

California's Best - 2009 General Excellence Winner

DAILY REPUBLIC

WWW.DAILYREPUBLIC.COM



SPORTS: RODRIGUEZ 14, VANDEN 7
Mustangs SCAC champs
Finish league play with perfect 5-0 record | B1
SOME OTHER HIGH SCHOOL FOOTBALL SCORES
Fairfield 49, Armijo 2
Benicia 45, Bethel 42
Vacaville 76, Wood 28
Napa 28, Vintage 3



Fall back

Turn your clocks back one hour to standard time at 2 a.m. Sunday.

Ex-officer's sentence sparks protest

Oakland cops in riot gear arrest 152 people

THE ASSOCIATED PRESS

OAKLAND — Hundreds of protesters took to the streets Friday, some breaking windows and knocking down fences, after a white former transit officer was given the minimum possible prison sentence of two years for fatally shooting an unarmed black man on a California train platform.

provoked racial unrest at every turn, and police in Oakland, the scene of the killing, were on alert for more problems following a sentence many thought was too light.

Police in riot gear arrested more than 152 people Friday night after a rally billed as a tribute to the victim, Oscar Grant, turned into a march through the downtown area, where demonstrators broke car

and bus windows. Some carried a banner reading "Justice for Oscar Grant." Police helicopters hovered above, shining spotlights on the crowd.

Oakland Police Chief Anthony Batts said the protest was declared an illegal assembly after one officer had his gun taken from him in a fight and another officer was hit by a car and suffered non-life-threatening injuries.

Police spokesman Jeff Thomason said there were scattered arrests elsewhere.

Mehserle's sentence, handed down in Los Angeles, also angered the victim's family and friends, who demanded a much harsher punishment.

Wanda Johnson, Grant's mother, shouted, "Oh my!" when Superior Court Judge Robert Perry issued the

See Sentencing, Page A12



The Associated Press

A protester wears an Oscar Grant mask during a demonstration after the sentencing of former Bay Area Rapid Transit police officer Johannes Mehserle in Oakland Friday.

A WAY WITH WORDS



Mike Greener/Daily Republic

Juanita Martin reads one of her poems at an audition for becoming Fairfield's first poet laureate at the Missouri Street Theatre last Wednesday evening. Martin was awarded the title.

City names 1st poet laureate

Fairfield resident will advocate for arts

BY AMY MAGINNIS-HONEY
DAILY REPUBLIC

FAIRFIELD — Juanita Martin now has the official title of Fairfield's first poet laureate.

However, the 23-year Fairfield resident has been involved in local poetry events for years, such as hosting Poetry in the Park and serving as its featured poet one year.

"I didn't think it would ever happen," Martin said of the city having a poet laureate. "I'm glad it did."

Fairfield is the second city in Solano County to have its own poet laureate. Benicia is the other.

Poet laureates are volunteers who advocate for the arts and contribute to the arts community by reading original works at official city events.

Martin said she also hopes to bring poetry into the schools.

"Kids need to be exposed to it," she said. "There's potential out there."

While a handful of people inquired about the poet laureate post, only Martin, 49, and Joseph Boertje, 24,

read for the job Monday night at the Missouri Street Theatre.

Each read three poems they had written. Each poem was scored individually in 10 categories ranging from rhyme and/or meter to its overall impact.

Martin had the highest score from the judges. Only 10 points separated her from Boertje.

Carmen Slack, president of the Solano County Arts Council, spearheaded the effort to get the city a poet laureate.

"I thought the city deserved it,"

See Poet, Page A12

Judges learn lessons from the Holocaust

BY JESS SULLIVAN
DAILY REPUBLIC

SACRAMENTO — It was a rare, behind-the-scenes look Friday at how California's judges take time to reflect on their professional ethics and talk about their role in government.

The unusual day-long training included Solano County Superior Court Judge Ramona Garrett playing a notable role in the seminar titled "How the Courts Failed Germany: Law, Justice and the Holocaust."

The U.S. Holocaust Memorial Museum, in cooperation with the California Administrative Office of the Courts, debuted the seminar in Sacramento. By the time two more sessions are completed next week in San Francisco and Irvine, more than 300 judges from throughout the state will have participated in the seminar.

