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"We will rebuild, we will recover, and the United States of America will emerge stronger than before."

Obama pledges to revive U.S.

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FACT CHECK
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President Barack Obama addresses a joint session of Congress in Washington Tuesday night. Vice President Joe Biden and House Speaker Nancy Pelosi, D-Calif., are behind the president.

Says nation will overcome economic calamity

JENNIFER LOVEN
THE ASSOCIATED PRESS

WASHINGTON — President Barack Obama promised a nation shuddering in economic crisis Tuesday night that he would lead it from a dire "day of reckoning" to a brighter future, summoning politicians and public alike to shoulder responsibility for hard choices and shared sacrifice.

"The time to take charge of our future is here," Obama declared, delivering his first address to a joint session of Congress.

Offering words of reassurance to an anxious nation, he declared, "Tonight I want every American to know this: We will rebuild, we will recover, and the United States of America will emerge stronger than before."

"We are a nation that has seen promise and peril," he said. "Now we must be that nation again."

Cheered robustly as he entered the House chamber, Obama grinned, shook hands and kissed lawmakers and stopped for a lengthy embrace with Supreme Court

Justice Ruth Bader Ginsburg, back on the bench only this week after surgery for pancreatic cancer.

To deal with the current crisis, deepening each day, the president said more money would be needed to rescue troubled banks beyond the \$700 billion already committed last year. He said he knows that bailout billions for banks are unpopular — "I promise you, I get it," he said — but he also insisted that was the only way to get credit

SPEECH, PAGE 4A

State censures county judge

Family court jurist cited for using secretary for personal help.

GARY CRAIG
STAFF WRITER

In January 2004, only weeks into her first year on the bench, Monroe County Family Court Judge Dandrea Ruhlmann found herself with an ill daughter and no alternate child care arrangements.

So she had confidential secretary Kimberly Keskin watch the child, take the girl to the doctor and go to the pharmacy for the youngster's prescription.

"Ms. Keskin spent about four hours, intermittently, including the lunch hour, assisting (Ruhlmann) with her daughter," the state Commission on Judicial Conduct said in a ruling Tuesday in which it publicly censured Ruhlmann for using an employee for personal chores.

That incident was one of a number of occasions when Ruhlmann "repeatedly used her secretary, Kimberly Keskin, to provide child care services during court hours," the commission stated. "It is clear from the record that such services were not limited to situations when there were exigent or compelling reasons."

Ruhlmann admitted to the commission that she did ask Keskin to do personal work, but maintained she did so because she mistakenly thought a secretary's duties "included providing the judge with assistance on personal matters," according to the commission ruling.

"Such a 'mistaken' view is neither mitigating nor



Dandrea Ruhlmann
Judge asked secretary to help care for child.

excusable, since judges should know that such conduct is wrong," the commission stated.

The commission said Ruhlmann also had Keskin access confidential Family Court information pertaining to a case the judge's husband, then-assistant district attorney Raymond Ruhlmann III, was prosecuting.

As a prosecutor, Raymond Ruhlmann could have properly accessed the information through other routes, but it was improper for the judge to provide the information, the commission determined.

"By short-circuiting this process to assist her husband, (Ruhlmann) again misused court resources for personal purposes," the ruling says.

In 2004, Raymond Ruhlmann left the Monroe County District Attorney's Office for another job.

In a statement released Tuesday by her attorney, Lawrence Andolina, Ruhlmann said she "regrets any honest mistakes she made during her first months as a new judge in 2004."

"At no time was the administration of justice in her court ever delayed or compromised," the

JUDGE, PAGE 8A

'Forbes' says area real estate strong

Magazine ranks region 15th in U.S.; index predicts rise in 2010.

MARY CHAO
STAFF WRITER

Rochester's real estate market never scaled the peaks. So in one of the country's worst real estate downturns, it is escaping the valleys.

The region's stable market earned it a spot on *Forbes* magazine's recent list of America's 25 strongest markets. Rochester ranked 15th.

Many of the metropoli-

tan areas near the top of the list are in Texas or upstate New York, with McAllen, Texas, ranking first and Syracuse, Buffalo and Albany joining Rochester in the top 25.

None of the hundreds of markets that were examined is expected to see rising prices this year, according to the *Forbes* study prepared by nationally known economist Mark Zandi of Moody's Economy.com.

The Rochester area's median selling price remained flat at \$117,000 in 2008, and was forecast by Zandi to drop slightly this year, bottoming out around \$114,000 before starting to rise in early 2010. That would be a better performance than the vast majority of U.S. markets.

In fact, new figures Tuesday from the S&P/Case-Shiller index of prices in 20 of the largest U.S. cities showed the steepest one-year drop on record — the median price was down 18.5 percent in December

What's at stake

The value of many people's biggest investment. According to a new study in *Forbes* magazine, Rochester-area housing prices are expected to dip slightly this year before rising again in 2010.

