

NOTEBOOK



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To Promote the Efficiency and Good Name of the San Francisco Police Department and its Members

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NUMBER 8

POA Endorses Agnos For Mayor

by Paul Chignell

On Saturday, July 18th, the Board of Directors of the Police Officers' Association endorsed Assemblyman Art Agnos to be the next Mayor of San Francisco.

The Board, elected by the 1,850 members of the POA, voted 12-7, with two abstentions, on a motion by Dan Linehan, POA Treasurer, to endorse Agnos.

BOAS APPEARS

The endorsement session began with a forty-five minute question and answer session with former Chief Administrative Officer Roger Boas. Boas stressed his many years of public service and displayed an intimate knowledge of the City's infrastructure problems. He articulated a comprehensive financing package to solve the problem of the City's decaying buildings, streets and sewers. In addition, Boas stated that he strongly supported binding arbitration.

RENNE APPEARS

The next forty-five minutes were taken by City Attorney Louise Renne. Renne stressed her electoral strength throughout San Francisco, stated she would have fun in the campaign and indicated an upcoming poll would show her very competitive. Renne also said that she knew she wouldn't get the endorsement, but said she would be back in November seeking the endorsement in the runoff. Renne took time to respond to tough questions on affirmative action and fell short of supporting an elimination of Tier II pension provisions citing economic realities.

AGNOS APPEARS

The third endorsement session lasting forty-five minutes involved Assemblyman Art Agnos. He stressed his consistent record on POA issues dating back to 1976 and responded to criticism of his liberalism. He also took time to explain recent negative publicity in the *San Francisco Chronicle*. Agnos reiterated his long time support for binding arbitration and the rectification of Tier II inequity. The Assemblyman also explained the importance of the endorsement and what police support meant to his campaign.

MOLINARI APPEARS

The final presentation was made by Supervisor John Molinari. He explained his philosophy concerning the police department and gave his support to binding arbitration. Molinari was questioned sharply about his support for negative charter amendments in the mid-1970's and stated candidly that mistakes were made. Molinari told the Board that he wanted the endorsement but would not be vindictive if the endorsement was withheld.

BOARD DEBATES

For the next ninety minutes the Board of Directors engaged in a spirited debate which did not become acrimonious. The Board had been subjected to intense lobbying over the past month from the candidates and their supporters. Many of the questions of the Board had been answered previously by the candidates themselves including such issues as the selection process for the Chief

and the Commission. It was felt by the majority of the Board that all of the candidates were candid and responsive to the issues, but most minds were made up prior to the candidates' presentations.

OFFICIAL VOTE

Agnos received the votes of Secretary Reno Rapagnani, Treasurer Dan Linehan, Pete Maloney of Southern, Lillian Mattoch of Potrero, Dan McDonagh of Mission, Ed Garcia of Northern, Greg Ovanessian of Richmond, Bill Taylor of Tactical, Tom Flippin of Muni, Steve Johnson of Headquarters Company, Alex Fagan and Paul Chignell of Investigations.

Voting against the Agnos nomination were President Bob Barry, Jim Deignan of Central, Tony Santana of Park, Joe Reilly of Ingleside, Ben McAlister and Jerry Doherty of Traffic and Jim Cole representing the retired officers.

Lindsey Suslow of Taraval and Vice-President Ron Parenti abstained. Mark Hawthorne of Headquarters Company was excused due to another commitment.

AGNOS DESCRIBES ENDORSEMENT

Assemblyman Agnos advised the media that his endorsement by the Police Officers' Association was one of the most important of the campaign. He said that the process was the most rigorous that he had experienced in his public life. The Agnos campaign has stated that they will publicize the endorsement throughout San Francisco in a highly visible manner.

TOUGH MAYORAL RACE

The 1987 Mayoral race promises to be a close contest that will almost certainly result in a runoff in December. The majority of the Board of Directors believes that Assemblyman Art Agnos can and will win, but a total effort by the membership and our allies will be crucial to his success. Agnos supports our issues, particularly a commitment to changing Tier II, support for binding arbitration and appropriate access by the POA to decisions affecting the Police Department.

SUPPORT FOR AGNOS

We need a Mayor who will discontinue "business as usual" in San Francisco. We need a mayor who will recognize our issues and act upon them. Art Agnos is such a candidate.

What can you do?

1. If you live in San Francisco, register to vote and urge your friends and family to do the same.
2. Contribute money to the Agnos Campaign. Send your checks to the POA or send them directly to the Agnos Campaign at 666 Mission St., S.F., CA 94105. The limit is \$500.00.
3. Volunteer to assist in the campaign. We need help with house signs, phone books, volunteer coordination; etc. Call me at the POA or call the campaign directly, 243-9900.

Please get involved in this most important campaign for Mayor. Your future depends on it.



ART AGNOS FOR MAYOR
OF SAN FRANCISCO

The Notebook Needs You

We need your articles to make this the best possible newspaper.

Articles should be sent to:
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Like Work-Like Pay Retirements Upheld

Appeals Court Whams Retirement Board

By Mike Hebel
Welfare Officer
Attorney At Law

On July 14, 1987 the California Court of Appeal issued an historic opinion in the case of *Ruscel A. Dickey v. Retirement Board of the City and County of San Francisco*. This Court concluded that retired San Francisco Police Sergeant Ruscel Dickey "is entitled to his retirement pay calculated on the basis of the position of like work/like

pay sergeant." This ended a seven year legal battle to obtain pension justice for himself and to insure that past, present and future police officers, who retired while holding a like work/like pay positions, initially receive and continue to receive, retirement benefits based on the rate of pay for the non-civil service position.

Russ Dickey

Russ, a legend in his time, was appointed to the San

(See DICKEY, Back Page)

Widows and Orphans Aid Association

The regular monthly meeting of the Widows and Orphans Aid Association was called to order by V. Pres. Fred Pardella, Pres. John Newlin being excused, Wednesday July 15, 1987 at 2:05 P.M. in the Traffic Bureau Assembly Room, Hall of Justice. The regular bills were presented by Treas. Parenti and Approved.

GOOD NEWS: There were no deaths for this month. **REPORT OF TRUSTEES:** Recommendations for sale and purchases of stocks from Miss Minuth, Hibernia Bank, approved by the Trustees. Dividend and interest from same increases our Annual Income by \$8,200. It has been such investments that has allowed the Association to maintain the dues at \$36.00 per year while increasing the benefit to \$10,000.00.

The Hibernia Bank started handling our investment program in late 1963, after the administration halted the Policeman's Ball. This annually brought in around \$100,000 per year, which had to be invested in Government Bonds. With this loss, the Association had to look elsewhere for income, and fortunately Sergeant Jack Young had contact with members of the Hibernia Bank Trust Department, who offered to handle our account. The sum of \$1,600,000.00 was turned over to them. At the same time, payroll deduction was adopted, and the bank also took over the handling of this.

The original people handling the account, Mr. Sherry Feehan and Mr. Robert Hamilton, persuaded the Trustees to submit a Constitutional change to allow a portion of our income to be invested in Stocks and Corporate Bonds, instead of entirely in Government Bonds. The membership approved, and this has been a big step in the increasing of our capital in the investment program. Although both Mr. Feehan and Mr. Hamilton are no longer with the Bank, we are most fortunate that Miss Minuth, now handling our account, has continued in the same conservative manner as her predecessors.

