

LION HUNTER

Amid fears for nation's tourism business, Zimbabwe authorities cool off on pursuing case against American dentist



DEATH CAFE

Gatherings allow locals to discuss end-of-life issues over tea and cookies



Sunny
Coast: 84/62
Inland: 98/56
COMPLETE
FORECAST A8

SANTA BARBARA NEWS-PRESS



OUR 160TH YEAR

TUESDAY, SEPTEMBER 8, 2015

75¢

KEYT's Lopez faces DUI, assault on peace officer charges

CHP says anchor-reporter drove wrong way on 101

By SCOTT STEEPLTON
NEWS-PRESS CITY EDITOR

For the second time in as many years, a well-known Santa Barbara TV personality and wife of a retired Superior Court judge faces legal trouble over an alcohol-related arrest.

Stakes are high in the Labor Day weekend arrest of KEYT newscaster Paula Lopez, for in addition to being accused of driving under the influence, the 50-year-old, who reportedly drove the wrong way on Highway

101, is alleged to have assaulted two law enforcement officers.

The incident began at about 8 p.m. Sunday, when someone called 9-1-1 to report a silver Toyota Prius heading south on the northbound side of the freeway near El Capitan Road, about seven miles west of Sandpiper Golf Club.

Soon came reports of a pedestrian hit by a car at Sandpiper.

Santa Barbara County Fire crews and AMR Ambulance personnel responded to the scene to find what witnesses described as

a drunken Ms. Lopez staggering around a car.

A car that happened to be a silver Toyota Prius.

CHP and Santa Barbara County Sheriff's Office personnel arrived and took over.

"We never use the term failed sobriety test," CHP spokesman Officer Jonathan Gutierrez told the News-Press. "Officers at the scene determined she was the driver and she was unable to operate a motor vehicle safely."

Bail was set at \$5,000.

At about 2 p.m. Monday, more than 12 hours after her arrest, Ms. Lopez was released on a promise to appear in court. Given her visibility and that

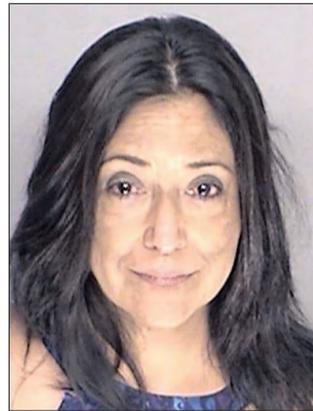
her husband has put many people behind bars, it's not clear whether she was held in a special unit or with the jail's general population.

"For security reasons, we do not discuss housing assignments at the jail," said Sheriff's Office spokeswoman Kelly Hoover.

Officer Gutierrez said a blood draw was used to determine Ms. Lopez's blood alcohol content. That analysis will be conducted by the state Department of Justice.

This incident comes almost two years to the day after Ms. Lopez, who lately has been anchoring Channel

Please see **LOPEZ** on A8



Paula Lopez
SHERIFF'S OFFICE PHOTO



ASSOCIATED PRESS

One law professor says the prosecution of Sgt. Bowe Bergdahl amounts to the Army "trying to get two bites at the same apple."

Military selects rarely used charge for Bergdahl case

ASSOCIATED PRESS

RALEIGH, N.C. — Military prosecutors have reached into a section of military law seldom used since World War II in the politically fraught case against Army Sgt. Bowe Bergdahl, the soldier held prisoner for years by the Taliban after leaving his post in Afghanistan.

Observers wondered for months if Sgt. Bergdahl would be charged with desertion after the deal brokered by the U.S. to bring him home. He was — but he was also charged with misbehavior before the enemy, a much rarer offense that carries a stiffer potential penalty in this case.

"I've never seen it charged," Walter Huffman, a retired major general who served as the Army's top lawyer, said of the misbehavior charge. "It's not something you find in common everyday practice in the military."

Sgt. Bergdahl, whose parents graduated from Santa Ynez Valley Union High School and whose grandfather was a Santa Ynez Val-

Please see **BERGDAHL** on A8

Dems call for higher minimum wage



HELENA DAY BREESE / NEWS-PRESS

Maricela Morales, holding her 15-month-old son Ahmun, speaks at the Democratic Party Labor Day rally in Pershing Park, announcing a campaign for an increase in the minimum wage.

