

# Hairdresser had link to judge

BY CHRISTINE LIAS  
DAILY NEWS STAFF WRITER

A Los Altos woman who dressed a former Palo Alto police official's hair testified yesterday that a Los Gatos detective she was friendly with arranged to have her drunken-dri-

ving case handled by Judge William Danser. Transferring the case was unusual because Danser, on trial for allegedly fixing tickets, heard cases in San Jose and Anna Marie Keane's Los Altos arrest would usually be handled in the Palo Alto courthouse. But instead of appearing in

Judge Douglas Southard's Palo Alto courtroom, Keane went before Danser after the accused judge called the Peninsula court to arrange the transfer. Southard's clerk testified yesterday. Prosecutors allege the case is a prime

See DANSER, page 34

**NOW OPEN!**  
Join us for Lunch, Dinner, or Take Us Home

**pasta pomodoro**<sup>TM</sup>

445 Emerson Street @ University Avenue, 650.325.4400

**WEDNESDAY**

# FREE PALO ALTO DAILY NEWS

Also serving Menlo Park, Mountain View, Los Altos, Los Altos Hills, East Palo Alto, Atherton, Portola Valley, Stanford, Sunnyvale and Woodside

© 2004 Priceless LLC. All rights reserved.

NASDAQ: 1,978.63 -41.80 • NYSE: 10,314.50 -123.35

(650) 327-9090

April 21, 2004

COMBINED DAILY NEWS CIRCULATION: 56,650

Volume 9, Number 136

# Surprise witness revealed

## Foothill student saw police strike Albert Hopkins



BY SARA GAISER  
DAILY NEWS STAFF WRITER

A surprise witness whose existence was kept under wraps testified yesterday that he saw one of two Palo Alto police officers hit Albert Hopkins on the knee with a baton after yelling at him to get down on the ground.

Scott Cowger, a 20-year-old Foothill College student, said he recognized Hopkins as his former baseball coach, but considered the man an acquaintance, not a friend.

"He was kind of intense," Cowger said on the witness stand inside Judge Diane Northway's courtroom in the North County Courthouse in Palo Alto.

Cowger went to police shortly after the July 13 incident last year. Yesterday marked the first time he has spoken publicly about the beating. Until yesterday, his mere existence wasn't common knowledge.

Cowger testified at a preliminary hearing to determine if officers Craig Lee, 40, and Michael Kan, 25, will stand trial for the alleged assault of Palo Alto resident Albert Hopkins after he refused to show identification or comply with orders.

The officers, who initially contacted Hopkins as a possible suspicious person after he was seen sitting in his parked car, face up to three years in prison if convicted. The two officers are back on duty and Hopkins is \$250,000 richer after settling a civil claim against the city.

Cowger said he saw Hopkins talking to two officers on Oxford Avenue the night of the incident after leaving

See TESTIMONY, page 35



KAN



LEE



HOPKINS

**ON THE STAND** — Foothill College student Scott Cowger, left, testifies yesterday about witnessing an incident last year where Albert Hopkins claims two Palo Alto police officers beat him. Judge Diane Northway, center, listens to Cowger's response from prosecutor Peter Waite. Officers Craig Lee and Michael Kan face prison if convicted of assault. Daily News illustration by Norman Quebedeau.

# Judge's body language irks Quattrone's lawyer



QUATTRONE

NEW YORK (AP) — A lawyer defending former investment banker Frank Quattrone of Los Altos Hills at his retrial complained yesterday that the judge's body language conveys to jurors that he is hostile to the defense.

U.S. District Judge Richard Owen said he was puzzled by the complaint. He also rejected another defense

claim that he had unfairly interrupted defense questioning of witnesses, saying he was just trying to move the trial along.