Just a bit more history — The Widows and Orphans Aid Association was established in January 1878, when police could not get any insurance. Benefits were paid by assessments at the time of each death. All you members are in the oldest organization in the Department.

GOOD OF THE ASSOCIATION: V. PRES. Pardella set next meeting for Wednesday, August 19, 1987. 2:00 P.M. Traffic Bureau Assembly Room, Hall of Justice. **PLAN TO ATTEND.**

ADJOURNMENT: There being no further business to come before the membership, the meeting was adjourned at 2:35 P.M. in memory of all departed Brothers.

Fraternally,
Bob McKee, Secretary

San Francisco Veteran Police Officers Assn.

The regular monthly meeting of the San Francisco Veteran Police Officer's Association will be held on Tuesday, August 11, 1987 at 12:30 P.M. at the Miraloma Improvement Club, 350 O'Shaughnessy Blvd., San Francisco, California.

PRESIDENT'S MESSAGE:

Our good buddy and faithful bartender, **George Cottrell**, was appointed by your President and approved by all members present to succeed **Denny Smith** as your new Second Vice President.

Sol Weiner's first reading to change Article 3, Section 1A of our By-Laws took place. The change will read, "The annual dues will be \$12.00 per year commencing January 1, 1988". This is up from \$9.00 per year.

Rudy Milom, who served us loyally and helpfully for so many years at the Credit Union, decided to pull the plug. We thank you, Rudy. **Ed Summerfield**, Rudy's replacement, was our luncheon guest and was introduced by Sol.

Sol also asked us to beware of the coming 1988 election regarding collective bargaining.

Anyone interested in how to obtain their world War II, Korean or Vietnam decorations, please contact **Frank Forencich** at 648-5720.

Dick Castro, President

SOL WEINER REPORTS:

Any member wishing outside employment should contact Sol at the Police Credit Union.

SICK CALL:

None

NEW MEMBERS:

None

IN MEMORIAM:

Paul McGoran 06/06/87, **Dennis Smith** 06/09/87 and **Henry Strong** 07/16/87.

A motion was made at the last meeting to form a committee to collect police memorabilia for the police museum. Please submit all your articles to the committee.

Membership 780

Attendance last meeting 70

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Rap's Corner



By Reno Rapagnani

ONE PARAGRAPH TOO MANY

Memo to members from Commanding Officer of a District Station . . . First paragraph: "The good news from Commander — and the higher ranks is Congratulations for a job well done in the capture of the Solano County escapees." Second paragraph: "However, the focus of attention was that no officers involved were properly attired, i.e. no uniform hats were observed. Good police work is only part of the job, we have to make sure those hats are worn as required."

My opinion is that good police work has very little to do with wearing uniform hats. I also think that the public is very happy that the escapees from Solano County are in jail. Furthermore, the public probably wouldn't care if the officers who caught the escapees of Solano County were wearing TUTUS!

RECOMMENDATION TO HIGHER RANKS: When your officers do good police work, only write the above first paragraph . . .

SPEAKING OF UNIFORMS

The Department stated (at a recent Uniform and Safety Committee Meeting) that they wanted to take a survey of all the women in the Department to see if they would

like to have maternity uniforms or altered to fit pregnant officers uniforms. Wow! Why doesn't the Department want to take a survey of officers to see if they want to wear hats and ties??? I wonder . . .

RATS RETURN

Last year, RAT decoys, Bill Langlois and Leanna Dawydiak and back-up RATS put 26 "dirtballs" in jail for preying on elderly victims. This year, RAT decoy, Bill Langlois (working solo) along with back-up RATS jailed 18 suspects!

This RAT Program has to be the cornerstone of Chief Jordan's administration, if you judge the public response to this Senior Citizen Robbery Abatement Detail. A special thanks to Bill Langlois for his acting ability, as well as his courage in volunteering to do this dangerous detail.

"FIREWORKS"

Paul Chignell was hot as a pistol and was confident that the punitive transfer of Bob Davis (out of Vice) will come to a just and fair resolution . . . It seems that the Administration has given conflicting statements as to why Bob was transferred.

ART ON THE MOVE

In January the Mayoral Polls had Molinari with around 30% and ART AGNOS at 10% . . . In April, the polls showed Molinari with 31% and ART AGNOS with 20% . . . NOW (July) Molinari has 33% and ART AGNOS has 26% of the vote . . . It doesn't take a masters degree in Math to figure out how quickly it will take "tor-toise" to overtake the "hare".

The Chronicle has been doing major hits on ART AGNOS' amended FPPC reports and reprinting and rehashing the story about twice a week . . . Haven't they ever heard about "beating a dead horse"?

Guess what? Molinari, and now Roger Boas, both have amended their FPPC reports!!! Don't expect to see that in the morning Chron, however, in this lifetime . . . I think they are bought and paid for . . .

Anyway, despite the negative press, ART AGNOS is 7% behind Molinari (those polls are plus or minus 4% anyway) and that was before the SFPOA endorsed ART AGNOS for Mayor . . .

WHY ART?

When Jack Molinari was voting to take away Police benefits, ART AGNOS was voting to support our benefits . . . You may not agree with every issue that ART AGNOS supports, but you can count on ART to honor any agreement that is reached when ART and the POA or other labor unions agree upon. Also . . . ART'S vision of San Francisco is a San Francisco in which people of our income can afford to live. PLEASE COME TO 666 MISSION ST (ART AGNOS CAMPAIGN HEAD-QUARTERS) AND HELP OUR CANDIDATE WIN!!!! EVEN IF JUST TO PICK UP A HOUSE SIGN . . . ANYTHING WILL BE APPRECIATED.

The Miranda Rule

By Anthony M. Santana
Member, Board of Directors

**Analysis of Miranda v. Arizona
(1966) 384 U.S. 436, Sup. Ct. 1602**

The criminal lawyer or a follower of the Constitution in the early 1960's could have forecast the United States Supreme Court hearing a *Miranda* type case. Up to that time there had been confusion among the states on the application of the Fifth Amendment's right against self-incrimination. Professor Harry Kalven in his article *Kalven, Invoking the Fifth Amendment — Some Legal And Practical Considerations*, 9 Bull. Atomic Sci. 181-182 (1953), stated:

"The law and the lawyers...have never made up their minds just what it is suppose to do or just whom it is intended to protect. And there were those who sided with Jeremy Bentham who called it the most remarkable singularity of the law of England, which excited the regret of every man who has reflected on criminal jurisprudence to see this indulgence, on a frequent source of impunity and encouragement to crime." *Judicial Evidence* 240 (1825).

As John H. Wigmore stated in *Nemo Tenetur Seipsum Prodere*, 5 Harv. L.Rev. 71, 85-86, 88 (1891):

"Everyday, in some court in some city, justice is miscarrying because of this extra-ordinary maxim." Contrast this to the Supreme Court decision of *Tehan v. Schott*, 382 U.S. 406 (1966):

"The basic purposes that lie behind the privilege of self-incrimination do not relate to protecting the innocent from conviction, but rather to preserving the integrity of the judicial system in which even the guilty are not to be convicted unless prosecution shoulder the entire load."

With this background it was apparent that the Supreme Court of the United States was faced with resolving the self-incrimination dilemma. it was no surprise then, the court in *Miranda v. Arizona* (1966) 384 U.S. 436, 86 Sup. Ct. 1602, 16 Lawyer Ed. 2d 694, faced this problem head-on. The *Miranda* case also decided *Vignera v. New York*, *Westover v. U.S.*, and *California v. Stewart*.