Push is on to add \$15 an hour to 2016 ballot

By SARAH McCARTHY
NEWS-PRESS STAFF WRITER

Nearly 100 people gathered in Pershing Park on Monday morning to show their support for raising the minimum wage in the city of Santa Barbara.

The rally, led by representatives from the Central Coast Alliance United for a Sustainable Economy, the Democratic Party of Santa Barbara County and local unions, marked the beginning of a campaign to place an initia-

tive on the November 2016 ballot to increase the minimum wage to \$15 an hour.

CAUSE Executive Director Maricela Morales led the crowd in "Raise the wage" chants before explaining why she thinks it is important that low-wage workers receive higher pay.

"Here we are in beautiful Santa Barbara and people around the world would love to live here, they would love to travel here and many do, but unfortunately for many peo-

ple ... trying to make a living here ... it (is) almost impossible to survive," she said. "This is also a moral issue, an issue of human dignity and how we love our neighbor and protect our neighbor."

Raising the wage to \$15 an hour, Ms. Morales said, would benefit single parents and adults trying to support their families.

"Often we think that poverty wages are for young teens that don't have kids when the reality is

Please see **DEMS** on A8

Great white spotted off Padaro Lane

By PETER HOWORTH
NEWS-PRESS CORRESPONDENT

Over the Labor Day weekend, local contractor Geoff Crane was fishing with his family off Padaro Lane on Sunday when he noticed something rather large breaking the water just a few feet away from his boat.

He told the rest of his family that a huge sea lion probably had just surfaced and advised them to watch their bait.

A relative on the other side of the boat yelled, "Look at the size of that thing!" According to Mr. Crane, the thing "turned out to be a great white at least half as long as my boat, so it was probably around 12 feet long. It circled under the boat a few times then disappeared.

"It kind of changed everyone's desire to get into the water today."

The day before, kayaking angler Dylan Marks, 29, was bitten by a hammerhead shark off the Malibu coast. The attack occurred about a mile offshore from the Deer Creek Road and State Route 1 intersection, just south of Pt. Mugu.

According to Kyle Hudgins, a friend who was with Mr. Marks at the time, four large hammerhead sharks circled the kayakers, who were fishing at the time. One of the sharks bit Mr. Marks on his left foot, which was dangling in the water at the time.

"Dude, I just got bit," Mr. Marks reportedly said. According to Mr. Hudgins, there were deep lacerations in the foot and bones were exposed.

They hollered for help and a nearby fisherman in a boat picked them up and helped control the bleeding. He took them as close to shore as he could, then both kayakers paddled to shore, escorted by lifeguards.

Paramedics on scene stabilized the wound, then Mr. Marks was airlifted by helicopter to Los Robles Hospital and Medical Center in Thousand Oaks, where he underwent surgery that evening.

His foot was saved, according to authorities.

The shark was estimated at about 10 feet long and weighing perhaps 250 pounds. This is similar in size to a hammerhead that circled two kayaking anglers off La Jolla a week ago. That shark seemed quite aggressive, following the kayakers into the edge of the surf line, so lifeguards closed a stretch of beach there.

A smaller hammerhead was seen the next day. Others have been seen throughout the Southland.

The shark that circled the kayakers off La Jolla was a smooth hammerhead. This species normally does occur off California, especially during warmer water conditions. It can reach a length of 16 feet or so. It differs from the even larger great hammerhead in that the leading edge of its "hammer" is gently arched, whereas the great hammerhead is almost straight across. Both species have tall dorsal fins.

The shark that bit Mr. Marks has been identified as a hammerhead, but the species is not known at this time. The strong El Niño event at present has attracted many other tropical and subtropical species, including sea turtles, bluefin tuna, false killer whales, and other exotic visitors.

Mr. Marks is a catch-and-release fisherman who frequently posts pictures of his fishing exploits online.

This time, it was Mr. Marks who was caught and released.

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Report chastises San Francisco over artifact preservation

ASSOCIATED PRESS

SAN FRANCISCO — San Francisco is a city rich in history, but its government agencies often do a poor job of preserving it.

That's the key finding from a new report commissioned by the city administrator's office that found many city agencies have no guidelines for what artifacts to keep and what to discard, and it's often left to untrained employees to decide what to do with old items.

The artifacts that are kept are often not well-preserved or cataloged, and they're rarely put on display for the public to see, the San Francisco Chronicle reported Monday.