The sparring between Owen and defense lawyer John W. Keker came outside the presence of the jury on the third day of Quattrone's retrial on

See RETRIAL, page 37

# Council leaning toward voluntary preservation

BY MARK HELFEN  
DAILY NEWS CORRESPONDENT

Mountain View City Council decided last night to use a carrot instead of a stick when it comes to preserving historic buildings, coaxing property owners with incentives instead of forcing preservation.

In a 4-1 straw poll with council member Rosemary Stasek opposed, council decided to

offer incentives under a new preservation ordinance.

The new ordinance will replace an existing emergency ordinance that expires Friday. Council previously passed an emergency ordinance in response to concerns over development and had to codify the law to make it permanent. The emergency rules preserved older

See PRESERVATION, page 36

Free Upgrade to new soft edge shelving offer exp. 4/30/04

**VALET ORGANIZERS**  
SINCE 1988

Closets  
Garages  
Home Offices  
Wall Bed

CAMPBELL 408-370-1041 BURLINGAME 650-344-0729

Call us Today and mention the Daily News for your Guaranteed Lowest Rate!

**ABSOLUTE MORTGAGE BANKING**

800-517-LOAN

free

Home Seller Symposium  
SATURDAY, APRIL 24TH  
10AM TO NOON  
Hosted by: Ken Deleon  
(650)380-1420

COLDWELL BANKER

**\$20 OFF SMOG CHECK**

2 years or 24,000 mi warranty on repairs  
Bring or mention ad

**Kurt's and Dorn's**  
Complete Auto Care Service Since 1976

930 Emerson St.  
Downtown Palo Alto  
(650) 321-0461

**YOSEMITE**

ROLLING OUT THE GREEN CARPET  
GREAT DEALS ON SPRING PACKAGES AS LOW AS  
**\$25/night**

Some restrictions apply. Offer valid 04/01/04 - 05/13/04.

YOSEMITE  
www.YosemitePark.com  
(559) 253-5607  
DNC Parks & Resorts at Yosemite.

**NOW OPEN!**

Join us for Lunch, Dinner, or Take Us Home

**pasta pomodoro**<sup>TM</sup>

445 Emerson Street, Palo Alto @ University Avenue  
650.325.4400

**FROM PAGE 1**

# Assembly panel backs plan for gay marriages

SACRAMENTO (AP) — An Assembly committee yesterday approved a bill legalizing same-sex marriage in California, although the bill's sponsor said such a "milestone event" didn't change what will be an uphill battle to pass it in the full Legislature.

Assemblyman Mark Leno, a San Francisco Democrat and the bill's author, said it was the first time a legislative body has voted to support gay marriage.

"I saw in the eight aye votes a great pride in the fact that people were standing up for civil rights — not special privileges, but civil rights," Leno said.

The proposal, which would amend the state family code to define marriage as between "two persons" instead of between a man and a woman, was passed by the Assembly Judiciary Committee by an 8-3 vote.

The move comes after months of national debate over the issue, kicked off in November when the Massachusetts Supreme Court ruled

that gays and lesbians had a right under the state constitution to marriage. Then in February, the city of San Francisco began issuing marriage licenses to same-sex couples until it was stopped by the state's highest court.

"I applaud the California Legislature and particularly the Judiciary Committee for recognizing a very simple fact, which is that all families need basic rights and protections to remain strong," said Cheryl Jacques, executive director of the Human Rights Campaign, a gay rights lobbying group in Washington, D.C.

Opponents of the bill said it would contradict California voters, who passed Proposition 22 in 2000, which said the state will only accept marriage between a man and a woman as valid.

The bill is "illegal, unconstitutional and immoral," said Randy Thomasson, executive director of the Campaign for California Families, a group that works to promote what it says are traditional family values.

## PRESERVATION

FROM PAGE 1

Mountain View properties. The city hired a consultant who identified 93 historic properties that were included under the emergency ordinance. Owners of these homes were prohibited from making modifications to their property that would change their historic quality.

The voluntary ordinance slated for adoption at a future council meeting offers incentives to property owners to register their homes on a new list. The details of what incentives would be available, and whether they would be enough to entice property owners to register their homes are under review.

