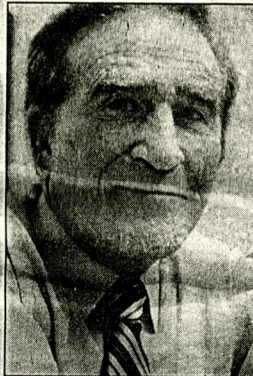
he had business in Dublin, Ireland. Eagen managed the bishop before his job.

During this 1985 trip that the bishop took to the Pope's third wife, Dana, gave a \$40,000 painting from his collection of Westerns titled, "Night Sentry," by artist Olaf Wieghorst, to the Vatican Museum in the Vatican Museums in the diocesan newspaper Southern Cross.

He has been attempting to find pieces of art missing from his collection that apparently were borrowed and records show.



Scott Ferguson
Dragged into Dixon affairs



Earl Gagosian
Hoteller burned by Vernon

the developer

Manchester nearly was age of in a complicated with Dixon's Vernon in Hotel Inter-Continental money-losing Texas condor records show.

Manchester's embarras the knowledge that the continental now has had with two bankrupt Beverly Hills Savings and records.

1986, a Vernon Savings bought what is effectively equity interest in Manchester hotel for \$19.8 mil-

1985, the failed Beverly had agreed to write off an earlier \$30 million hotel, but required Manchester 17 million of his own the hotel project. With capital contribution an three months later, was able to pull out his ty.

close to the investiga- Beverly Hills Savings' that the FSLIC had al- \$20 million loss from loans, and if the Hotel estate failed now, the lose another \$19.8 mil- in's interest.

in Beverly Hills Savings in Vernon. It's not our of our lenders went Manchester said, adding come more difficult to FSLIC, which is now partner on two Hotel ntal transactions.

s hotel financing was be packaged in a part- a number of money-los- ondominiums on which gs allegedly had made n the past. The deal al- signed by Dixon to vious borrowers from ility of repaying the in- and to eliminate the erson's delinquency list, show.

said he balked at buy- omiums in February ixon failed to send the praisals and ownership p agreements in order ter's company, Torrey to make a judgment on s.

the deal was off entire- \$3.3 million to make ents on the condo proj- Jolla Pacific Savings was owned by Manches- ne. Manchester ordered

the money sent back to accounts that Vernon designated, he said.

However, court records show that "Torrey Enterprises accounts were used — whether knowingly or unknowingly — as way stations in the laundering of this money (the \$3.3 million) from Vernon Savings to illicit accounts," said Federal Home Loan Bank Board trial attorney Charles McDonald.

Manchester contends it was unknowingly.

Dixon and the politician

Court records reveal that Dixon held a \$7,238 campaign fundraiser for Rep. Lowery at his Del Mar beach house, took Lowery on trips on the Vernon corporate jet and held parties for Lowery's benefit on Vernon's yacht, the High Spirits — all of which were charged to Vernon Savings and Loan, court documents show.

In each case, Lowery reimbursed Dixon, who he believed owned the yacht, aircraft and Del Mar home, for the amount billed. There is no evidence that Dixon ever repaid Vernon the amount sent to him by Lowery for use of Vernon's assets.

Lowery aide Haddad said the congressman "was shocked" that all his expenses were charged to Vernon Savings, including two \$2,000 in-kind contributions from Don and Dana Dixon.

"We are not allowed to take corporate donations. If the corporation is taking a hit (loss) on this, we may have to reimburse the corporation or our defense will be fraud," Haddad said.

Dixon and the consultant

San Diego thrift consultant Larry Taggart met Dixon in February 1985, and Vernon later hired the former California S&L Commissioner to lobby on its behalf in Washington, D.C.

Taggart said he believed strongly that because of the state's disastrous economy, the Texas thrifts were under regulatory siege. If the insolvent FSLIC received too much new capital, it would begin a wholesale closure of Texas thrifts that might be able to recover in time on their own.

So Taggart sought to defeat a proposed \$15 billion FSLIC recapitalization bill. Congress recently passed a \$10 billion plan.

