

IT'S TAX DAY! SURPRISED? LAST-MINUTE TIPS, A7



PLAYOFF ACTION! CONDORS BACK AT HOME, C1 DO-OR-DIE FOR JAM, C1



WHY KERN IS AWASH IN PAROLEES, B1



\$6 MILLION CLOSURE

The Bakersfield Californian

After a Tuesday press conference regarding James Moore's jail beating death in 2005, Michelle Tripp, right, Bryce Moore's mother, hugs Alicia Moore, mother of James Moore Jr., in front of the downtown Liberty Bell.

Who pays?

Kern County will pay about \$1 million. The rest will be paid by its insurance carrier.

What's changed?

Since Moore's death ... Sheriff's deputies, rather than detention deputies, were put in supervisory positions at the jail. Officials decided to have cameras at the downtown jail and an adjacent garage — but they have not been installed to date.

What's next?

Murder charges have been filed against detention officers Daniel Thomas Lindini, Roxanne Fowler and Ralph Contreras. They have pleaded not guilty and are scheduled for a trial in May, but that trial is expected to be delayed because a new attorney will be entering the case.

Beating victim's family wins settlement

BY STEVE E. SWENSON
Californian staff writer
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The settlement in a jail beating death case is huge — more than \$6 million — but attorneys who brought the case against Kern County said a jury verdict could have been in the \$20 to \$25 million range.

Nonetheless, the attorneys said Tuesday they accepted less because the criminal and civil cases might have taken another seven to nine years to resolve. The attorneys said the settlement sends a strong message to law enforcement that the beating of "a completely defenseless" inmate will not be tolerated.

James Moore, 30, died after being beaten by downtown jail detention deputies on Aug. 15,



James Moore

2005, prosecutors have said. Money from the settlement will be paid out over the years to Moore's sons — Bryce, 5, and James Jr., 16.

The payments could begin as early as this summer pending approval of the judge in the case, said attorneys Daniel Rodriguez who represented Bryce and attorney David Cohn who represented James Jr.

Please see **MOORE** / A3



CASEY CHRISTIE / THE CALIFORNIAN

Daniel Rodriguez, second from left, talks to the media during a press conference regarding a lawsuit over the 2005 jail beating death of James Moore. The settlement was for more than \$6 million. Michelle Tripp, Bryce Moore's mother, left, Alicia Moore, mother of James Moore Jr., and attorney David Cohen, right, were in attendance.

BUSINESS

Water park gets approval

Developers hope to break ground this summer on a sprawling water park in northwest Bakersfield that was approved by city staffers Tuesday. If all goes as planned, the private amusement park will open its slides, tube rides and lazy river in 2010 on Riverlakes Drive west of Coffee Road.



Page B1

BORDER VIOLENCE

Cartels buying up guns in US

Mexican drug cartels are sending buyers into American gun stores to stock up on powerful semiautomatic weapons, investigators in both countries say. About 90 percent of the 12,000 pistols and rifles the Mexican authorities recovered from drug dealers last year came from dealers in the United States.

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Economic crisis

New budget cuts hitting elderly, disabled hardest

Legislator says cuts were made across the board in order to balance budget

BY STEVEN MAYER
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Fifty-eight dollars is chump-change for some — maybe a lunch out with the family or a cheap seat and a beer at Dodger Stadium.

But for retirees John and Shirley Collier — and 1.3 million other Californians — money cut from their Supplemental Security Income may mean choosing between skipping on medication or skipping meals at the end of each month.

"I just don't think it's right to pick on seniors who have worked and paid taxes their entire lives," said John Collier, a 67-year-old retired vocational nurse from Bakersfield.

"I don't care if it's \$5 or \$58," he said. "I don't want somebody doing something that will affect



MICHAEL FAGANS / THE CALIFORNIAN

John and Shirley Collier, shown at their apartment in Southwest Bakersfield, are angry that their Supplemental Security Income payments are being reduced by \$56 a month.

my life without consulting me on it first."

Fifty-eight dollars — \$26 each — is the amount the state will cut from the Colliers' SSI check beginning next month. But they and

other recipients can expect an additional 2.3 percent cut beginning July 1, thanks to the mother of all budget crises in California.