The *Miranda* case itself dealt with the petitioner, Ernesto Miranda, who had been arrested at his home and was taken to a Phoenix police station. There he was identified by a witness as a suspect in a crime. The police then took him to an interrogation room where he was questioned by two police officers. The officers admitted at the trial that Miranda was not advised that he had a right to have an attorney present. Two hours later, the officers emerged from the interrogation room with a written confession signed by Miranda. At the top of the statement was a typed paragraph stating that the confession was made voluntarily, without threats or promises of immunity and "with full knowledge of my legal rights, understanding any statements I make may be used against me."

The court held that the prosecution could not use statements, whether exculpatory or inculpatory, stemming from custodial interrogations obtained from a defendant unless it demonstrates the use of procedural safeguards effective to secure the privilege of self-incrimination. By custodial interrogation, the court meant the questioning initiated by law enforcement officers after a person has been taken into custody or otherwise deprived of his freedom of action in any significant way. As for the procedural safeguards to be employed, new effective means were devised to inform the accused person of their

(See *MIRANDA*, Page 16)

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On Routine Patrol



By Joe Reilly Co. H.

Unconfirmed But Probably True . . .

A silent alarm recently brought SFPD units to a Mission St. office building early one morning. Peering into the dimly lit lobby and down a corridor, all appeared quiet. The front door was secure. Back-up units were trying to locate the rear of the building in the alley behind. Without warning, a shadowy figure suddenly turned the corner at the end of the corridor causing the officers in front to jump back out of sight. The officers peered into the front window again, and could see that the figure had a mop & bucket and was washing the floor. The "janitor" did not respond to knocks on the window. About that time, officers found a point of entry at the building's rear. Back in front, using the "what's wrong with this picture?" Technique, someone noticed the newly mopped floor

didn't have that glistening wet look. The suspect dropped his mop and surrendered to officers who had entered from the alley. The bucket was empty and the mop was dry. The D.A. did not buy the water conservation story either. . . (If you know who was involved in this arrest, let me know!)

Meanwhile, out in the Richmond, Frank Donahue was responding to an 851 in progress at 5th and Clement. Arriving there, Frank learned that the two suspects were now at Fourth and Geary. After a quick capture, the suspects denied trying to steal the car, and no evidence of an attempt was found. The car itself was not registered to the victim, but to a rental agency in San Jose. The victim told Frank that he worked for the rental agency and use of the car was an employment benefit. After contacting the agency, it was learned that the victim had quit and the car should have been returned weeks ago. So now the victim gets booked. The two original suspects knew the victim and also that he had embezzled the car. According to the now booked victim, they had followed him to San Francisco where they tried to steal the car from him. The arresting officer was overruled, and the original two suspects were released for lack of evidence. Returning to the scene to tow the car, it was now missing, along with the freshly freed suspects. Now there was probably a shred of truth somewhere in what the victims/suspects were saying, but we'll never know. The car was later recovered in Santa Clara. Have a nice vacation, Frank. . . .

"RAILWAY JOYRIDERS"

Muni railway crews, doing maintenance work in the Metro Tunnel one night, heard the sound of a rail vehicle coming toward them at the Van Ness Station. The crew scrambled from the tracks startled to hear the sounds of a phantom street car echoing in the pitch black tunnel. Reminiscent of a scene from a New York subway horror

movie, the crew's foreman knew that no streetcars were running at that hour, and now the approaching clatter of wheels on rails had stopped! Investigating further down the tunnel into the inky blackness, the foreman found a rail cart on the tracks, and three men running toward the Duboce and Market tunnel exit. The foreman radioed ahead and another crew saw the three men run from the tunnel to the Safeway across the street. Responding police units from Co. D. learned that one suspect was wearing a muni beret. The three were captured in the Safeway and finally confessed. One of the men was a Muni employee and had made the small rail craft himself. Another wearing a Muni uniform, told officers that they had hidden the cart near West Portal and had planned to ride to Embarcadero Station after the last streetcar had made its run. The frustrated urge to be a streetcar driver must have been overwhelming. Muni crews hauled the cart away. The three were cited for 369g and, of course, 369i of the Penal Code. (I had to look them up, so can you!) I suppose if you are police officer in San Francisco long enough, you will eventually use every PC section there is.

See you next month. . . .

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Save The Delta And The Bay

by Willie L. Brown Jr., Assembly Speaker

Seldom does any subject raise such ire, particularly in Northern California, as that of water — and especially when the subject is discussed in the context of Northern water supplies and Southern water needs.

Recently, that ire has focused on legislation proposed by Assemblyman Jim Costa, D-Fresno, chairman of the Assembly Water Committee.

Neither supporters nor opponents of the legislation should fault Mr. Costa for failing to do his homework on this most complicated and politically charged issue.

During the past two years, he and his staff have met dozens of times with advocates of all sides of the controversy.

I believe many opponents of Mr. Costa's water legislation have misrepresented its intent. His package includes an explicit provision that the bill is not intended to require or encourage the construction of the Peripheral Canal.

Mr. Costa's stated goal has been to advance consen-

sus on a water plan that would mitigate the serious impacts of the state water project on Delta fisheries, improve statutory protections for the Delta, and convey water more efficiently through the Delta in order to increase exports.

I have serious concerns about whether the through-Delta facility envisioned in the Costa package is in the best long-term interests of the state. I also am concerned that proposed protections for the Bay may not be adequate to prevent further degradation. That is why I proposed and successfully fought for amendments to strengthen the protections.

But I was prepared to study the bill, consult the experts and discuss amendments, not just reject a good-faith effort to resolve California's water impasse.

As a result, I added amendments to Mr. Costa's legislation which will ensure any new water exports will not degrade the quality of the San Francisco Bay and will require the state Water Resources Board to establish standards to protect the beneficial uses of the Bay before new export facilities are constructed.

And rightly so: The San Francisco Bay obviously is one of California's major treasures. It provides a unique and fragile habitat for more than 100 species of fish; it supports some 600,000 to 800,000 aquatic birds; it provides recreational opportunities for the Bay Area's 5.5 million residents, and it contributes hundreds of millions of dollars to the regional economy each year.

Since the defeat of the Peripheral Canal and "Duke's Ditch," constructive steps have been taken to meet Southern California's needs while trying to correct environmental problems in the Delta and the Bay.

I am hopeful we can build upon our past success and devise a water plan that incorporates five critical elements:

1. Aggressive new water conservation efforts;
2. Continued efforts to promote voluntary water transfers and exchanges;
3. Correction of the damage to the Delta that has resulted from the state water project;
4. A guarantee of an adequate supply of water to protect the entire San Francisco Bay/Sacramento-San Joaquin Delta estuary;
5. Insurance of an adequate, high quality, affordable water supply for Southern California.

With the amendments added to the Costa water package when it came before the full Assembly, we have taken the first steps toward creating just such a plan.

Surely, most Californians recognize the state has a serious problem:

- Delta fishery populations have declined dramatically over the last 25 years;
- Less water now flows out of the Delta and into the Bay than in the past;
- Toxic contaminants flow down the San Joaquin River directly into the pumps of the state water project;
- More than three dozen levees have failed in the last six years.

I am perplexed by objections to any serious legislative deliberation on how best to solve California's water problem. I suspect it is easier to fall back on the rhetoric of past water wars than to evaluate carefully a complex legislative package.