Both Taggart and Manchester said they believed that Dixon to some ex-

tent was a victim of circumstances. The Texas economy was hit with problems in both the agricultural and oil sectors when Vernon went down.

However, the federal bank board's McDonald said the problems of the Texas economy merely uncovered the alleged fraud.

"Vernon Savings would have failed whether the Texas economy went down or not. The delinquency rates in Vernon's non-Texan loans and its Texan loans were identical — 96 percent," he said.

Dixon and publisher

John N. Elliott, a former Rancho Santa Fe publisher who now sits in a London jail, charged with stealing 111,400 pounds from a British publishing concern, was a "fixtured" in Don Dixon's Del Mar beach house in 1985, according to former *Ranch and Coast* magazine publisher Richard D. Rosenblatt.

And the person who was then Elliott's live-in associate, Jane Anderson Herman, did a number of real estate deals for Dixon, according to interviews with Rosenblatt and others.

In fact, through Herman, who later married Elliott, Dixon offered to exchange Rosenblatt's Rancho Santa Fe horse farm for a group of condominiums in Texas. Court records show that they were among the money-losing condos Vernon was trying to unload from its delinquency lists.

Rosenblatt turned the deal down. Rosenblatt said he got a glimpse into the life of the Dixons in Del Mar when he was invited to the political fundraiser for Lowery on Dec. 7, 1985.

"My wife and I felt very strange about them. Everything was too lavish, too big. It seemed to us if they were real they wouldn't be so socially and politically aggressive," Rosenblatt said.

He said the relationship with the Elliotts also was disturbing to him.

Dixon and the loyal aide

Attached to Dixon was his major-domo, Ernie Osuna, who has been described as "a very loyal, faithful employee" and a descendant of the original Osuna Ranch family, which once owned all of Rancho Santa Fe.

Rosenblatt said Osuna's "old roots" were useful to Dixon.

"Osuna was a gentleman's gentleman — someone who was on the same social level with the owner, but handles all the financial affairs of the household," Rosenblatt said.

However, court records show that even Osuna's salary was paid by Vernon Savings and Loan.

In January, 1985, a checking account was established at Vernon Savings in the name of Ernest A. Osuna, entitled the Del Mar House account. A second account was established at Rancho Santa Fe National Bank with Dana Dixon as the signatory, according to court records.

It was through those two accounts that almost \$1 million of Vernon Savings' money flowed to pay for the Dixons' living expenses in Del Mar — with Osuna writing most of the checks to cover household expenses and Mrs. Dixon paying for furnishings and home improvements. Osuna could not be reached for comment.

Expenses included groceries, televisions, stereos, liquor, appliances, repairs, maid and cooking services, mobile telephones, utilities, pool service, gasoline, cable television, catering and flowers, court records show.

Dixon and the lender

San Diego's only independently owned mortgage banking company, Lenders Corp., also was dragged into Vernon's affairs when Vernon acquired the company in 1985. Lenders President Scott Ferguson, who currently owns 50 percent of the company, said Lenders was only a subsidiary of Vernon Savings for less than six months.

However, court records show that during that period, Lenders was used to transfer \$214,000 from Vernon Savings to an entity owned by Don Dixon personally for no consideration. Vernon's money then allegedly was used illicitly to pay for construction on Dixon's personal residence in Rancho Santa Fe.

Ferguson said Lenders received a request to fund the money from its parent company, "and we funded." At the time, Ferguson believed the Dixon entity — Dondi Associates — was another subsidiary of Vernon Savings.

Ferguson and his partner, James Shadlaus, bought Lenders back from Vernon on Jan. 4, 1986, for the same amount Vernon had paid for it. The multimillion-dollar Rancho Santa Fe home was never completed.

Dixon and the old cars

Dixon also used Vernon to bankroll his interest in antique cars.

In the spring of 1985, he caused Vernon to acquire Symbolic Cars of La Jolla Inc. On July 20, 1986, Symbolic conducted an auction of vintage cars. FSLIC has alleged the auction primarily benefited Dixon, who personally sold eight cars for \$1.8 million — roughly 80 percent of the sales proceeds from the entire auction. Symbolic incurred a net loss from the auction of more than \$200,000.