"The Holocaust has profound implications for law enforcement officers, prosecutors and judges," said Marcus Appelbaum,

See Holocaust, Page A12



The Associated Press

A sign turning away potential job-seekers is seen outside a construction site in New Orleans Thursday.

Jobs crisis eases, but still ways to go

THE ASSOCIATED PRESS

WASHINGTON — The jobs crisis eased just a bit last month as the American economy added 151,000 jobs, its best showing since April -- yet still not enough to make a significant dent in unemployment.

In fact, the pace of job creation is still only about half of what it would take to have a noticeable effect

on the jobless rate. So the big question remains: What will it take for businesses to hire that vigorously again, and when will that be?

The unemployment rate held steady for the third

See Crisis, Page A12

Attorney general race could take weeks to call

THE ASSOCIATED PRESS

SACRAMENTO — Four days after he prematurely claimed victory on Election Day, Los Angeles County District Attorney Steve Cooley was trailing Friday by 12,000 votes in the race for state attorney general.

However, the contest between Republican Co-

INSIDE
Rep. McNerney slightly ahead of Harmer in race for 11th District. Page A5.

ley and his Democratic rival, San Francisco District Attorney Kamala Harris, could remain too close to call for several weeks. More than 2.3 million late

or provisional ballots remain to be counted before the end of the month, according to the secretary of state's office.

Harris led Cooley by two-tenths of a percentage point among the more than 7 million ballots tallied so far. A victory by Harris would give Democrats a sweep of statewide offices.

California's size makes the position influential on a national scale, sparking added interest in the campaign and its outcome. President Barack Obama attended a fundraising event for Harris, while the Republican State Leadership Committee, chaired by

See Race, Page A12

INDEX

Table with 3 columns: Bridge C9, Business B10, Columns A9, Comics B7, Crossword C9, Entertainment A10, History A2, Movies A10, Opinion A11, People A10, Sports B1, TV Daily A9

WEATHER

Weather forecast: 71 54, Clouds and sun. Complete forecast on B13

HOW TO REACH US

Breaking news updates at dailyrepublic.com
Want to subscribe? 427-6989



Police spotlight

FAIRFIELD — The Fairfield Police Department this week honors **Elaine Gatka** as a valued Neighborhood Watch block captain.



GATKA

Gatka started her Neighborhood Watch group on Candlewood Drive in the Rolling Hills area five years ago and supports about 60 households. She also regularly attends the Rolling Hills Neighborhood Network Board meetings and represents Fairfield Neighborhood Watch issues and concerns.

During her association with Fairfield Neighborhood Watch, she has helped to recruit six additional groups in the Rolling Hills area, provides them with tips about organizing their groups, and is instrumental in networking those groups through an e-mail system of communication.

With her assistance, Fairfield police are now partnered with more than 1,000 homes in the Rolling Hills neighborhood.

— Fairfield Police Department

Crime logs

FAIRFIELD

MONDAY, NOV. 1

3:12 a.m. — Battery, FFPD
7:08 a.m. — Forgery, FFPD
10:42 a.m. — Vandalism, FFPD
10:50 a.m. — Battery, FFPD
11:09 a.m. — Vandalism, 3000 block N. TEXAS
11:31 a.m. — Battery, 2000 block DOVER
11:40 a.m. — Forgery, FFPD
11:46 a.m. — Residential burglary, 2000 block FINCH
12:10 p.m. — Indecent exposure, E. TABOR/SAN SALVADOR
12:39 p.m. — Forgery, FFPD
12:46 p.m. — Battery, 200 block TABOR
12:50 p.m. — Missing juvenile, 1900 block WOOLNER
12:58 p.m. — Battery, 500 block SAN JOSE
1 p.m. — Battery, 2200 block UNION
1:22 p.m. — Hit-and-run, 1500 block TRAVIS
1:45 p.m. — Rape, 1000 block EMPIRE
2:20 p.m. — Residential burglary, 2900 block N. TEXAS
2:41 p.m. — Missing person, 2300 block BOBWHITE
3:06 p.m. — Forgery, 2800 block DOVER
3:11 p.m. — Child abuse, FFPD
3:20 p.m. — Forgery, FFPD
3:43 p.m. — Battery, 1100 block UNION
4:10 p.m. — Battery, 1400 block GATEWAY
4:16 p.m. — Battery, 2000 block OXFORD
4:28 p.m. — Missing juvenile, 3000 block N. TEXAS
5:43 p.m. — Forgery, 2800 block OWENS

HELP STOP CRIME

If you have any information on any crime or criminal, Solano Crime Stoppers Inc. wants your help. Solano Crime Stoppers Inc. will pay up to \$1,000 for information leading to an arrest. All tips are anonymous and confidential.