I am hopeful that the start we in the state Assembly have made can be the basis of continued debate and dialogue and will lay the foundation for a statewide agreement on how to protect and to share our precious water resources.

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A Great North Beacher Passes On

In Memoriam

by Ron Vernali

It's time to pause and sorrowfully reflect — for a while. A great citizen of North Beach has passed on. The majority now living in North Beach will not even know him. Approximately 5'6", 150 lbs., close-cropped, curly light brown hair, typical ruddy face of his ethnic origin, he arrived in North Beach in 1948.

He was an instant hit — he wowed with his dash, zest for life and sense of fairness, fair play, sense of duty and work discipline. Our own psychological building blocks were shaped by his philosophy: loyalty, love of country, church and family. In other words, he manifested a reverence for life. He taught us all these things.

On a more entertaining side, he was a very good athlete and had a fierce competitive nature. He taught us how to play — play hard. Team loyalties and self-discipline were the lessons from these exercises.

He showed us a better way.

He was our collective father figure, best friend and counselor. From his commitment to his vocation, he touched all levels of social, political and economic strata in our City.

Not bad for an Irishman from Minnesota. Quite impressive for a parish priest (Sts. Peter & Paul), and youth organizer (Salesian Boys' Club).

In the field of youth welfare — he certainly was one of the leading forces for youth in this City for the last century.

I must tell you that I feel more than a little uneasy with Divine Providence at this moment. I feel uneasy because of the arbitrary nature of history. At the very time we need, more vibrant, good and right thinking leaders — another has been taken from us. My God, how we need more than ever, men and women like him.

Enough for sadness and sorrow — on to a more joyful aspect. We often had the pleasure of seeing this man in his green officer's uniform of his beloved Marine Corps. He somehow seemed larger — and why not? He was one of the heroes of Guadalcanal and Iwo Jima. My friend was a Salesian priest and a Marine Chaplain. To the end he could be heard to say "the two best outfits a guy could belong to."

As is the usual in the Society of Don Bosco, one serves to fill the needs of the Society. He moved on to several different assignments. Advancing age and failing health had restricted his mobility and visibility. Rapidly changing demographics further eroded the omnipresence of this man.

For the final roll call. He was a great Salesian (Don Bosco, please give me that license), a great Marine (The Navy Department — take heed).

He was a great friend.

He was Father Larry Byrne (1908-1987), S.D.B./U.S.M.C.

A View From A Novice

by Bill Taylor,
Tactical Unit

Being a new member of the Board of Directors of the POA for the past 8 months...a few observations. I've heard many members of the Department complain that the POA should stay out of politics. That would be a fine idea if we lived in an insular society. That tack would work just as well as when the United States practiced isolationism in the late 20's and 30's, actually until our entry into the Second World War. History clearly shows that the "head in the sand" approach doesn't work. If the Allied Nations practiced involvement in the beginning instead of appeasement (a form of isolationism) society may well have been remarkably different. This is an extreme analogy but illustrates the point. We have to get involved!

Our endorsement and support of politicians who have supported us in labor issues and other related police matters just makes common sense. Our support of certain politicians may not be popular to all members, but the bottom line is: did they help us when we needed it? Since we don't live in a perfect society, you can't expect a perfect voting record on our behalf all the time. The most you could hope for is to be treated fairly....and that's all you should expect.

The POA Board of Directors, in a special board meeting on Saturday, July 18, 1987, endorsed Art Agnos for Mayor. This decision did not come lightly, as each candidate seeking our endorsement was permitted 45 minutes for their presentation and was then asked questions to which they responded. Roger Boas, Louise Renne, Art Agnos and Jack Molinari all made their appearance and went through the question and answer period.

After the candidates left, the Board of Directors then debated among themselves — sometimes heatedly. The

past record of inconsistencies for Molinari and his anti-labor charter amendments as a result of the 75 police strike versus Agnos' consistency and work towards elimination of Tier II swayed the Board in his behalf. The whole process exceeded 4 hours. This was time well spent, because, historically, the person occupying Room 200 of City Hall serves two terms (8 years). Just use your imagination on the significance of having a friend at City Hall when bread and butter issues relating to police arise! We just want to be treated fairly and I think with Art Agnos as Mayor, that's exactly what we'll get.

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Pathways

By Bob Rogers, Burglary

Getting Handy

My sense is that most police officers develop a seemingly greater need for a place that feels like a good home with room for kids and dogs and boats and bikes. We want, too, for that place to be set amidst compatible neighbors who we can encounter as friends and who we can trust to give us the extra space we sometimes need. For some, the need may have been there before joining the Department, but for most, the pushing past all of the

insanities we face in this work begins to take a toll that seems best addressed by a daily retreat to a place we are happy to call home.

Ultimately it doesn't seem like much to ask that after wrestling with the carnage of poverty and crime, despair and hopelessness, an officer should be able to easily go to a home that brings some solace. Too often, though, we begin to accept the seemingly real barriers to our getting the type of place that we and our families need, and we end up with ill-fitting compromises. This is an article about not settling for what doesn't feel right. It's about gathering the wherewithal to bring the fine home within reach.

The first thing that most of us encounter when looking for a home is the lack of what is affordable — and livable — within a sane commuting distance. What becomes obvious is that the new homes that most of us can afford are set down in fields at the far end of commuter nightmares. We end up looking in counties that were once vacation-distance destinations. The neighborhoods are fine, though, and so, after exhausting what we think are the possibilities, we buy our places and begin the long-term commute that will grind us up in the miserable haul back and forth.

parallel to the striking surface at the moment of impact.)

Home remodeling and house building have been taught, in the past, through apprenticeship or through on-the-job training in the construction trades. Some folks have been lucky to have picked up competence through family exposure. Some people have been fortunate enough to have been able to learn through books — although that is a tough route and I, for one, haven't fared very well at it. But there exist now several centers wherein one can go and, through "hands-on" classes and seminars, go through the mistake-making stages and learn the tricks and shortcuts that make house building, remodeling, and repairing not such an overwhelming endeavor.

Vince Repetto, of Vice Crimes, has gone this route and has been very successful. A few years ago, Vince went to the Owner Builder Center in Berkeley and took a 14 session course in home-building with an eye towards buying a lot and building his own home. He was planning on doing most of the work and overseeing the rest as general contractor. (He also took one of the Owner Builder Centers' Drafting and Design Courses.) While looking for his lot and equipped with his new knowledge and skills, Vince found an older house in a beautiful section of Orinda. It was situated on a huge tree-covered lot along a shaded country road. Vince saw the potential for buying a sound house in some disrepair, but at a good price, and then making the renovations and additions that would satisfy his and his family's needs.

Vince tells me that he had no special construction skills before taking the Owner Builder Course, but that afterwards he felt confident that he could do most of the work required in an extensive renovation and knew enough, too, that he could effectively oversee the individual contractors he might bring in. This confidence to judge what one can do and at what ultimate cost seems an awfully valuable skill.

I went to look at Vince's home and went over his plans (Repetto conceived these, and they were rendered by an architect he had taken the Design course with). Vince has taken a fairly plain, ranch-style home and has made some major renovations — including building a new garage, adding an attractive in-law unit, and extending the front entry way so that the interior feels more spacious. He has also done something unique. The original garage was attached (in line) to the rest of the house. He could have boarded up the garage entry and then have thrown up a window where the garage door had been — thereby making it one of those "oh look, they've made an extra room out of the garage" situations. Instead, he converted it to a large family room and, with the addition of a spacious new garage extending outward from the original has incorporated both the new family room and new garage into an architecturally successful addition.