"It's one of the most historic and known cities in the world," said Ken Maley, a consultant who prepared

the report for about \$9,000. "But we are losing stuff right and left."

There are treasures from the city's two World's Fairs, works by local artists, and maps and documents dating back to the 1800s. And plenty of these valuable relics are hidden from view or have simply vanished, Mr. Maley found.

The city administrator's office will use the report as a "good first start" to improve the way city agencies handle historic artifacts, said project manager John Gavin.

Some of Mr. Maley's disturbing findings include a huge three-dimensional relief map of California from 1924 — known as "Paradise in Panorama" — that used to be displayed at the Ferry Building but was cut into pieces, with some dispersed

and some destroyed. Another example is pieces of art purchased from local artists by the San Francisco Arts Commission from the 1940s to the 1980s that are now missing, damaged or destroyed. Many were lent out, but there's no inventory of where they went, Mr. Maley wrote.

Mr. Maley also found Brooks Hall, an underground exhibition facility built beneath the Civic Center Plaza in 1958, has become a giant mishmash — much of it junk like broken office chairs and electronics from the 1980s, but some of it treasures like the giant organ from the 1915 World's Fair.

City archivist Susan Goldstein emphasized that the library's section of Brooks Hall is well-cataloged and well-used. And she noted that there

are plenty of departments that do a good job of saving their old items and sending them to her at the library's San Francisco History Center.

But while the History Center keeps documents, maps and photographs, it doesn't have much capacity for three-dimensional items.

There have been efforts to create a museum at the Old Mint on Fifth Street, but the nonprofit San Francisco Museum and Historical Society was booted earlier this year by the city after 11 years of stalled attempts to establish one.

"Major cities all over the world and the country have a history museum," Mr. Maley said. "But we really don't have a place that visitors or locals can go and experience the history of the city."



SAN FRANCISCO CHRONICLE

Rob Reiter, district project director for San Francisco's Civic Center Campus, looks at pipes from the 1915 World's Fair organ. The instrument weighs 40 tons.



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LOTTERY

Saturday's SUPER LOTTO: 4-22-39-44-47	Meganumber: 9	Monday's DAILY 4: 1-2-3-4
Friday's MEGA MILLIONS: 17-21-39-52-57	Meganumber: 5	Monday's FANTASY 5: 6-7-11-20-39
Monday's DAILY DERBY: 12-08-04	Time: 1:49.33	Saturday's POWERBALL: 10-16-18-29-45
Monday's DAILY 3: 8-0-4	/ Midday 6-1-5	Meganumber: 19

\$15 minimum wage recently approved in LA, Seattle

DEMS

Continued from Page A1

it is working parents (and) working adults who are trying to forward themselves," she said. "It's often single moms ... earning a minimum wage trying to raise their children. So it's absolutely unjust and that's why we're here today."

Resident Angelina Rodriguez spoke through a translator about her experience as a housekeeper in a hotel and said she and other workers like her need a fair wage to be able to survive.

"She works during peak season full-time and during off season she still works about 32 hours a week. She earns minimum wage and it's not enough for her and her family to be able to sustain themselves," Ms. Morales said. "It's just not enough to make a living here in Santa Barbara."

A May article in Fortune magazine named Santa Barbara the second U.S. city with the highest need for a \$15 minimum wage, based on the size of the city's workforce and the cost of living. The cities of Salinas, Stockton and Riverside also made it into the top 10.

The city councils of Los Angeles and Seattle recently voted to pass ordinances for a \$15 minimum wage.

John Grant, secretary-treasurer of United Food and Commercial Workers Local 770, said higher wages are the best means of ending poverty.

"We stand here to affirm our support with the brothers and sisters to change the policy, to bring people out of poverty. It's only appropriate that today, this day when we honor laborers and their contributions made to the community, that we begin a community discussion about what is the station of labor today in our community."

Mr. Grant said that democracy within the community could cure the ills in the workplace and he encouraged community members not to ignore the "poverty in our midst."

"We can but we shall not ignore this malignancy," Mr. Grant said. "We elect today ... to enable those who work to support themselves and contribute to this community."

"This is our community, this is our responsibility, this is our prescription for a healthier, stronger Santa Barbara," he said.

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Hundreds surge past police near Hungary border, march north

ASSOCIATED PRESS

ROSZKE, Hungary—Hundreds of angry and frustrated asylum-seekers broke through police lines Monday near Hungary's southern border with Serbia and began marching north toward Budapest, while Britain and France pledged to take in tens of thousands more refugees to try to ease the crisis.