Dixon and the beach club

Dixon and Vernon Chairman Woody Lemons jointly owned a condominium complex in Encinitas known as the Moonlight Beach Club.

The FSLIC has alleged that Dixon and Lemons abused their positions of authority at Vernon by requiring certain borrowers to join the Moonlight Beach Club in exchange for loans from Vernon Savings. The borrowers



Olaf Wieghorst's painting, "Night Sentry," for Vernon Savings & Loan collection, is now in the

were required to pay Lemons and Dixon between \$77,500 and \$155,000 each to join the Club, while Dixon and Lemons paid only \$2,500 each to join, court records show.

Dixon and the hotelier

Listed among Vernon's delinquent borrowers is San Diego hotelier Earl Gagosian's Hotel Properties Inc. of La Jolla. Gagosian's newest seven-hotel chain, the Continental Inns, was built with financing from Vernon Savings.

Gagosian said Hotel Properties is listed as a delinquent borrower because though it made its payments on time, Vernon failed to pay the other participants on the loan. Also, he said, Vernon made him assume a

\$1 million liability on his Sacramento hotel promise that Vernon Gagosian's next five

When Vernon was left with a \$ ty, no title to the und and a now-worthl finance five more disputing the \$1 mill

"They said if yo loans, you have to t delinquent loan," Gaj ing that he regarded part of the "cost of d

Gagosian earlier chain of 69 hotels bas called the Royal In Royal Inns fell into the 1970s after Gago

AUG 1 4 1987

Allen's P. C. B Est. 1888

Move is Signal of mounting debate over city's trash

By Michael Abrams, Staff Writer

The sudden withdrawal of the developer of the SANDER trash-to-energy plant sharpened the debate yesterday over how the city is going to dispose of its ever-increasing stream of garbage.

City, state and industry officials continue to claim that trash incineration is the only viable alternative to the opening of new landfills.

But environmentalists accuse these officials of grossly underestimating the amount of the city's trash that can be recycled.

They also say that there are better — and safer — technologies being developed for disposing of trash than burning it.

"We're convinced after working on the subject for two years that there are safer technologies and alternatives available for San Diego," said Robert H. Minan, a University of San Diego law professor who helped draft the Clean Air Initiative.

The City Council's decision to put Minan's initiative on the Nov. 3 ballot contributed to the decision Wednesday by Signal Environmental Systems Inc. to back out of the San Diego Energy Recovery project, dubbed SANDER, after an investment of more than two years and more than \$4 million.

Signal officials also accused Mayor Maureen O'Connor and the council of "sitting on the fence" by not coming out aggressively against the initiative.

If passed, the initiative would preclude construction of trash-to-energy plants within three miles of schools or hospitals.

Despite Signal's decision, both opponents and proponents have promised to mount vigorous campaigns, and the battle is likely to hinge over whether waste-to-energy technology is a necessary tool for a big city's garbage disposal.

John J. Sullivan, Signal's president and chief executive officer, scoffed at non-burn technologies.

"I think what you're going to see in San Diego is that every vendor of alternate technologies will be coming in here wanting to take the City Council to Europe to look at everything from various forms of composting, to making pellets, to making architectural gravel — and none of that is going to be able to handle the quantity of wastes that we are talking about," Sullivan said.

City and state officials agree with Sullivan.

See Trash on Page B-4

Trash: City debate heats up

Continued from B-1

Mick Gammon, the assistant director of the city's Resource Management and Conservation Program, said San Diego originally decided upon mass-burn technology in 1982, after an exhaustive search for alternatives to landfills.

There was no other viable option, he said.

Some technologies appear to have promise, but it would not be prudent, he said to bet that any one of them will be available for disposal of the volume — 2,250 tons per day — which the \$306 million SANDER plant would be designed to incinerate.

The city has not turned its back on alternatives to the mass burning of trash, Gammon said. The paperwork is being readied to seek proposals for trash disposal technologies to handle 200 to 400 tons per day.