What you don't feel in looking over Vince Repetto's home is that there are amateurish attempts at this or that. I think that is what most of us would fear in trying extensive renovations — that all of our mistakes would be tat-



Vince, at the entry to his in-law addition. Note the attention to detail — added casement window for late afternoon sun, pleasing use of natural wood in the entryway, brick pathways set in, and enough grass to consider — but not worry about.

For those in the same economic patch, but unwilling to become commuter stupid, there are other problems. Much of city and close-in living requires an acceptance of lifestyles and conditions that gnaw away at weary folks who want not to have to deal with the dynamics of social change and conflict. A recent episode in the city where a Department lieutenant who had moved back in from the long commute had to fire upon a hot prowl burglar exemplifies the worst of this.

So. How to live in that idyllic setting within a short commute for a price we can afford. It doesn't have to do with magic, luck, or scams promoted on television or in seminars with "no money down — get rich like me" themes. It has to do with acquiring skills that will enable us to find a distressed house in a good area that we will be able to rebuild or remodel so that it becomes a home we are proud of and a place we're happy to be.

This is where eyes are going to glaze and some are going to turn off, thinking that those kinds of construction skills must be inherited aptitudes — like jumping high or singing on key — and that some of us have it and some don't. It ain't so. None of us were born being able to swim, for instance, and yet most of us — with good teaching, learn. Construction skills have been shrouded in self-serving mystery for too long by the tradesmen who practice them. Simple techniques — easily learned are often the difference between something correctly done and another thing butchered. There are tricks to be learned at every level — even in swinging a hammer. (The secret of banging nails well has to do with keeping your forearm



Vince pointing out some of the detail in his newly completed garage.

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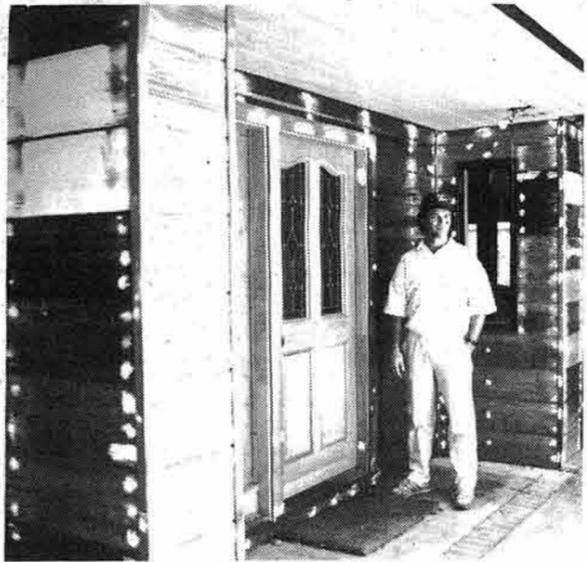
He's looked at these plans a bunch of times.

toed here and there as everlasting witness to our incompetence. I think any of us would prefer to show a pride of ownership based on a pride in craftsmanship. All the better if the craftsmanship is our own.

That's where going to some of the classes at a place like the Owner Builder Center or at one of the Community Colleges that offer these kinds of hands-on courses might enable any of us to do a little better with where and how we live. If the big stuff isn't attractive, there are many weekend classes ranging from doing tile-work, installing electrical service, building decks to landscape-design. Below is a partial list of the classes that the Owner Builder Center offers. (They'll send you a complete list if you call.)

HOUSEBUILDING:

This is a 14 session (3 hours per session) course which covers the process of building a home. The topics include: • Introduction, • Foundations: an overview of foundations with a detailed discussion of perimeter foundations. How to estimate, order, place and cure concrete. • Layout: A detailed presentation. • Mud sills. Knee Walls; Sloped foundations and raised crawlspace. • Lumber and carpentry. • Floor framing: installation of posts, girders, joists, and bridging. • Subflooring. • Stud Walls: How to lay-out and assemble. • Post and Beam Construction. • Rafters: Size and spacing. How to measure, cut, and install. • Roofs: Design and construction choices. • Sheathing: Application. Appropriate materials, techniques, and nailing patterns. • Siding. • Trim. • Doors and Windows. • Plumbing: How the system works. Supply, DWV, fixture systems. Installation of pipe. • Electrical System: Circuits, service panels,

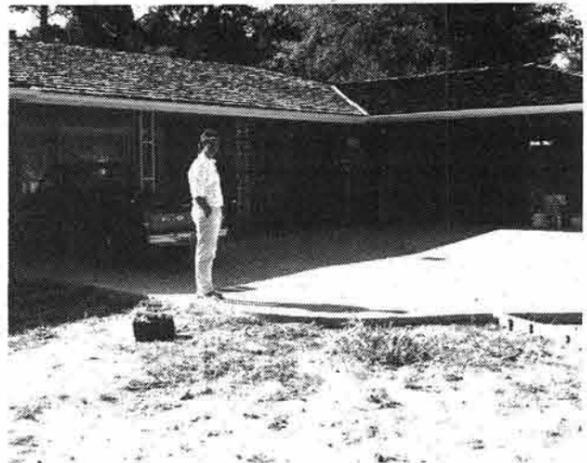


Vince has taken the time to add corners — not cut them — in an overall effort to make his home as aesthetically pleasing as possible.

circuit breakers. How to install a service panel, and attach fixtures. • Insulation. • Drywall. • Finish Woodwork. • Tile installation. • Flooring. • Stairs and Decks. • Types of Construction: An overview of different types of construction. • Permits and Inspections. (These courses are held in Berkeley, Hayward, Los Altos, Santa Clara, and San Francisco.) Cost is \$380.

REMODELING:

This too is a 14 session course which covers both major and minor projects, from patching walls or replacing plumbing fixtures to replacing foundations or adding rooms. Throughout the course there is discussion and demonstration of the processes. The topics include: • Plans: The basics of making simple sketches and plans of hour projects. Reading plans. • Foundation repair. • Surface Drainage: How good drainage prevents parts of your house from settling. French drains, and footing drains. • Floor framing and subfloors. • Wall removal and framing. • Roof rafters: Adding dormers. • Decks: Designing and building. • Stairs: Cutting stringers. Measuring and installing steps. • Types of Roofing. • Skylights. • Exterior Walls. • Doors and Windows. • Plumbing. • Electricity. • Insulation. • Codes, permits, and inspections. • Drywall. • Tile. • Flooring. • Kitchens: planning and design. Installation techniques. • Room Additions: A step by step presentation of adding a room at grade level, including a breakdown of the sequence and discussion of problems likely to be encountered. • Second-floor additions. (This course too is located throughout the Bay Area and costs \$380.)



It's almost done and he's got the plans drawn for the landscaping.

HANDS-ON COURSES — Usually conducted as two-day weekend workshops

- Plumbing
- Tile
- Drywall
- Electrical
- Deck Building
- Cabinet Resurfacing
- Roofing Class
- Wallpaper Hanging
- Basic Home Repair and Improvement
- SATURDAY SEMINARS**
- Owner as Contractor (Parts 1 and 2)
- Estimating the Cost of Labor and Materials
- Planning and Designing a Remodelling Project
- Inspecting a House
- How to Sell Your Home
- Passive Solar Design
- Landscape Design
- Kitchen Design Fundamentals

The Owner Builder Center also sponsors two and three week intensive building courses during the summer with two-thirds of the course time being devoted to hands-on construction of new buildings. (Families welcome.)