Please see **CUTS** / A3

Supplemental Security Income, known as SSI, is a federal income supplement program funded by general tax revenues, not Social Security taxes.

The state of California provides additional funding to payments for Californians.

Designed to help elderly, blind and disabled people, including the developmentally disabled, SSI helps recipients meet basic needs for food, clothing and shelter.

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INSIDE, A4

Don't let the bedbugs bite!
With the most effective pesticides banned, the government is trying to figure out how to respond to the biggest bedbug outbreak since World War II. The Environmental Protection Agency hosted its first-ever bedbug summit Tuesday.



OUTSIDE TODAY

HIGH 65 **LOW 41**
AIR QUALITY 76 moderate
TIME TO SUNBURN 20 mins.
Complete weather, **B12**

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Immigration

Illegal immigration to California slowing

More migrants bypassing state for other areas due to lack of jobs, workplace raids

BY TERESA WATANABE
Los Angeles Times

LOS ANGELES
In five years of social outreach at Our Lady Queen of Angels church in Los Angeles, Guillermo Armenta has always seen more new arrivals stream into this historic haven for illegal immigrants than leave. Until now.

In the last few months, he said, nearly a dozen parishioners have told them they plan to return to their homelands because jobs in construction, restaurants and the janitorial trade have dried up. Others say they are actively discouraging their relatives from coming here because of the economic slowdown and workplace raids that have snared scores of unauthorized workers.

"This is the first time I've seen people returning instead of coming," Armenta said.

Now a new study released Tuesday by the Pew Hispanic Center has documented

the trend. After years of rapid growth, illegal immigration is slowing down in California, with the state's share of the nation's estimated 11.9 million undocumented migrants dropping to 22 percent from 42 percent in 1990, the study showed.

The state still attracted the largest concentration of illegal immigrants in the nation, with 2.7 million — a figure that has nearly doubled since 1990.

But, in a trend that first began with California's recession in the 1990s, more migrants are bypassing the state for other areas. The number of illegal immigrants outside the nation's six traditional "first stop" states of California, Texas, Florida, Illinois, New Jersey and New York has increased sevenfold, to nearly 5 million in 2008 from 700,000 in 1990, according to Jeffrey S. Passel, the study's co-author and a Pew Center senior demographer.

The study, based on

March 2008 data from the U.S. Census Bureau, comes amid renewed momentum for a comprehensive immigration reform bill that would include a legalization program for undocumented migrants. President Barack Obama is expected to make a speech on immigration reform next month and launch public forums about the issue during the summer. Meanwhile, the nation's leading labor groups have reached a compromise about a guest worker program.

Passel said one of the study's most striking findings was the number of young families among the illegal immigrant population. Nearly half of the households headed by undocumented immigrants had young children, twice the rate of native-born households. And nearly three-fourths of their children were U.S.-born citizens.

The children of undocumented immigrants comprise about 10 percent of California students in kindergarten through 12th grade.

"This is a different picture than we usually see of undocumented immigrants," Passel said in a national teleconference. "We usually see the young men, day laborers on the corners."

Ira Mehlman, spokesman for the Federation for American Immigration Reform, said the slowdown in illegal immigration was welcome news — but not for the right reasons.

"It's slowing down because the economy has tanked, not because the state is doing much to stop it," he said. "What you'd like to see is illegal immigration decline because we have rational policies in place that make it clear to people that you're not going to benefit by coming to the U.S. or California illegally."

But people such as Jorge-Mario Cabrera, an El Salvador native and immigration activist, said he is sending both messages to relatives to dissuade them from coming here.

"The message to family members is think twice before coming here," Cabrera said.

MOORE: Mothers can't share money

CONTINUED FROM A1

About a quarter of the settlement, about \$1.5 million, will be claimed by the attorneys.

Chief Deputy County Counsel Mark Nations said the county agreed to the settlement because "there was a strong likelihood they (the defendants) would have been found liable" in Moore's death.

The defendants included three detention deputies who are awaiting a trial on murder charges in Moore's death, as well as other deputies who saw the events unfold.