As European leaders debated how to share responsibility for the more than 340,000 people from the Middle East, Africa and Asia who are already seeking refuge, Germany promised to spend billions of euros in extra aid for those already there and those yet to arrive. France weighed whether increased airstrikes against Islamic State militants would help to stem the flow of those fleeing Syria.

But the Hungarian prime minister scoffed at a quota system for refugees in the 28-member European Union, saying it wouldn't work unless Europe secured its borders.

Hungary's inability to control the flow of people across its southern border with Serbia was on graphic display Monday. Crowds who had grown tired of waiting for buses at Hungary's first migrant holding center near the border village of Roszke tore down flimsy police tape, advanced down a country road and walked around and straight through rows of police trying to block them.

Police shoved individuals and fired jets of pepper spray, but it had little effect as about half of the 500-strong crowd reached the M5 highway that connects Serbia and Hungary. They headed north along the shoulder, raising their arms and chanting "Germany! Germany!"

Police merely walked beside them as a lone helicopter monitored the marchers' progress north as darkness fell. The highway was blocked for nearly 30 miles as a precaution. A few hours later, as the marchers paused by the roadside to try to sleep

in the cold on the pavement, police delivered buses and requested they board for delivery to a refugee camp. Most refused.

The northward march mirrored Friday's surge of people down Budapest's motorway toward Austria, which forced Hungary to concede defeat and bus thousands to the Austrian border. Germany's rail company said Monday it had carried 22,000 asylum-seekers over the weekend on more than 100 trains, a number boosted by the fact that Hungary again has dropped visa checks on foreigners buying train tickets for the wealthier countries to the west, particularly Germany.

Following an overnight Cabinet meeting, Germany said it would set aside \$6.6 billion to boost aid for asylum-seekers and hire 3,000 more federal police. It also planned to make it easier to build refugee housing and for non-German speakers to hold jobs.

German Chancellor Angela Merkel reflected on what she called "a moving, in some parts breathtaking weekend behind us," when Austria and Germany threw open their borders for thousands of asylum-seekers trying to get out of Hungary. She said all EU countries could help accommodate the families fleeing war and poverty.

Britain and France, seen as less generous than Germany so far, overcame reluctance and stepped up their commitments Monday. British Prime Minister David Cameron said his country would resettle up to 20,000 Syrians from camps in Turkey, Jordan and Syria over the next five years.

"The whole country has been deeply moved by the heartbreaking images we have seen over the past few days," he told Parliament. "It is absolutely right that Britain should fulfill its moral responsibility to help those refugees."

French President Francois Hollande said his country would take in 24,000 refugees over the next two

years. To relieve the burden on Germany, he told Merkel that France would take in 1,000 of the migrants who have just arrived from Hungary. Most say they are fleeing the 4-year-old civil war in Syria.

Saying France has to target "the causes of these horrors," Mr. Hollande announced possible airstrikes against Islamic State targets in Syria, an idea he previously had resisted. France will send reconnaissance flights over Syria starting Tuesday, he said, and "we will be ready to strike."

Calm returned Monday to the main Austrian-Hungarian border point, where thousands crossed over the weekend by foot, bus, train and car after complaining of neglect and human rights violations in Hungary and refusing to stay in refugee camps there.

Austrian Chancellor Werner Faymann and other EU leaders said Hungarian Prime Minister Viktor Orban bungled Hungary's intake of migrants so badly that it left Austria and Germany no choice but to open their borders Saturday.

Mr. Orban compared Hungary to a "black sheep" representing a voice of reason in the European flock of countries. He argued that the EU first must focus on security measures to force those from troubled lands to seek asylum in neighboring countries, not in the heart of Europe. He said the current discussions on a new quota to handle 120,000 people soon would lead to discussions on hosting millions more.

In a related development, Hungarian Defense Minister Csaba Hende resigned Monday. The statement from Mr. Orban's government didn't explicitly blame him for failing to complete the construction of a fence along Hungary's 110-mile border with Serbia, but it was supposed to be finished last month and remains largely incomplete.