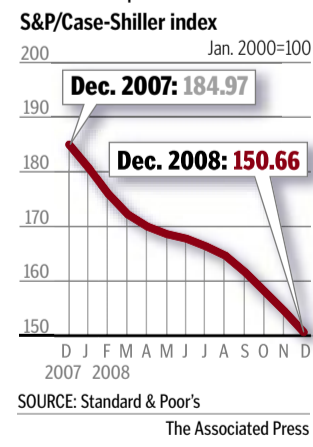
compared with December 2007.

Hardest hit among the big cities were Phoenix, Las Vegas and San Francisco. All 20 cities showed

HOUSING, PAGE 8A

Home prices fall

An index of housing prices in 20 large U.S. cities — Rochester isn't included — fell a record 18.5 percent last year. Rochester prices are stable.



What happened in Canandaigua home Feb. 14?

More details are emerging about how a Canandaigua family was terrorized before the mother and father were slain execution-style on Valentine's Day.

An Ontario County grand jury met Tuesday to consider the case and is expected to release its findings on Friday.

Frank Garcia, 35, of Hamlin, is the main suspect in the killings. □

STORY: 1B

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A closer look at key assertions in the speech

■ Obama glosses over some complex issues as he stresses economic revival.

CALVIN WOODWARD AND JIM KUHNHENN
THE ASSOCIATED PRESS

WASHINGTON — President Barack Obama's assurance Tuesday that his mortgage-relief plan will only benefit deserving homeowners appears to be a stretch.

Even officials in his administration, many supporters of the plan in Congress and the Federal Reserve chairman expect some of that money will go to people who should have known better than to buy that huge house.

The president glossed over a number of complex realities in delivering his speech to Congress and a nation hungry for economic salvation.

A look at some assertions: **Obama:** "We have launched a housing plan that will help responsible families facing the threat of foreclosure lower their monthly payments and refinance their mortgages. It's a plan that won't help speculators or that neighbor down the street

who bought a house he could never hope to afford, but it will help millions of Americans who are struggling with declining home values."

The facts: If the administration has come up with a way to ensure money does not go to home buyers who used bad judgment, it hasn't announced it. Defending the program Tuesday at a Senate hearing, Federal Reserve Chairman Ben Bernanke said it's important to save some of those people for the greater good. He likened it to calling the fire department to put out a blaze caused by someone smoking in bed.

Similarly, the head of the Federal Deposit Insurance Corp. suggested this month it's not likely aid will be denied to all homeowners who overstated their income or assets to get a mortgage they couldn't afford.

"I think it's just simply impractical to try to do a forensic analysis of each and every one of these delinquent loans," Sheila

Bair told National Public Radio. **Obama:** "We have already identified \$2 trillion in savings over the next decade."

The facts: Although 10-year projections are common in government, they don't mean much. Obama only has a real say on spending during the four years of his term. He may not be president after that and he certainly won't be 10 years from now.

Obama: "Regulations were gutted for the sake of a quick profit at the expense of a healthy market. People bought homes they knew they couldn't afford from banks and lenders who pushed those bad loans anyway. And all the while, critical debates and difficult decisions were put off for some other time on some other day."

The facts: This may be so, but it isn't only Republicans who pushed for deregulation of the financial industries. The Clinton administration championed an easing of banking regulations, including legislation that ended the barrier between regular banks and Wall Street banks. That led to a deregulation that kept regular banks under tight

federal regulation but extended lax regulation of Wall Street banks. Clinton Treasury Secretary Robert Rubin, later an economic adviser to candidate Obama, was in the forefront in pushing for this deregulation.

Obama: "In this budget, we will end education programs that don't work and end direct payments to large agribusinesses that don't need them. We'll eliminate the no-bid contracts that have wasted billions in Iraq, and reform our defense budget so that we're not paying for Cold War-era weapons systems we don't use. We will root out the waste, fraud and abuse in our Medicare program that doesn't make our seniors any healthier, and we will restore a sense of fairness and balance to our tax code by finally ending the tax breaks for corporations that ship our jobs overseas."

The facts: First, his budget does not accomplish any of that. It only proposes those steps. That's all a president can do, because control over spending rests with Congress. Obama's proposals here are a wish list and some items, including cor-

porate tax increases and cuts in agricultural aid, will be a tough sale in Congress.

Second, waste, fraud and abuse are routinely targeted by presidents who later find that the savings realized seldom amount to significant sums. Programs that a president might consider wasteful have staunch defenders in Congress who have fought off similar efforts before.

Obama: "In the last eight years, (health insurance) premiums have grown four times faster than wages. And in each of these years, 1 million more Americans have lost their health insurance"

The facts: The number of uninsured grew by 7 million from 2000 to 2007, the latest year for which census figures are available, meaning Obama's claim would be true if had been talking about averages. But it's not true that the number rose each year by 1 million. In 2007, the ranks of the uninsured dropped by 1.3 million from the year before, to 45.7 million.

