

Lodi News-Sentinel

FRIDAY, July 16, 2010

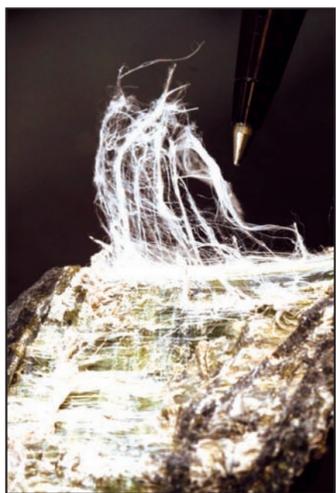
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RIDING LEGACY



Young racer rides on in memory of her brother. For more, see Sports, Page 9.



ASSOCIATED PRESS

Garry Hayes, a geology teacher at Modesto City College, uses a pen to point out asbestos fibers found inside a serpentine rock in Modesto on Wednesday. State Sen. Gloria Romero, D-Los Angeles, has proposed a bill that would strip the rock of its status as the official state rock.

State rock contains asbestos, and one lawmaker wants to strip it of its status

By Trevor Hunnicutt
ASSOCIATED PRESS WRITER

SACRAMENTO — In 1965, California lawmakers named serpentine the state rock because it symbolized the Gold Rush years and contained a mineral being put to myriad industrial uses.

Nearly half a century later, attitudes toward that mineral — asbestos — have changed, and one state lawmaker wants serpentine stripped of its status.

Health authorities say asbestos, which is no longer mined in the U.S., can cause an incurable cancer called mesothelioma as well as other diseases when its fibers are inhaled.

"This is a question of health and public awareness," said Democratic state Sen. Gloria Romero of Los Angeles, who proposed the bill. "We know that California has the highest rates of mesothelioma deaths in the nation and we don't think it's appropriate to be celebrating as the state rock something which contains asbestos."

Romero's proposal to remove the jade-green rock formally known as serpentine as the state rock has hit a wall of opposition from geologists and industry advocates. Contending the rock is being unfairly maligned, they have started a social-media crusade on Twitter and blogs to stop the proposal.

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Hot High 103

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CONVICTED KILLER WILL BE RELEASED

DA says 'Society was short-changed' with Herzog, who served less than 12 years for killing Clements woman

By Layla Bohm
NEWS-SENTINEL STAFF WRITER

After less than 12 years behind bars, one of the men convicted of killing Cyndi Vanderheiden of Clements is about to be released from state prison.

Loren Herzog, now 44, has served his time for manslaughter, as well as being an accessory to the deaths of three other people. He'll be released on parole July 25 and must stay at least 35 miles away from San Joaquin County, said the victim's father.

"He's not getting out because he's innocent, he's getting out on a technicality," said John Vanderheiden, who spent the better part of three years searching rural areas around Clements, manning a phone tip line and sitting in court. His daughter's body has never been found.

Herzog and childhood buddy Wesley Shermantine, also 44, were arrested three months after Cyndi Vanderheiden, who would now be 37, disappeared from her Clements home on

Nov. 17, 1998. The men were soon linked to other killings, and the case got so much publicity that they went to trial in Santa Clara County.

Separate juries in 2001 convicted them of multiple murders; Shermantine was sentenced to death, and Herzog was sent to prison for 78 years. In 2004, an appellate court ruled that Herzog had been "coerced" while being questioned by San Joaquin County Sheriff's detectives. His convictions were thrown out, but a new trial was ordered solely in the Vanderheiden killing.

Much of the evidence against him was inadmissible in court, so prosecutors ultimately worked out a plea deal. In November 2004, Herzog pleaded guilty to voluntary manslaughter in Cyndi Vanderheiden's death, accessory to three other murders and furnishing methamphetamine.

He was sentenced to 14 years in prison, but due to the time spent in county jails and credits for good behavior, Herzog has now served his time.

It's not something that pleases the prosecutor, who has sent countless murderers to prison for life, as well as to death row.

"There are many defendants where I like to see them starting a new chapter in life when they get out on parole, but I do not feel that way about Loren Herzog," said Deputy District Attorney Thomas Testa. "Society was short-changed."

Due to security concerns, the California Department of Corrections and Rehabilitation does not release parole dates to the public until an inmate has been released from prison. However, state law allows victims' family members to receive prior notice about an inmate's parole, death or other matters.

The Vanderheidens had requested such information, and they also asked that Herzog not be released on parole close to them. Parole officials honored that request, and Herzog must stay at least 35 miles away from San Joaquin County, said CDCR spokeswoman Terry Thornton.

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Loren Herzog



Cyndi Vanderheiden

LUSD, UNION SEEK END TO STALEMATE

Mediation process is underway in teacher contract negotiations

By Jennifer Bonnett
NEWS-SENTINEL STAFF WRITER

A state-appointed mediator met separately with Lodi Unified School District officials and teacher's union representatives this week with hopes of reaching a tentative labor agreement.

The parties are working toward a contract after a months-long stalemate.

In April, 80 percent of the union rejected a proposed contract and talks continued behind closed doors. At the end of May, the district filed for impasse for a second time after the school board failed to act on a new proposal.

They have been in negotiations since November to achieve \$17.7 million in ongoing savings. Salaries and benefits comprise close to 90 percent of the district's annual budget, and the teachers' union is the largest employee group.

Under impasse, a third-party mediator is brought in with hopes of coming to a mutual agreement. If a compromise cannot be reached, the district can make one last offer after a fact-finding step. If the teachers reject it, they go on strike, but union representatives have said they don't believe it will go that far.

Meanwhile, the 246 teachers who received final pink slips on May 15 have been laid off.

School starts in 10 days, and the district has warned that class sizes will be at an all-time high without a settlement.

Mediator Seymour Kramer is acting as an intermediary between the district and the Lodi Education Association's bargaining team. With his assistance, the union received budgetary documents Wednesday that members were seeking in order to understand the district's financial situation, according to president Jeff Johnston.

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184M gallons later, BP stops oil geyser

By Colleen Long and Harry R. Weber
ASSOCIATED PRESS WRITERS

NEW ORLEANS — The oil has stopped. For now.

After 85 days and up to 184 million gallons, BP finally gained control over one of America's biggest environmental catastrophes Thursday by placing a carefully fitted cap over a runaway geyser that has been gushing crude into the Gulf of Mexico since early spring.

Though a temporary fix, the accomplishment was greeted with hope, high expectations — and, in many cases along the beleaguered coastline, disbelief. From one Gulf Coast resident came this: "Hallelujah." And from another: "I got to see it to believe it."

If the cap holds, if the sea floor doesn't crack and if the relief wells being prepared are completed successfully, this could be the beginning of the end for the spill. But that's a lot of ifs, and no one was declaring any sort of victory beyond the moment.

The oil stopped flowing at 3:25 p.m. EDT when the last of

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NEWS-SENTINEL PHOTOGRAPHS BY DAN EVANS

Cameron King, 11, pulls up a secchi disk after measuring the clarity of the water at Lodi Lake on Thursday.

'THE SOLUTION TO POLLUTION IS DILUTION'

Lodi Lake water clarity improves over last year

Mollie Bloudoff-Indelicato
NEWS-SENTINEL STAFF WRITER

For the past decade, Kathy Grant has annually taken a boat out onto Lodi Lake to measure water transparency as part of a study to monitor differences in waterways throughout the nation. This time she reports Lodi Lake is the clearest it's been since she started.

Grant, the Lodi Watershed Education Coordinator, is in charge of assessing the water

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A black and white secchi disk is lowered into Lodi Lake to measure the water's clarity on Thursday.