We need your help!
Please call 644-7867.

5:59 p.m. — Reckless driving, 700 block TRAVIS
7:33 p.m. — Gunshots, 1700 block DANIEL
8:02 p.m. — Gunshots, 100 block E. TABOR
8:13 p.m. — Graffiti, 1700 block KIDDER
8:19 p.m. — Prowler, 2400 block DIGERUD
8:42 p.m. — Robbery, 300 block GREAT JONES
9:23 p.m. — Vandalism, 700 block OAKBROOK

SUISUN CITY

MONDAY, NOV. 1

4:18 a.m. — Prowler, 1600 block TUCSON
5:01 a.m. — Assault, 1100 block WEST
8:20 a.m. — Burglary, 500 block EL MAR
9:06 a.m. — Domestic violence, 500 block WHISPERING BAY
2:44 p.m. — Burglary, 800 block REDHEAD
6:57 p.m. — Juvenile runaway, 300 block SANDY
6:59 p.m. — Burglary, 300 block CANVASBACK
7:25 p.m. — Fraud, 200 block SUNSET
9:09 p.m. — Robbery, 200 block SUNSET

Race: Too close to call

From Page One

former Bush White House counselor Ed Gillespie, poured in money on Cooley's behalf.

The margin appears to be the tightest for a statewide office since 2002, when Democrat Steve Westly edged Republican Tom McClintock for state controller, said Shannan Velayas, spokeswoman for the secretary of state.

Westly won by less than 17,000 votes, or three-tenths of a percentage point.

Cooley had been ahead in early returns on Election Day.

He told supporters Tuesday night that he was disregarding his political consultants' advice and declaring victory. He later told KNBC in Los Angeles that if he was wrong, "then it's one of those Dewey moments." The reference was to famous newspaper headlines in 1948 that wrongly said Thomas Dewey had beaten Harry Truman for president.

Cooley spokesman Kevin Spillane said it is too soon to

say who won.

"You'll see a lot of fluctuation back and forth" in coming days, Spillane said. "Usually it doesn't matter. Here, people are paying attention."

The count has been up and down by thousands of votes since election night, though Harris has consistently been ahead.

Harris spokesman Brian Brokaw predicted that Harris' late surge in the polls and on Election Day is likely to continue as the remaining ballots are counted, given the location of the outstanding ballots and her momentum.

Santa Cruz County Registrar Gail Pellerin, president of the California Association of Clerks and Election Officials, said that tracks with her experience that late voters tend to be more liberal.

But both agreed with Spillane that it could be two weeks before it is clear who won.

"It's kind of going to be a wait and see game," Brokaw said.

Sentencing: Oakland mayor pleads for peace

From Page One

two-year sentence. She burst out of the courtroom saying, "He got nothing! He got nothing!"

Grant's uncle, Bobby Cephus Johnson, said outside court: "I do believe it's a racist criminal justice system."

Still, he said the family was reacting calmly but added he could not comment for others.

"I have no power over what people feel their matter of expression should be," he said.

Some of the dozens of people who gathered outside Oakland City Hall for a tribute to victim Oscar Grant broke into tears when they learned of the judge's decision. Outside the Los Angeles courthouse, a small crowd that had earlier shouted "No justice, no peace" reacted relatively calmly to the sentence.

Mehserle, 28, had faced a possible 14-year maximum term after being convicted of involuntary manslaughter. At the time of the shooting, Mehserle was a Bay Area Rapid Transit officer responding to a report of a fight.

In making his decision during the highly charged, 3½-hour hearing, Perry threw out a gun enhancement that could have added as much as 10 years in prison and said there was overwhelming evidence that it was an accidental shooting.