In addition, the city has entered into a \$199,000 contract with the non-profit Ecology Centre to promote recycling and a tire-shredding operation. The latter will reduce the space taken up by tires in the city's Miramar Landfill, which is expected to reach capacity between 1993 and 1995.

"That doesn't give them a whole lot of time," said Chris Peck, of the California Waste Management Board.

"If in fact waste-to-energy is not a viable option, they're looking at trying to find more landfill space. You can only recycle so much of the waste stream," Peck said.

Environmentalists contend, however, that state agencies, as well as the city, have a bias toward mass-burn technology and a distrust for recycling because it lacks the appeal of a technological quick fix.

Minan said that a study of Los Angeles' waste stream showed close to 60 percent of it is made up of vegetable and organic matter that could be composted and resold as fertilizer.

Minan also contends that the city did not begin seriously looking at recycling until San Diegans for Clean Air drafted its initiative.

Meanwhile, city officials yesterday attempted to salvage what they can from the defunct Signal proposal to build and operate SANDER.

City Councilwoman Judy McCarty, chairwoman of the joint city-county SANDER board, said through a spokesman that she hopes to convene the board as soon as possible after the council returns from its recess in September to discuss options.

McCarty also asked City Manager John Lockwood to take a second look at Councilwoman Abbe Wolfshiemer's request that the 43-acre Kearny Mesa site slated for SANDER be targeted for sale to help restore money drained last month from a \$4.58 million fund to purchase wetlands.

City staff attempted to keep intact parts of the Signal proposal, said Deputy City Manager Coleman Conrad.

Of particular interest:

• Conrad would like to be able to transfer to the new vendor a contract

signed by Signal and San Diego Gas & Electric Co. for the sale of the megawatts of electricity the plant would produce. The price offered SDG&E for the power would allow the city to have its garbage disposed of for a bargain \$12.80 per ton.

Under the SANDER proposal, electricity sales are an offset to trash disposal costs. The more plant operators receive in electricity sales, the less they have to charge the city. Given that, city officials want to keep intact the contract signed when energy prices were higher.

• The state has earmarked \$1 million in tax-exempt bonds for SANDER. Conrad would like to see that financing is transferable. Signal's Frank Mazanec said that bonds are not transferable from Signal to another vendor. He said that because of changes in federal laws, the state's bonding authority has been reduced and it will be harder for the city to obtain the financing.

• In the summer of 1985, Signal submitted its application for a permit for SANDER to the California Energy Commission. To save time, Conrad said he hopes that another vendor would be able to pick up where Signal left off, should the initiative fail.

A commission spokesman said that a new developer will have to re-submit a new application, and that will take one to two years to process. Final commission action on SANDER was expected by April 1988.

San Luis Obispo, CA
(San Luis Obispo Co.)
Telegram-Tribune
(Cir. 6xW. 26,163)

AUG 20 1987

Allen's P. C. B Est. 1888

Expert sees dim future for power plants

New, large electric power plants won't be built in the near future because of inconsistent regulations and the public's attitude about business monopolies.

That's the opinion of Peter Navarro, a University of San Diego economics professor who spoke Tuesday in San Luis Obispo.

As a result, the U.S. Department of Energy is forecasting electricity shortages in the early 1990s for some areas of the country, he said.

"The public's attitude and regulations, however, are preventing utilities from planning new energy sources," Navarro said during a luncheon sponsored by Pacific Gas and Electric Co.

Navarro said the public's attitude is that electric utilities "are ripping them off."

He added that the public doesn't believe the utilities should be promoting economic growth.

"Building a new power plant today is like betting the company in Las Vegas," he said.

Navarro explained that electric utilities may get approval to build a new plant, but after it's constructed the company could be denied rate relief for all or a part of the plant's cost.

"The only plants under construction now were started five years ago," he said.

Electric rates have increased for a variety of reasons, according to Navarro, including the forced purchase by utilities of high cost electricity from small power producers.

Navarro said that the high rates have caused large industrial customers to supply their own electricity needs instead of relying on the utility.