The marchers heading for Budapest and, they hoped, eventually Germany blamed Hungary for their dif-



ASSOCIATED PRESS

Refugees queue as they wait for a police bus to take them to a detention center close to Hungary's border with Serbia in Roszke, Hungary, on Monday.

ficult and slow journey. "They treated us very badly. They left us without tents, without blankets, on the ground ... without toilets for two days. We could not ever bear that," said one Syrian man walking along the highway who would give only his first name, Saadi.

Refugees trying to reach the heart of Europe via Turkey, Greece, the Balkans and Hungary have faced dangers, difficulties and delays on every link of the journey.

Scuffles broke out Monday near the village of Idomeni on Greece's northern border with Macedonia, where police angered a 2,000-strong crowd by permitting only small groups to cross every half hour. Tensions eased when police permitted larger groups to proceed.

Greek Migration Minister Yiannis Mouzalas estimated that at least two-thirds of the more than 15,000 travelers stranded on the eastern Aegean island of Lesbos would be ferried to mainland Greece in the next five days. Lesbos bears the brunt of the refugee influx from nearby Turkey, with more than 1,000 arriving daily on boats in dangerous conditions.

Germany has an open-door policy for asylum seekers, particularly

from Syria, but also wants to send back travelers who are only job-seekers, not war refugees.

In a late-night meeting that lasted until early Monday in Berlin, the German government decided to make it easier to deport people from stable nations such as Montenegro, Kosovo and Albania.

German media reported that five asylum-seekers were injured in a fire Monday in Rottenburg in southwest Germany — three when they jumped from a burning house and two who were treated for smoke inhalation. No cause for the blaze was given, although right-wing militants in Germany have set fire to other properties earmarked for asylum-seekers recently.

Merkel's deputy, Sigmar Gabriel, said integrating newcomers into society would require confronting the fears of native Germans.

"There will be conflicts," the economy minister said. "The more openly we talk about the fact that people are worried, that there's fear in the country and that there may be conflicts will, I think, help us deal with this realistically and confront reality."

TV personality was also arrested in 2013

LOPEZ

Continued from Page A1

3's Santa Maria sister station KCOY, was arrested on suspicion of public intoxication. In that case, relatives made a check-the-welfare request to the Sheriff's Office on Aug. 1, 2013, after Ms. Lopez went missing.

Deputies located her on foot on North San Marcos Road at Via Piccoli, where she was described as displaying objective signs of being intoxicated, including dishevelment.

Ms. Lopez was booked at County Jail, remained there for several hours until she was sober enough to care for herself, and released with a citation and order to appear in court.

As with other people facing a first-time misdemeanor drunk in public charge, it is the policy of the Santa

Barbara County District Attorney's Office to offer a drug and alcohol diversion program in exchange for dropping the charge.

Ms. Lopez completed the program and, as a result, had no probation restrictions, District Attorney Joyce Dudley told the News-Press Monday, adding the old case is closed.

In a statement to KEYT that was shared on-air back in 2013, Ms. Lopez said she'd been receiving medical treatment for the disease of alcoholism for a number of months and had "dealt with anxiety and depression for many years."

Earlier that year, Ms. Lopez disappeared from home, prompting a search by the Sheriff's Office, and was absent from KEYT for a time after that incident.

In the wake of the 2013 arrest, Ms. Lopez's appearance as co-host of La

Fiesta Pequeña — the Wednesday night event opening Old Spanish Days Fiesta — was canceled.

As for the new allegations, "Whatever charges we can prove with admissible evidence to the standard of beyond reasonable doubt we will file," said Ms. Dudley.

"We always consider someone's prior criminal history in deciding what we would consider to be a just penalty."

At about 7 p.m. Sunday, an hour before that initial 9-1-1 call, a photo showing Ms. Lopez, her husband and a number of other people in a festive mood seated around a large dining room table was posted to her Twitter page.

The header to the photo: Happy Sunday!

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Misbehavior charge carries 'higher burden on the government to prove'

BERGDAHL

Continued from Page A1

ley veterinarian, could face a life sentence if convicted of the charge, which accuses him of endangering fellow soldiers when he "left without authority; and wrongfully caused search and recovery operations."

Mr. Huffman and others say the misbehavior charge allows authorities to allege that Sgt. Bergdahl not only left his unit with one less soldier, but that his deliberate action put soldiers who searched for him in harm's way. The Pentagon has said there is no evidence anyone died searching for Sgt. Bergdahl.