If you have any questions contact the Owner Builder Center, 1516 Fifth St. Berkeley, Ca. 94710, 415 526-9222.

Also, remember that several of the community colleges offer some of these same courses. Merritt and Laney in the East Bay, for instance, sponsor hands-on learning.

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Bill introduced to protect police**COPS Leads The Fight**

On behalf of the California Organization of Police and Sheriffs, Assemblyman Richard Floyd has introduced AB 1393 which will take the necessary steps to protect law enforcement officers from the disclosure of their home addresses by state or local registrars of voters.

Presently, the home address of ANY registered voter can be obtained by ANYONE who requests the information from ANY registrar of voters. NO reason is needed and NO identification is required.

In a recent incident, numerous officers of the Burbank and Los Angeles police departments were served subpoenas at their places of residence. The officers were involved in the same case and the defendant was able to obtain their home addresses from the registrar of voters. The municipal court judge who signed the search warrant which resulted in the arrests was also served at home.

In another incident, a Los Angeles superior court judge answered a knock at his front door and, when he opened the door, was confronted by a defendant at whose trial he had presided. The defendant said nothing, merely smiled, turned and walked away.

In order to offer some emergency protection for peace officers and judges who have been victimized by these and other incidents, and to protect peace officers and judges from any future incidents, the California Organization of Police and Sheriffs went to work. An exhaustive investigation was conducted, with the cooperation and assistance of the Burbank and Los Angeles police departments, and the conclusion resulted in the introduction of AB 1393 by our good friend Assemblyman Richard Floyd.



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A Red Light on Communicable Diseases

By Todd Stanford

It's a warm spring afternoon. You're dispatched to an apartment house in the downtown section of the city. The occupant of an upstairs apartment hasn't been seen by anyone for over a week. You call dispatch and ask them to send a fire department ladder truck to your location. The firefighters begin erecting a ladder, when the building's owner arrives. Armed with a door key, you make your way up the steps. Upon reaching the landing between floors you note a distinctive odor. Before opening the door, you decide to retreat to the ladder truck and borrow breathing apparatus before entering the apartment.

You open the door to find a deceased male lying on the floor, nude. The corpse is extremely swollen. A gas space heater is turned up as far as it will go and the room is like a sauna. You walk over and turn the heater off, then open a window. Returning to the corpse, you check for any obvious indications of foul play. Finding none, you return to the street below. You advise the dispatcher of your findings and call for a coroner. A neighbor then tells you the patient had been "turning yellow" for the past month, and was getting progressively worse. You quickly try to remember what you touched or may have walked through in the apartment.

You are called to the scene of a one-car accident in the wee hours of the morning. The driver, the only occupant, apparently fell asleep behind the wheel. The vehicle struck a light pole and a stone wall. The driver is trapped in the car. He is turned sideways, his head hanging out the window. The patient has a good level of consciousness, but will require more than hour extrication time.

As the paramedics set to work starting an IV and cutting their patient out of the car, you assist one of the firefighters in bandaging the patient's head. One of the paramedics asks you to steady the driver's head while they apply a rigid collar to his neck. When finally relieved of your head-holding duty, you wipe the blood off your hands on a rag and make a mental note to wash well before you eat. Eventually, the driver is taken to the hospital.

In the emergency room you go through his wallet to determine his identification. You find membership cards,

as well as his ID. When you come to the one with a picture of a Greek god on it, you start laughing and drop the card on the table in front of one of the paramedics, saying, "Check this out." The membership card to a local gay bar lies on the table, and its implications suddenly dawn on you. You stop laughing. Avoiding the card as if it were a snake poised to strike, you make your way to a telephone. All the personnel who were at the scene have to be called. They should be made aware that the patient falls into a high-risk group for AIDS. You feel obligated to remind them to wash any blood off their skin and equipment.

You get a call to the city park. This prompts the usual discussion between you and your partner about the city's homeless. They live on the street, sleeping in doorways or on park benches. This call originated from a pay phone. A drunk, his brown bag in hand, informs you that his buddy's "real sick." He's been coughing up blood and feels hot. You go to the bench the caller indicates and find his buddy. At first he appears intoxicated, but you begin to suspect there might be more to his confusion than drunkenness. After supporting him through a bout of coughing, you put in a call for a paramedic unit. After helping them load their patient into the ambulance, you return to patrol. The derelict is all but forgotten.

Two days later, the watch commander tells you to report to the hospital for testing. It turns out the derelict had a very advanced stage of tuberculosis. He died less than 24 hours after arriving at the hospital. You are going to have a tuberculin test to determine if the man infected you. In the time from his arrival at the hospital until a diagnosis was made, the vagrant infected almost 30 people.

Each of these scenarios is based on an actual incident. You may ask yourself why you should be concerned with infection control, but think about it. How many times have you been flagged over to the curb by someone in need of help? How many fights have you responded to where you held a rag on a bloody head until the paramedics arrived? How many incidents have you responded to where there was blood or vomit or excrement on the scene? Even though you're not a paramedic or EMT, you still come in contact with ill or injured citizens requiring your assistance.

This article does not deal solely with AIDS. Although that condition is a real concern, according to the Health Department of New York, as of December 1985 there were a total of 15,775 confirmed cases of AIDS in the United States. According to the Center for Disease Con-

(See DISEASE, Page 15)

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Board of Director Meeting July 18, 1987



L to R: Dr. Karl Reidinger and Chief Frank Jordan.

Austrian Police Visit S.F.

by Henry Friedlander, Community Services
The Chief of Police of Vienna, Dr. Karl Reidinger, visited the San Francisco Police Department on his recent trip through the United States.
On Thursday, July 16, 1987, Dr. Karl Reidinger, Chief of Police of Vienna, Austria and Dr. Paul A. Eisler, Austrian Consul General for Northern California met with Chief Frank Jordan.
Dr. Reidinger presented Chief Jordan with an Austrian Police cap and a plaque. Chief Jordan then presented his guests with S.F.P.D. caps.
On a recent trip to Vienna Dr. Eisler presented Dr. Reidinger with a SFPD cap and shoulder patches. This made a big hit with Chief Reidinger and the local press.
The many concerns that Law Enforcement have in the US are similar to Vienna. Our guests were given a tour of S.F.P.D. and the County Jails. They were also guests of San Quentin Prison. This was especially interesting to them.

All members present, Hawthorne excused.

PRESIDENT'S REPORT

1. Federal Litigation — The POA has accepted a \$5,000 settlement from the City and County of San Francisco for the Maloney and Scheffler lawsuit.
2. Night Differential-Like Work/Like Pay Lawsuit — President Barry stated that the proposed settlements of like work/like pay and the night differential lawsuits against the City and County of San Francisco have fallen apart.
3. Promotional Examinations — President Barry stated that the Captains (Q-80) exam appears to be scheduled for October 1987. The Sergeants exam may be scheduled for a Spring '88 date.

SECRETARY'S REPORT

Secretary Rapagnani noted that in the June Board of Directors minutes it was incorrectly reported that the City and County of San Francisco had requested the manufacturer of the +P ammo to sign a hold harmless agreement. In point of fact, the manufacturer has asked the City to sign the hold harmless agreement.