"I don't think anyone will be on the list"

said council member Stasek, the lone dissenter last night.

Scott Byer, whose property was on the list of 93 homes originally slated for mandatory control said "this is a different council from two years ago."

According to Paulette Spencer of the Mountain View Neighborhood Preservation Organization, council's stand was influenced by the signatures of 239 property owners in favor of a volunteer ordinance. Spencer's group collected the signatures.

A final decision on the details of the new voluntary ordinance will be made at a later council meeting.



**Helping Local Families  
Look and Feel Their Best  
for over 16 Years**

**Jan C. Gabus, DDS**

**\*Complimentary Teeth Whitening  
\*(\$350 value)  
included with your complete x-rays,  
examination, cleaning and consultation**

**For more information call  
650-325-7711**

Valid through 5/31/04. 1st time patients only.

**Actual Patient**

1300 University Dr., Ste. 5  
Menlo Park

**\$25 SUSHI DINNER FOR TWO**

**Includes:**

- \* Miso soup, salad & rice
- \* Dragon Roll 8 pcs. (a la carte price \$14.95)
- \* Tekka 6 pcs.
- \* California 3 pcs.
- \* Combination Nigiri 6 pcs.
- \* Tempura Ice Cream

**TOTAL VALUE \$45.00**

**Save \$20**



**SUMO SUSHI BOATS!**  
355 State St., Los Altos Downtown • (650) 941-9898  
Monday-Saturday 11:30-9:00  
Must present ad for \$25 Dinner Special. Offer expires 4/30/04.  
May not be combined with any other offer or discounts.  
Also available for lunch.

**New Location  
FUSION SUSHI BOAT**  
150 University Avenue  
(Downtown Palo Alto, corner of High St.)  
**650.324.9536**

**LOS ALTOS VAULT & SAFE DEPOSIT CO.**



**PUBLIC BEWARE**  
**Banks Are Not Confidential**

They must comply within the framework of the Patriot Act.  
And your Social Security number is compulsory!  
Only a private depository guarantees  
**TOTAL PRIVACY, CONFIDENTIALITY  
& CONSTITUTIONAL RIGHTS**

**BANKERS COME TO US FOR SAFETY AND CONFIDENTIALITY  
THE CONSTITUTION DECLARES THAT OUR PERSONAL LIVES  
ARE NONE OF THE FEDERAL GOVERNMENT'S BUSINESS.**

**We have available safe deposit boxes of all sizes,  
data bank & business storage  
for critical irreplaceable records.**

**Please come and see for yourself**

**121 FIRST STREET, LOS ALTOS • 650.949.5891**  
M-F, 8-5:30 • SAT, 8-1 • After Hours by Appointment

**AUTO & HOMEOWNERS INSURANCE**

**Meet the Aldinger Family**



**AS LOW AS**  
**\$24<sup>month</sup>\*\***  
Married rates

**\$27<sup>month</sup>\*\***  
Single rates

The annual rate is divided by 12 - does not include any broker fee that may apply.  
\*\*Criteria: Age 30 with clean driving record, drives 1993 Toyota Camry, 12,000 annual miles. BI-PD 15/30/10. UMBI 15/30. Must have 5 years prior continuous insurance and licensed for 14 years in the U.S.

**We deal with leading insurance companies to find the lowest rate possible... computer quotes over 100 different companies.**

- Auto
- Commercial
- Homeowners
- Earthquake

**Lee Aldinger Insurance**  
**650-326-3350**  
644 Emerson St., Palo Alto  
[www.leealdingerinsurance.com](http://www.leealdingerinsurance.com) License: #0275286

\*Premiums quotes do not reflect any rate adjustments made after these quotes were obtained. All quotes are based on the criteria listed above. Quotes were obtained from sources we believe are reliable but we cannot be responsible for their accuracy. Premiums are based on policy holders insured the last five years loss.