Los Angeles, CA
(Los Angeles Co.)
Herald Examiner
(Cir. D. 266,102)
(Cir. S. 270,666)

AUG 20 1987

Allen's P. C. B. *Ex. 128P.*

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AUG 21 1987

Allen's P. C. B Est. 1888

Expert Opposes System For Regulating Utilities



314 2955

ENERGY ADVOCATE — Peter Navarro, considered an expert on the utility industry, told an audience of business and community leaders this week that electric rates to industry must be lowered to make American products internationally competitive. Navarro is shown seated before photographs of the Diablo Canyon Nuclear Power Plant.

Photo by Mike Hodgson

By Mike Hodgson
Assistant News Editor

SAN LUIS OBISPO — The system for regulating electric utilities in the United States is contributing to the country's inability to compete in the international market place, an expert said this week.

In addition, the system is leading to higher consumer prices and a potential energy crisis in the 1990s that can only be prevented by changing the rate structure now in use, he said.

Those are the opinions of Peter Navarro, a Harvard-trained economist who addressed about 100 business and community leaders at a luncheon sponsored by Pacific Gas & Electric Company at the Park Suite Hotel.

Navarro is a nationally recognized expert on the utility industry and an associate professor of economics now teaching at the University of San Diego business school.

His list of credits include 17 articles in academic and trade journals, more than 40 newspaper articles, a host of lectures, speeches, and testimonies, plus two books.

His most recent book is "The Dimming of America: The Real Costs of Electric Utility Regulatory Failure."

"I think the important theme I want to stress is that we have to begin thinking about our — yours and mine — electric utility industry being an important player in the international arena," Navarro said in an interview.

"In particular, we need to view the electric industry in a different

way than we're accustomed to," Navarro continued. "We need to view it as an engine of progress and growth, an institution of international competitiveness."

One feature of the regulatory system that needs to be changed is the "cross subsidy" of residential customers by industrial customers, Navarro said.

Cross subsidizing came about in the 1970s when public utility commissions were under pressure to allocate fairly significant increases in rates, Navarro said.

The rate increases, he said, were the result of fuel price hikes by the Organization of Petroleum Exporting Countries, by interest rates that rose into double digits, and by the imposition of environmental regulations that increased power plant costs by 10 to 30 percent.

"These regulations were absolutely necessary because prior to the '60s we were not really taking care of our air, but they did raise costs," Navarro added.

"Unfortunately, a lot of the PUCs chose to allocate a disproportionate share (of electric rate increases) to industrial consumers as a way of subsidizing residential consumers," he continued.

That system has clear political appeal, Navarro said, because citizens have more voting power than businesses.

"It also fits in with a mentality that we really have got to change, namely when it's crunch time, it is business that has to take the burden," Navarro said.

Because businesses are paying more per unit of electricity, the prices go up on their products, fewer products are sold abroad, and the trade deficit increases — reaching \$180 billion in 1986, Navarro explained.

Fewer exports also results in fewer jobs for American workers, he said.

Another problem is a feature of the regulatory system called the Public Utilities Regulatory Policy Act, which was written in 1978 to encourage small power producers.

"It was both a blessing and a curse," Navarro said. "It was a blessing because it indeed brought forth new electrical power suppliers, but it was a curse because the power generated actually significantly contributed to the increase in prices."

The price increase resulted because in some states utilities are required to buy power from qualified producers at the same price as if the utility generated the electricity itself, rather than letting free market forces control the price, according to Navarro.

Another problem, he said, is that many small co-generation plants use natural gas, which is too precious to be used under boilers and sets up the United States for increasing vulnerability to another oil crisis.

Navarro said there are three actions needed to resolve the problem.

"The first thing we have to recognize, as a people, is that we have to stop looking at utilities, as we have in the past, as an enemy and think about them as an engine of progress," Navarro said.

Government should move quickly to eliminate cross subsidies so that the cost of service to each customer is based upon the cost that service imposes on the utilities, Navarro said.

While rates will go up for consumers, the long run overall cost will be less, according to Navarro, who guessed that in California, residential rates would rise about 5 percent.