Perry said race would not factor into his decision and although Mehserle had shown "tons of remorse" for killing Grant, he would have to account that a "young man needlessly died."



The Associated Press

A demonstrator lies on the ground in protest after the sentencing of former BART police officer Johannes Mehserle, in Oakland Friday.

"I did the best I could with this case," Perry told the courtroom. "My decisions today will not be well-received by many people. I'm sorry for that."

Police said they were prepared in case there was a replay of the rioting in Oakland that followed the shooting on New Year's Day 2009.

Mayor Ron Dellums said he understood the pain and disappointment sparked by the sentence.

"It is still my hope that people will express their anger, will express their disappointment, their outrage, their pain in a manner that is nonviolent, in a manner that is not destructive to our community," he said at a news conference.

Johnson family attorney John Burris acknowledged a small step was taken by the justice system in sentencing Mehserle to two years, but

he said that was insufficient. Both Burris and Bobby Johnson noted that NFL star Michael Vick got a harsher sentence for running a dog-fighting ring.

"What you take from that is that Oscar Grant's life was not worth very much," Burris said.

He also targeted Perry's comments before sentencing that he was saddened by the polarization of the community over the shooting.

"This case does nothing at all to heal, if that was ever any intent," Burris said.

Reaction to the case has drawn comparisons to the infamous 1991 Rodney King beating by Los Angeles police officers, which inflamed a racial divide and led to the disastrous 1992 riot when the officers were acquitted of brutality charges.

Mehserle was convicted in July in the videotaped

killing of Grant, 22, in Oakland. The case was moved to Los Angeles for trial.

Perry had wide discretion when sentencing Mehserle. Prosecutors sought prison time while defense lawyers argued for probation. The judge gave Mehserle the minimum possible prison sentence.

Defense attorney Michael Rains immediately filed an appeal with the court after the sentencing. After time already served and good behavior credits, Mehserle will likely serve an additional six to seven months based on California's sentencing guidelines, the lawyer said.

Mehserle testified during the trial that he thought Grant had a weapon and decided to shock him with his stun gun but instead pulled his .40-caliber handgun. Grant was unarmed and face down when he was shot.

Crisis: Companies added 159K jobs last month

From Page One

straight month at 9.6 percent in October, the government said Friday.

With Congress facing gridlock, some economists say it will be at least a year before companies gain enough confidence to start adding 300,000 new jobs a month, a sort of economic sweet spot. That's what it would take to reduce the unemployment rate by a full percentage point over a year.

"It could be another year or two," says Paul Ashworth, senior U.S. economist at Capital Economics. "Hopefully, I'm wrong and the economy catches fire, but you'd have to be a pretty brave man to predict that's going to happen."

For October, the private sector added 159,000 jobs, also its best performance since April. Retailers added 28,000 and health care firms 24,000. Financially ailing local governments shed 15,000 jobs.

Mark Zandi, chief economist at Moody's Analytics, holds out hope that "the preconditions are coming into place for much better job growth. Big companies, mid-size companies are very profitable."

Zandi says those companies need to get over the shock of the recession and regain the confidence to start hiring again. That will probably take another year or so, he says. He thinks net job creation won't consistently

hit the magic 300,000-a-month mark until 2012.

Job creation used to bounce back faster after recessions. When manufacturing occupied a bigger part of the economy, factories would quickly revive the labor market by recalling laid-off workers once conditions improved. After the severe 1981-82 recession, for instance, the economy generated 287,000 jobs a month in 1983 and 323,000 in 1984. Monthly growth exceeded 300,000 jobs 24 times in the 1980s.

Some months were especially explosive: in September 1983, the economy created 1.1 million jobs. In February 1984, it was 479,000.

But advances in automa-

tion and the development of a mainly service economy mean employers are slower to recall laid-off workers or hire new ones. Since 1983, the economy has tended to need a lot of time after a recession to create many new jobs. Not until 22 months after the 1990-1991 recession officially ended, for example, did job growth hit the 300,000-a-month mark. It took 28 months after the 2001 recession.