"You're able to say that what he did had a particular impact or put particular people at risk. It is less generic than just quitting," said Lawrence Morris, a retired Army colonel who served as the branch's top prosecutor and top public defender.

The Obama administration has been criticized both for agreeing to release five Taliban operatives from the Guantanamo Bay prison and for heralding Sgt. Bergdahl's return to the U.S. with an announcement in the White House Rose Garden. The administration stood by the way it secured his release even after the charges were announced.

The military has scheduled an initial court appearance known as an Article 32 hearing for Sgt. Bergdahl on Sept. 17 at Fort Sam Houston, Texas. The proceeding is similar to a civilian grand jury, and afterward the case could be referred to a court-martial and go to trial.

Misbehavior before the enemy was used hundreds of times during World War II, but scholars say its use appears to have dwindled in conflicts since then. Misbehavior before the enemy cases were tried at least 494 times for soldiers in Europe between 1942 and 1945, according to a Military Law Review article.

Legal databases and media accounts turn up only a few misbehavior cases since 2001 when fighting began in Afghanistan, followed by Iraq less than two years later. By contrast, statistics show the U.S. Army prosecuted about 1,900 desertion cases between 2001 and the end of 2014.

The misbehavior charge is included in Article 99 of the military justice code, which is best known for its use to prosecute cases of cowardice. However, Article 99 encompasses nine different offenses including several not necessarily motivated by cowardice, such as causing a false alarm or endangering one's unit — the charge Sgt. Bergdahl faces.

The complexity of Article 99 may be one reason it's not frequently used, said Mr. Morris, who published a book on the military justice system.

"It is of course more complicated than the desertion charge, not as well understood, a higher burden on the government to prove," he said.

Mr. Huffman, now a law professor at Texas Tech University, said another reason may be that different parts of military law already deal with similar misconduct, including disobeying orders and avoiding duty.

Recent prosecutions under the misbehavior charge include a Marine lance corporal who pleaded guilty after refusing to provide secu-

rity for a convoy leaving base in Iraq in 2004. A soldier in Iraq was charged with cowardice in 2003 under Article 99 after he saw a mangled body and sought counseling, but the charges were later dropped.

The specification that Sgt. Bergdahl faces appears in the 1971 case of an Army captain accused of endangering a base in Vietnam by disobeying an order to establish an ambush position. The captain was found guilty of other charges including dereliction of duty.

Another case cited in a 1955 military law journal says an Army corporal was convicted under Article 99 of endangering his unit in Korea by getting drunk on duty. The article says he "became so drunk that it took the tank company commander 30 minutes to arouse him."

For Sgt. Bergdahl, the Article 99 offense allows the prosecutors to seek a stiffer penalty than the desertion charge, which in this case carries a maximum sentence of five years in prison.

Sgt. Bergdahl's attorney, Eugene Fidell, has argued his client is being charged twice for the same action, saying in a previous television interview that "it's unfortunate that someone got creative in drafting the charge sheet and figured out two ways to charge the same thing."

The scholars say that's a valid issue for Mr. Fidell to bring up in court, but it may not sway military authorities.

"The question is: Is it a piling on?" said Jeffrey K. Walker, a St. John's University law professor, retired Air Force officer and former military lawyer. "It does almost look like you're trying to get two bites at the same apple."

Weather POWER THREE THREE STATIONS WORKING FOR YOU

Weather forecast for Santa Barbara area including Today, Wednesday, Thursday, Friday, and Saturday forecasts, local temps, and air quality index.

CALIFORNIA TEMPS table with columns for City, Yesterday Hi/Lo, Today Hi/Lo, and Sky.

LAKE LEVEL table with columns for Reservoir, Capacity, and Inflow.

NATIONAL TEMPS table with columns for City, Yesterday Hi/Lo, Today Hi/Lo, and Sky.

MATTERS MARITIME table with columns for Time, Low, High, and Feet.

MARINE FORECAST table with columns for Wind, Waves, and Swell.

POINT ARENA TO POINT PINOS table with columns for Time, Wind, and Waves.

POINT CONCEPTION TO MEXICO table with columns for Time, Wind, and Waves.

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* Early deadline for Labor Day: Friday, Sept 4 thru Tuesday, Sept. 8 is Thursday, Sept 3 at 12 noon. The deadline for Tuesday-Friday's edition is 12 noon the previous day. Saturday, Sunday and Monday's edition deadline is at 3 p.m. on Thursday.

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