Competitive bidding should be used for buying power from small co-generators, as well.

Second, he said, co-generation businesses who remain hooked into the utilities power system for back-up power should pay a standby charge more in line with the service required.

Lastly, utilities should be given more freedom to price their product flexibly, Navarro said.

All of this would give the utilities the capital and the incentives to build new large-scale power plants to meet the needs of the 1990s, he added.

These changes will come about only if public opinion is changed by giving people more information on the problem, although he admitted that electric rates are only part of the international competition problem.

"Americans are fond of looking for 'The Answer'," Navarro said. "In terms of international competition there are about 20 answers."

"One of the 20 is reducing electricity prices that industrial consumers have to pay," Navarro continued. "The point is, there is no one answer. There are a bunch of answers, and we have to work on all of them. This is one."

AUG 24 1987

Allen's P. C. B. Est. 1888

Campuses 2955 busy even in summer

By Michael Scott-Blair
Staff Writer

They come from around the world each summer, young and old, bringing sports gear, scientific equipment, religious principles and medical problems.

They are part of a \$3 million industry in San Diego, bringing thousands of people to the area's campuses for summer programs to delve into everything from global security to golf, from reading a hand of bridge to reading the mystery of human life.

"We get a lot of challenges, but part of the fascination of this job is having to deal with the needs of a soccer team, a church group and a learned society all at the same time," said W.G. "Woody" Woodrow, the conference manager at San Diego State University.

For example, at UCSD drum majors recently practiced their turns with the precision of sailboats coming about in a stiff wind. Across the same campus, computer wizards from universities around the nation studied the workings of UCSD's super computer.

At the same time, on the University of San Diego's hilltop campus, California bankers exchanged greetings with members of the Chinese Missions Overseas and the Mexico/U.S. Law Institute as they hurried to their respective lectures and seminars.

Hardly have the undergraduates left for their three-month summer break, in fact, than the playing fields, dormitories, classrooms, libraries and laboratories are flooded with eager learners immersed in Gestalt therapy and Chinese philosophy.

It is a business that has quietly grown until this year, at UCSD alone, \$1.4 million will be collected in con-

See **Campuses** on Page B-2

Campuses: Summer a busy time

Continued from B-1

ference and living fees.

"It provides plenty of work for lots of campus people," said Woodrow. "It provides 12-month contracts for people who would otherwise work only 10 months, and it gives many students the income they need to carry on for another academic year."

At San Diego State and USD, the aim is to break even financially.

But at UCSD there is a definite effort to make a profit, according to conference manager Lene Hartman.

"We will make approximately \$500,000 in profit this year, and it all goes to benefit the academic year students," she said.

The profits are used to subsidize on-campus housing and food costs so that increases to students are kept to a minimum, Hartman said.

At USD, Kathi Goldman admits to a "friendly rivalry" between the universities as they seek out conference contracts.

"Sometimes we lose one to a rival campus or win one from them, but it is definitely at the friendly level," she said, adding that the campuses often direct business to one another.

Different campuses have different conference rules.

USD, a Catholic institution, encourages religious groups of many denominations and faiths. UCSD, a public institution, does not accept religious groups.

At SDSU, another public facility, religious and non-religious groups are welcomed equally. "In fact, we will be welcoming over 1,000 Orthodox Jews to the campus next year who (need to) closely observe the ritual commandments of their faith," said Woodrow.

For this particular conference, the campus kitchen and dining room must be transformed into a complete kosher environment, right down to providing the properly prepared water for both cooking and washing dishes, he said.

"We see this as a particularly exciting challenge," Woodrow said.



The San Diego Union/Jim B.

Fred Dulles of the University of Michigan. The summer instructional program is part of what has become a \$3 million industry here.

At the same time, he and his staff must provide for the needs of the Western Society of Malacologists — people who collect mollusks and sea shells; for 800 participants in the Special Olympics; and for a group of Jehovah's Witnesses.

The varied summer programs are not simply income-generators or make-work projects for university staff, campus conference directors say.