The defendants do not include Deputy Brian Carr whose eyewitness account led to murder charges.

Rodriguez said "as many as 14 detention officers ... beat, hit, kicked, kneed, punched, choked, taunted, mocked, tormented an inmate that was handcuffed and shackled."

"During this entire ordeal, the inmate was pleading, 'Help me, help me, they're killing me.'"

The mothers of the boys, Michelle Tripp (Bryce) and

Alicia Moore Whitaker (James Jr.) were not married to Moore and cannot share in the settlement, the attorneys said.

Moore, who was a large man, had been arrested for allegedly threatening Tripp.

He struggled off and on for hours with detention deputies. At one point a detention sergeant put a "carotid hold" — a kind of choke hold — on Moore.

Criminal defense attorneys have blamed this hold for Moore's death.

Near the end of the incident, Carr said he saw Moore being punched and kicked and described the attack as excessive force.

Moore stopped breathing, but was revived and taken to a hospital where he died about a week later from blunt force and brain trauma, officials reported.

Sheriff Donny Youngblood declined to comment on whether any policy changes had been made since Moore's death. He said he didn't want to taint the jury in the upcoming criminal trial of the detention deputies.



EDUARDO VERDUGO / AP

An arsenal that includes an anti-aircraft machine gun, the first weapon of its kind seized in Mexico, is displayed for the media at a police base in Mexico City. Police on routine patrol detained a 20-year-old woman guarding the arsenal, allegedly belonging to a group linked to the powerful Beltran Leyva drug cartel, at a house in northern Sonora state.

Mexican violence

The gun smuggling obstacle

U.S. officials up against cartels sending straw buyers into American stores to buy weapons

BY JAMES C. MCKINLEY JR.
N.Y. Times News Service

HOUSTON
John Phillip Hernandez, a 24-year-old unemployed machinist who lived with his parents, walked into a giant sporting goods store here in July 2006 and plunked \$2,600 in cash on a glass display counter. A few minutes later, Hernandez walked out with three military-style rifles.

One of those rifles was recovered seven months later in Acapulco, Mexico, where it had been used by drug cartel gunmen to attack the offices of the Guerrero state attorney general, court documents say. Four police officers and three secretaries were killed.

Although Hernandez was arrested last year as part of a gun-smuggling ring, most of the 22 others in the ring are still at large. Before their operation was discovered, the smugglers had transported what court documents described as at least 339 high-powered weapons to Mexico over a year and a half, federal agents said.

"There is no telling how long that group was operating before we caught on to them," said J. Dewey Webb, the agent in charge of the Houston division of the Bureau of Alcohol, Tobacco, Firearms and Explosives.

Noting there are about 1,500 licensed gun dealers in the Houston area, Webb added, "You can come to Houston and go to a different gun store every day for

several months and never alert any one."

The Hernandez case highlights a major obstacle facing the United States as it tries to meet a demand from Mexico to curb the flow of arms from the states to drug cartels, who officials say send straw buyers into American stores to buy weapons.

Federal agents say about 90 percent of the 12,000 pistols and rifles the Mexican authorities recovered from drug dealers last year and asked to be traced came from dealers in the United States, most of them in Texas and Arizona.

The federal system for tracking gun sales, crafted over the years to avoid infringements on Second Amendment rights, makes it difficult to spot suspicious trends quickly and to identify people buying for smugglers, law enforcement officials say.

As a result, gun smugglers can evade detection for months or years. In Texas, New Mexico and Arizona, dealers can sell an unlimited number of rifles to anyone with a driver's license and a clean criminal record without reporting the sales to the government. At gun shows in these states, there is even less regulation. Private sellers, unlike licensed dealers, are not obligated to record the buyer's name, much less report the sale to the ATF.

No one knows how large the cross-border trade in arms is. In 2008, the Mexi-



Anahi Beltran Cabrera, center, who was arrested guarding an arsenal, is presented to the media at a police base in Mexico City Tuesday.

can government seized more than 20,000 weapons from suspected drug dealers. Since Congress lifted the ban on assault rifles in 2004, more and more of the weapons recovered in Mexico have been military-style rifles like the AK-47s or the AR-15, the authorities in

both countries say.