Obama: "Thanks to our recovery plan, we will double this nation's supply of renewable energy in the next three years."

The facts: While the president's stimulus package includes billions in aids for renewable energy and conservation, his goal is unlikely to be achieved through the recovery plan alone.

Obama: "Over the next two years, this plan will save or create 3.5 million jobs."

The facts: This is a recurrent Obama formulation. But job

creation projections are uncertain even in stable times, and some of the economists relied on by Obama in making his forecast acknowledge a great deal of uncertainty in their numbers.

Obama: "And I believe the nation that invented the automobile cannot walk away from it."

The facts: According to the Library of Congress, the inventor of the first true automobile was probably Germany's Karl Benz, who created the first auto powered by an internal combustion gasoline, in 1885 or 1886. Nobody disputes that Henry Ford created the first assembly line that made cars affordable.

The GOP response

Louisiana Gov. Bobby Jindal, giving the Republican response to Obama's speech, ran off the tracks with one claim about the stimulus plan.

Jindal: The plan is "larded with wasteful spending," including "\$8 billion for high-speed rail projects, such as a magnetic levitation line from Las Vegas to Disneyland."

The facts: Jindal was echoing an often-used Republican complaint that is an oversimplification. GOP budget hawks have dubbed the train "the Sin Express," and say it will soak up much of the rail money. But that's not a done deal. Competition for the mass transit money is just starting, and backers of other projects across the nation — including one through Obama's home state of Illinois — think they have at least an equally good chance. □

Housing

FROM PAGE 1A

a decline.

"The broad downturn in the residential real estate market continues," David Blitzer, chairman of the index committee at Standard & Poor's Corp., said in a statement. "There are very few, if any, pockets of turnaround that one can see in the data."

But Zandi's study found that prices should at least remain stable in upstate's major cities because they were never driven

skyward by frenzied buying or speculation, or by an explosion in subprime mortgage loans made to home buyers with dubious credit records.

Zandi sees similar stability in Texas, but for a different reason: The economy there is "the best large-state economy in the country right now," he told *Forbes*, with employment still growing slowly. In addition to McAllen, real estate is holding up well in El Paso, Houston, Dallas-Fort Worth and Austin.

The findings reported in *Forbes* are consistent with what Rochester-area real estate brokers have been saying through-

out the national downturn.

"We're in a lot better shape than other areas," Michael Haymes, president of ReMax Realty Group in Pittsford, said Tuesday. That's because Rochester was never a speculative market with investors looking to flip homes for quick cash, he said.

Rochester remains a cautiously optimistic market, even in uncertain times, said Chuck Hilbert, president of the Greater Rochester Association of Realtors. He pointed out that Rochester doesn't have anywhere near the volume of foreclosures occurring in troubled markets in Florida, Arizona, Nevada, Cali-

fornia, Michigan or Ohio.

Zandi's study forecast that the steepest price declines this year would be in Las Vegas and Miami, both down more than 40 percent.

In Rochester, the early spring selling season is picking up steam after a slow end to 2008, said Armand D'Alfonso, president of Nothnagle Realtors. Traffic is brisk at open houses, he said.

"There's a pent-up demand," D'Alfonso said, adding that he expects the market to return to fully normal conditions by the latter part of this year. □

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Judge

FROM PAGE 1A

statement continued, saying the judge is proud of her record of "compassion, fairness and integrity" in her handling of more than 6,200 cases that have gone through her court.

Ruhmann cooperated completely with the investigation, Andolina said.

Keskin and Ruhmann had been friends since childhood; Ruhmann hired her as confidential secretary in 2004. In a number of the incidents highlighted by the commission, Ruhmann found herself without child care and asked Keskin for assistance.

But Keskin sued Ruhmann in late 2004, maintaining that she was fired by Ruhmann after balking at requests to perform child care and other chores not related to her job.

That suit was settled in 2007 with a \$35,000 payment from the state, which also covered legal fees. Keskin was also allowed to choose from among three jobs within the state court system.

comment DEMOCRATAND CHRONICLE.COM

What do you think of the ruling? Click on this story to comment.

The commission waited until the resolution of the lawsuit before continuing its investigation, said commission administrator Robert Tembeckjian.

A censure is the second-most severe punishment doled out by the commission. The most severe is removal from the bench.

"We believe that a public censure reflects the seriousness with which we view such misconduct, and we will not hesitate to consider the sanction of removal in the future if such conduct is repeated," the commission stated in its ruling.

Before 1978, Tembeckjian said, the commission could also suspend judges. But the laws changed that year, and censure became the second-most severe punishment short of removal. The commission has unsuccessfully urged the Legislature to again allow suspension for judges, he said. □

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