At UCSD recently, 300 delegates attended the Intellectual Foundations for a Free Society to study "the

Jefferson School of philosophical and scientific knowledge ... (based on) pre-reason, pro-individualist philosophers, and the pro-freedom, pro-capitalist economists," according to their program.

Nearby, a group of 25 Japanese nurses took courses in psychiatric nursing, while golf professional Billy Casper urged young golfers to keep their eye on the ball during his clinic.

Administrators say there also may be long-term benefits, once students attending cheerleader, sports and academic courses are introduced to the

San Diego campuses — possibly leading many of them to attend here when they graduate from high school.

Indeed, said Goldman, parents attending programs here have recommended the campuses to their children, as have grandparents coming for senior programs.

Academic groups often seek out university atmosphere because they find everything they need on one campus — living accommodations, cafeterias, lecture halls and huge library sources.

AUG 30 1987

Allen's P. C. B. Est. 1888

Golf / Thomas Bonk

Player Doesn't Come Off Sounding Like a Square in Groove Controversy

²⁹⁵⁵
With the simmering controversy about square-grooved clubs apparently coming to a boil, at the very least golf has something new to argue about.

There is one side that strongly believes advancing technology ought to be given the chance to improve the game. The other side contends that golf has had all the technology it needs.

Gary Player, a professional since 1953, comes down squarely on the side of status quo.

"I'm very anti-square grooves," he said. "The next thing is, you'll find players who are bad putters so they make the holes three inches wider. And it'll happen. Then they'll put up big fans behind the tee so the ball can carry further. Where's it going to stop? Let's have more respect for the game."

Player, who was in San Clemente last week overseeing the construction of the Pacific Golf Club, a 27-hole course that is the first West Coast course designed by his company, said that by looking at other sports, it's plain to see that it's not smart to tamper with such things.

"They don't make the 100-yard dash downhill," he said. "You don't see them changing the size of the boxing ring. You don't see the football changing its size."

Player thinks that golf needs to stop changing the game, and that square-grooved clubs represent the best place to start.

"We are eliminating skill," he said. "Everybody tells you today, 'Oh, all these great young players.' Well, they're not the great players everybody makes them out to be. I don't want to sound like I'm knocking the young guys. I just think it's getting out of proportion with the equipment. It's a shame. Let the human being improve in his mind and his body, not in his equipment. It's just a big commercial deal."

"I just hate to see what's happening in golf," he said. "It really bugs me. You see a guy hit a shot out of the rough now, and the ball hits over the flag and stops within two feet. I can't believe what I'm seeing. And then they say, 'What a great shot.' Hogwash."

It's already been called "Groovegate," but a decision on the use or prohibition of the controversial square-grooved clubs on the PGA Tour isn't anywhere near.

Commissioner Deane Beman, who initially said that he wanted a quick ruling by the PGA tour's policy board, says now that more tests and studies are needed, and it's likely that there will be no policy by the end of the year.

Beman also said that it's possible that no action will be taken restricting the use of the clubs.

"There is fairly uniform agreement from the players that the square-grooved clubs reduce flyers from the fairway and give substan-

tially more control from the rough," Beman said. "There is not such a broad agreement that something should be done about it."

"Some feel that we should simply accept the advances in technology and go along with it. Many feel we cannot allow technology to go unchecked."

The U.S. Golf Assn. recently ruled, in effect, that the Ping-Eye 2 square-grooved clubs will be ineligible for USGA competition beginning in 1996. The USGA said that grooves can be no wider than .035 of an inch at the surface. There also has to be a flat surface between the grooves three times greater than the width of the grooves.

The Ping-Eye 2 was legal and approved by the USGA in 1984 when it had square grooves, but the edges were so sharp they often damaged the cover of the ball. The ball also spun a lot more. Ping then beveled the edges, which made the golf balls last longer and also probably decreased spin a little, but failed to submit the new square-grooved clubs to the USGA.

The USGA said the grooves are .031 inches wide and that's legal. Ping measures differently at .026 and that is also legal. But measuring at .026 leaves a space of .078 between the grooves, and the USGA's measuring at .031 leaves .073, which makes it a violation of the 3-to-1 ratio.