A review of cases over the last two years shows a pattern: The drug cartels hire people in need of cash with no criminal records to buy guns from legal sources. Once the smugglers have amassed a cache, they drive them across the border.

NEW 'BORDER CZAR'

N.Y. TIMES

The United States is going to have a "border czar" again. Janet Napolitano, secretary of homeland security, will announce today in El Paso, Texas, that the job will go to Alan D. Bersin, a former federal prosecutor who held a similar position in the administration of former President Bill Clinton, according to a senior official in the Department of Homeland Security. The Obama administration has pledged to crack down on violence linked to drug cartels along the U.S.-Mexico border. Bersin will focus on that and on illegal immigration. On her El Paso trip, Napolitano will also discuss stepped-up inspections to keep weapons from crossing into Mexico and the use of federal stimulus money to thwart smugglers bringing immigrants into the country illegally.

CUTS: Many run out of cash before month's end

CONTINUED FROM A1

Without these and other cuts, the state was facing a budget gap projected to balloon to \$40 billion by July 2010.

"Everything was cut. Everything," state Sen. Roy Ashburn, R-Bakersfield, said of the budget agreement reached earlier this year that also sliced heavily into education and other core funding.

"These were difficult but necessary reductions," Ashburn said.

Mike Herald, a legislative advocate for the Western Center on Law & Poverty in Sacramento, said Central Valley communities are expected to be hit particularly hard by the cuts.

With the valley's high unemployment numbers and more SSI recipients per capita than other areas in California, the cuts could dampen the effect of an intended economic stimulus, he said, by taking money out of the hands of those who typically spend 100 percent of their payment every month.

"People on SSI frequently run out of food at the end of the month," Herald said. "Those who run out on the 25th of each month, they may start running out sooner, maybe on the 22nd or 21st."

Fred Evans, a 60-year-old truck driver who was disabled in a work-related accident in 1994, was receiving \$907 in SSI.

The cut in May will reduce his monthly check to \$870. When the second ax falls in July, it will chop off another

\$20.

"What do I do now?" Evans asked. "I'm going to have to tighten my belt a little bit more."

But Evans already lives in a modest trailer in what he says is a "bad area" in old Oil-dale. He doesn't own a car because he can't afford one.

"I'm not eating steak, that's for sure," he said.

Virginia Gantong, director of client services at Kern Regional Center, said many of the center's clients as well as clients of Bakersfield Association for Retarded Citizens, will be affected by the cuts to the developmentally disabled.

"It's going to affect a lot of clients — adults and children," she said. "Fifty-eight dollars may not be a lot to some of us, but for many of our families, this is what they use for survival."

As letters announcing the cuts began to reach recipients this month, the phones at Greater Bakersfield Legal Assistance started to ring more often, said GBLA Executive Director Estela Casas.

SSI recipients will soon receive a check for \$250 from federal stimulus monies, which will provide a temporary cushion for some, Casas said. But that won't last.

"Unfortunately in some instances, people may have to choose between paying for medicine and paying rent," she said.

According to the letters being sent to recipients, "You do not have the right to appeal the state's decision to reduce payments for its residents."

Iraq deaths

As of Tuesday, at least 4,273 members of the U.S. military had died in the Iraq war since it began in March 2003, according to an Associated Press count.

The figure includes eight military civilians killed in action.

At least 3,432 military personnel died as a result of hostile action, according to the military's numbers.

The AP count is three fewer than the Defense Department's tally, last updated Tuesday U.S. service members have been wounded in hostile action, according to the Defense Department's weekly tally.

Since the start of U.S. military operations in Iraq, 31,193 U.S. service members have been wounded in hostile action, according to the Defense Department's weekly tally.

The latest deaths reported by the military:

No deaths reported.

The latest identifications reported by the military:

Army Sgt. Raul Moncada, 29, Madera, Calif., died Monday near Baghdad, of wounds suffered when an explosive struck near his vehicle; assigned to the 563rd Military Police Company, 91st Military Police Battalion, 10th Sustainment Brigade, 10th Mountain Division (Light Infantry), Fort Drum, N.Y.