A motion by Chignell, seconded by Johnson approved by voice vote to accept the Secretary's report.

TREASURER'S REPORT

Treasurer Linehan passed out a balance sheet to the Board of Directors for the month of June. A motion by Rapagnani, seconded by Santana and approved by voice vote to accept the Treasurer's report.

BUILDING COMMITTEE REPORT

Chairman Ron Parenti requested that the Board of

Directors approve up to \$5,000 for carpet replacement at 510-7th St. motion by Linehan seconded by Rapagnani to approve requested funds. Motion approved by voice vote.

Chairman Parenti requested that the Board of Directors approve a \$2,000 bid for painting of the office at 510-7th St. Motion by Reilly seconded by Taylor to approve requested funds. Motion approved by voice vote.

POA BOARD OF DIRECTORS ENDORSEMENT OF MAYORAL CANDIDATES

The format for the POA endorsement was that each candidate (1. Boas, 2. Renne, 3. Agnos, 4. Molinari) have 45 minutes to make an opening and closing statement, as well as answer questions from the full Board of Directors. This was followed by 90 minutes of debate at which time a vote for endorsement was taken.

Motion by Linehan and seconded by Chignell that the POA endorse Art Agnos for Mayor of San Francisco. The motion passed 12 yes, 7 no, 2 abstained. Voting yes were Maloney, Mattoch, McDonagh, Garcia, Ovanessian, Taylor, Johnson, Chignell, Fagan, Flippin, Rapagnani, Linehan. Voting no were Deignan, Santana, Reilly, Doherty, McAlister, Cole, Barry. Voting to abstain were Suslow, Parenti.

The SFPOA endorsed Art Agnos for Mayor of San Francisco.

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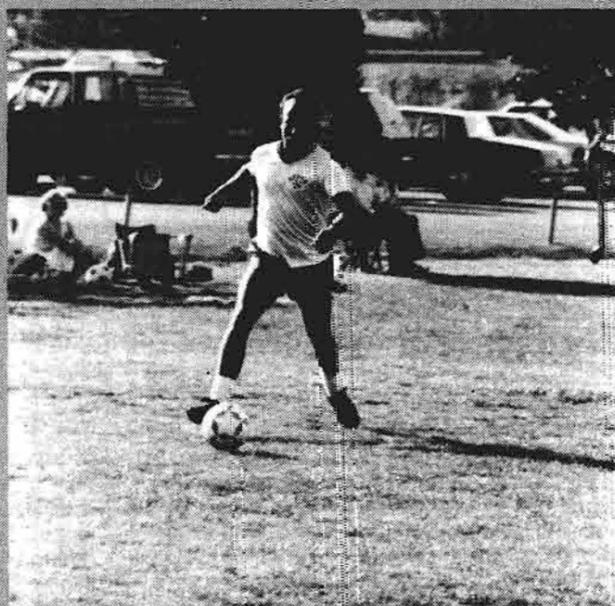
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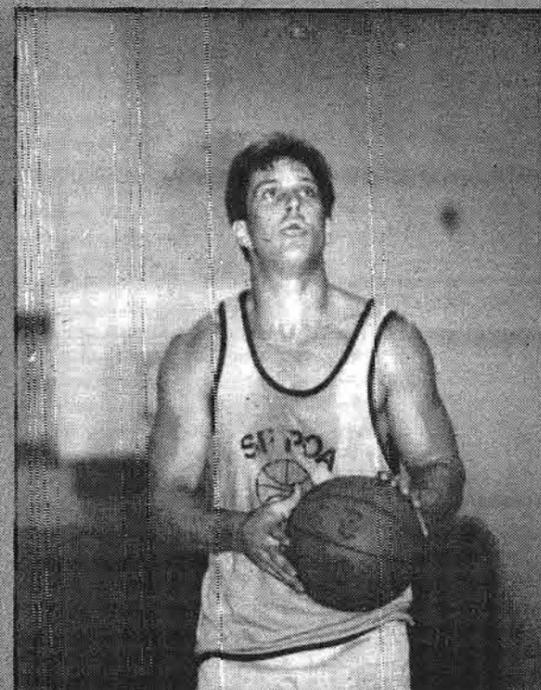
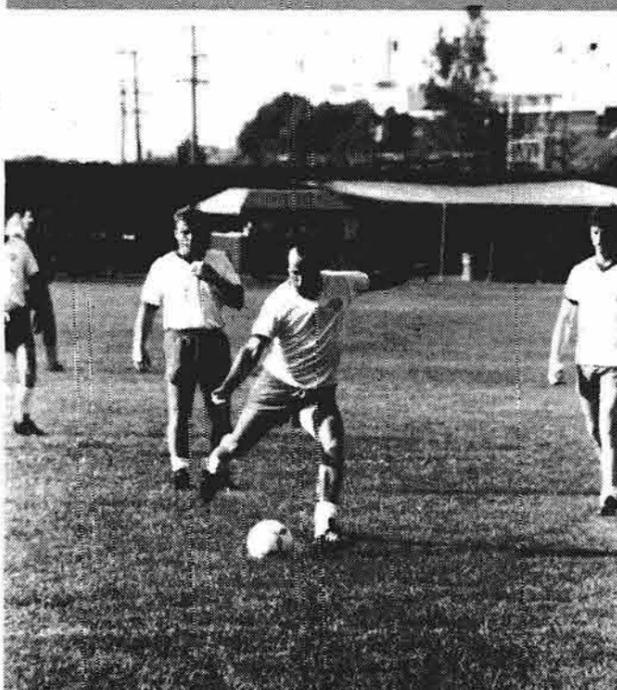
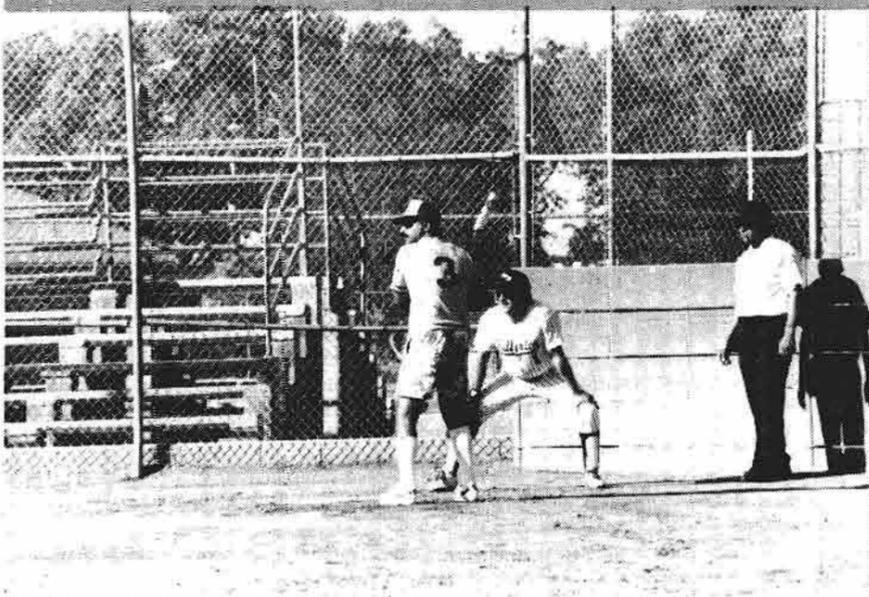
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OLYMPIC HIGHLIGHT