So, in effect, this big controversy

is over five one-thousands of an inch.

Seven California courses are on the list of the 100 greatest in the world, selected in a worldwide survey of experts and published by Golf magazine. Pebble Beach is ranked No. 3 and Cypress Point is No. 4. Another Northern California course, Olympic Club, the site of this year's U.S. Open, is rated No. 19.

The highest Southern California course was the Los Angeles Country Club's North Course, No. 27. Riviera was No. 28.

In order, the magazine said the world's top 10 golf courses are: 1. Pine Valley in New Jersey, 2. Muirfield, Scotland, 3. Pebble Beach, 4. Cypress Point, 5. Augusta National, 6. Royal Melbourne in Australia, 7. St. Andrews, Scotland, 8. Ballyunion (Old) in Ireland, 9. Royal Co. Down (No. 1) in New-castle, Northern Ireland, 10. Merion (East) in Ardmore, Pa.

The other two California courses are San Francisco, No. 48; and PGA West (Stadium) in La Quinta, No. 75.

According to the rankings, 55 of the world's top 100 courses are in the United States.

Chi Chi Rodriguez, who is on a steady diet of victories on the Senior tour, remembers what he used to eat when he was a sickly

Puerto Rican youngster: beans mixed with corn meal, black coffee and bananas.

Chi Chi's diet has changed. He eats steak six times a week and doesn't worry about it a bit.

"They say steak is bad for you," Rodriguez said in a story in the September issue of Golf Illustrated.

So?
"What do the tigers and lions eat?"

Better sign up for your tee times now. Apparently, there aren't going to be enough golf courses to go around pretty soon. Research released by the National Golf Foundation said that there are so few public golf courses that the growth of the game could be affected.

According to Golf Course Management magazine, the NGF concluded that one new course needs to be opened each day until the year 2000 or there won't be enough courses to meet the needs of the number of new golfers expected to take up the game in the United States.

Golf participation in the United States will grow from 2% to 5% each year through 2000, which will create an additional 10 million to 14 million golfers, the magazine said.

Golf Notes

Prize money of \$100,000 is at stake Sept. 29-30 and Oct. 1-2 at the Wigwam, Litchfield Park, Ariz., the site of the 31st Fall Championship of the U.S. National Senior

Open Golf Assn. More than 425 professional and amateur members will compete on three courses. Previous winners in the over-50 association are Tommy Bolt, Art Wall and Billy Casper. . . . Greens at both the Nicklaus courses under construction at PGA West will be sodded after Sept. 14. The Resort Course is completely planted and should be ready for a fall opening. On the Private Course, nine holes are planted and rough grading is left on three holes. Because dirt and rock has to be moved across a canal, small trucks are the biggest vehicles that can carry dirt over the bridges. About 15,000 yards of rock and gravel are being hauled across the bridges.

The LPGA event being played at Bu-
ford, Ga. is offering the highest first-place prize in LPGA history, \$81,500. . . .
Meanwhile, the biggest total purse and first-place prize money in PGA Tour history will be at stake in the Nabisco Championships of Golf. The top 30 golfers in the season's individual competition will play in the 72-hole event which is worth \$2 million, \$360,000 to the winner. . . .
The Variety Club's 16th annual golf and tennis tournament will be held Sept. 14 at Braemar Country Club in Tarzana. The fund-raiser will provide college scholarships for underprivileged Los Angeles students. . . . The inaugural McLean Stevenson celebrity tournament is also scheduled for Braemar. The Sept. 21 event benefits the Foundation for the Junior Blind. . . . The ninth annual Bill Van Gieson Memorial tournament, to benefit a number of San Fernando Valley charities, will be held at the Calabasas Golf and Country Club Oct. 5. The Calabasas Chamber of Commerce is sponsoring the event. . . . Steve Lass defeated Randy Drake in 37 holes for the club championship at Glendora GC. . . . John Schabacker, 21, who will be a senior at the University of San Diego, won the Colorado Golf Assn. stroke play championship.