This year, with the Great Recession officially over since June 2009, the average gain is 87,400 jobs a month. At that pace, it would take until the end of 2017 to replace the 7.5 million jobs wiped out by the downturn that began in December 2007.

Poet: Fairfield's 1st laureate a seasoned writer

From Page One

she said. "It's a nice city. We have a lot of talented people here."

Martin, who penned a poem for an art exhibit at the Vallejo Historical Museum, has also earned ribbons at the Solano County Fair the past three years for her work.

"I love words," she said. "I love English. I get excited about literature. I just love to write."

She also taught poetry at the Arts & Ethics Academy

in Santa Rosa and was trained as part of California Poets in the Schools in 2007.

Ariel Flores, 14, a Vanden High School freshman, said she enjoyed listening to the poetry. In two years, when Martin's term expires, she said she hopes to read for the job.

Flores began writing poetry about three years ago when her parents divorced, she said.

"It's very therapeutic. One word can say an entire paragraph. Five words can tell the world what you

mean," she said.

Flores said she enjoys the works of poets Edgar Allan Poe and Robert Frost.

Boertje grew up in Fairfield and attended UC Berkeley. He then went on to Loyola Law School Los Angeles for one year and decided to take a break from education.

Both Martin and Boertje participate in local open mic nights.

"Joe, you are as worthy an opponent as anyone can be," Martin said to Boertje when Slack announced the

winner.

He returned the compliment with a hug and later a cup of soda and a toast to Martin.

"Poetry keeps me young," Martin said. "The more I write, the more I get involved."

Plans are being made to inaugurate Martin as the city's poet laureate. Her first official duty will be named soon.

Reach Amy Maginnis-Honey at 427-6957 or amaginnis@dailyrepublic.net.

Holocaust: Solano judge attends discussion

From Page One

director of the museum's Law, Justice and Society Initiative. "Judges in Germany went from protecting the rights of individuals under a democratic government to becoming complicit in carrying out the Holocaust under Nazism. By exploring how this occurred we work to make members of the judiciary cognizant of their role in safeguarding our personal freedoms and our democracy today."

The seminar included a closed-door session in which Garrett sat on a discussion panel that also answered

questions about issues touched on during the day.

The fragility of modern democracy was a recurring theme woven into a look at the incremental ways used by Adolf Hitler and the Nazi leadership to attain the Nazification of the judiciary.

"(The courts) relying on the letter of the law did not preclude injustice," said William Meinecke Jr., a scholar on Germany's courts in the Nazi era, alluding to the contemporary debate about strict constitutional interpretation of the law.

Small things went unchallenged in the 1930s,

such as swastika banners being placed on all courthouses.

"The symbols of the party became the symbols of the state," Meinecke said.

At one point the judiciary deferred to the Nazi party and it formed its own courts for punishing political opponents branded as traitors to the state. The deference reduced the court workload and removed them from the political battles for power in 1930s Germany.

Garrett questioned Meinecke repeatedly about how certain laws passed by the Nazi party brought the racism and religious dis-

crimination into the German court system, even into family law child custody cases.

The session included dialogue about what judges knew or should have known about the secret Jewish extermination program in which 6 million Jews were killed.

Meinecke reminded participants that the judiciary's deferring the power to impure political opponents led to the Nazi party broadening the meaning to include the crime of being Jewish.

Reach Jess Sullivan at 427-6919 or jsullivan@dailyrepublic.net.

California Lottery

Mega Millions/Thursday

Numbers picked **19, 25, 34, 46, 53** Meganumber **15**
 Jackpot \$16 M

Fantasy 5/Thursday

Numbers picked 16, 21, 22, 29, 34
 Match all five for top prize. Match at least three for other prizes.

Daily 3/Thursday

Afternoon numbers picked 9, 0, 7
 Night numbers picked 7, 3, 7
 Match three in order for top prize; combinations for other prizes.

Daily 4/Thursday

Numbers picked 0, 6, 3, 9
 Match four in order for top prize; combinations for other prizes.

Daily Derby/Thursday

1st place 11, Money Bags
 2nd place 7, Eureka
 3rd place 12, Lucky Charms
 Race time 1:48.31

Match winners and time for top prize. Match either for other prizes.

On the Web: www.calottery.com