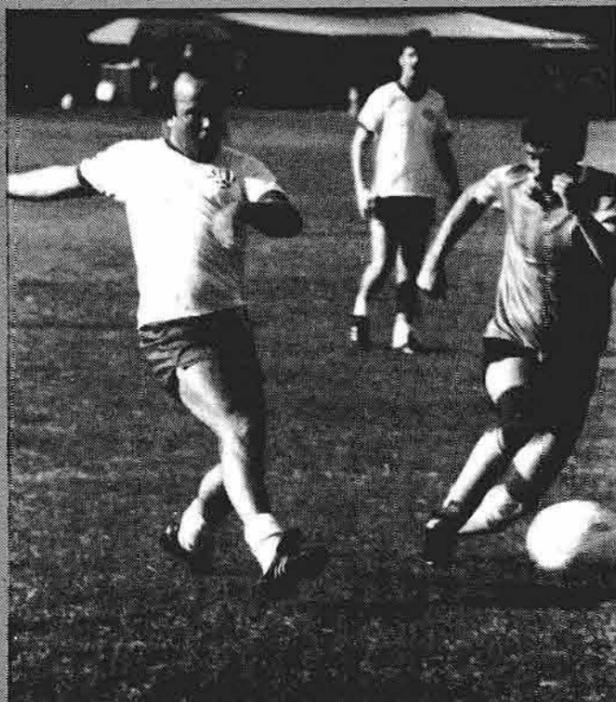
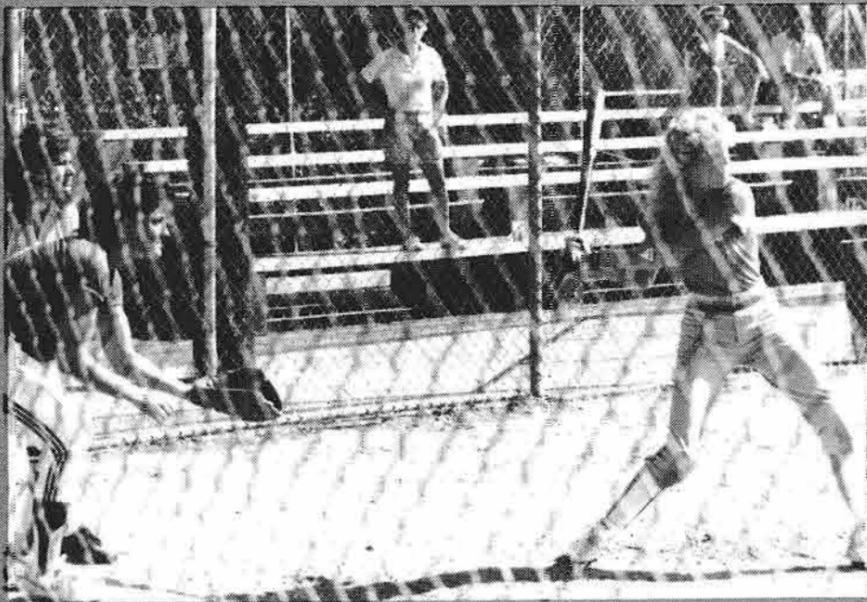
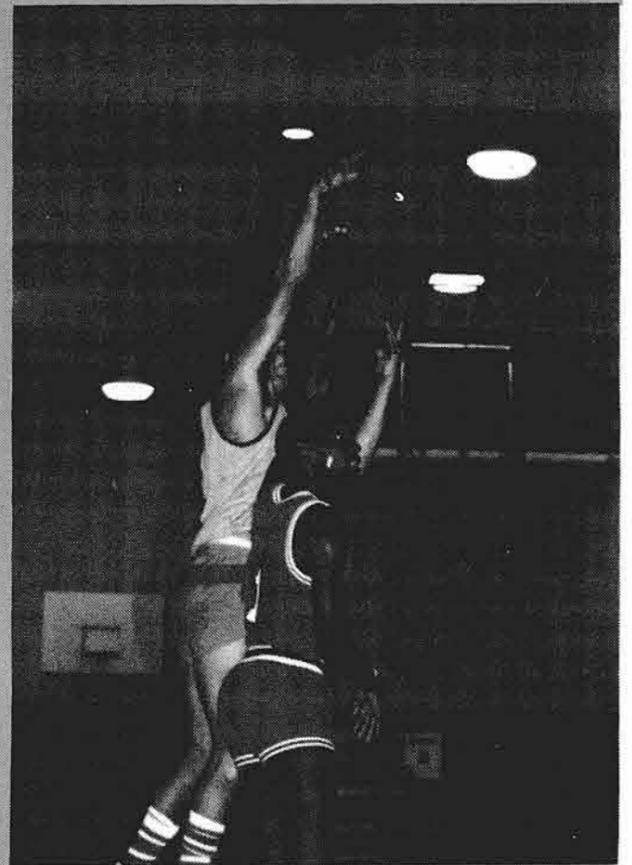


Pictured here are just a few of the many S.F.P.D. competitors at the 1987 California Police Olympics held in Stockton.



S — STOCKTON, 1987

See the sports section for more pictures and medal winners from this year's Olympics.



Continued on sports pages 22 and 23

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Officer Samuel Brown
Policeman with Principles

Submitted by Lou Barberini
 Retired 1983

Samuel Brown was one of 765 New York City police officers recently offered promotions to sergeant. The step up in rank promised more meaningful duties and a \$7000-a-year pay raise for the 14-year police veteran. But he turned down the promotion. "It wasn't a difficult decision," he explains. "I just don't believe in racial quotas."

The quota Brown referred to was imposed on the New York Police Department in 1983 to settle a lawsuit brought by black and Hispanic officers. The minority officers contended that the test administered to candidates for sergeant was discriminatory because the failure rates for blacks and Hispanics were disproportionately higher than the rate for whites.

The city devised a new test for sergeants — a test that was job-related and that was approved by representatives of the black and Hispanic officers. Yet the minority candidates still did poorly. The minority officers complained again — not that the test was discriminatory, but that the results were.

The city acquiesced, promoting candidates according to numerical quotas, regardless of how the minority officers performed on the objective test. Promotions were offered to 94 blacks, 89 of whom had failing grades, and to 66 Hispanics, 34 with failing grades. As for Brown, he scored higher than the cutoff mark for promoted blacks, but lower than the cutoff for white officers. He vowed to take the test again rather than accept a promotion he felt he did not deserve on merit.

Reprinted from *The Wall Street Journal*

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DISEASE

(continued from page 10)

trol (CDC) in Atlanta, there are approximately 200,000 cases of hepatitis B in the United States **annually!** Considering all the other infectious diseases people can be exposed to, the risk posed by AIDS is miniscule. Body armor renders a great deal of protection from a bullet, but how are you protected from the assailants that microscopically attack you? Disease has no respect for authority. A badge and uniform don't protect you from everything you encounter in the course of your duties.

Modes of Transmission

To effectively practice infection control, you should be aware of the routes an organism can take from a host to a receiver. These are known as modes of transmission.

Aerosols — Tiny droplets of a transfer medium. The best example of aerosol transmission is having an infected person sneeze or cough on you. Tuberculosis, infectious mononucleosis and meningococcal meningitis are primarily transmitted by droplets.

Fecal-oral route — Infection by this route usually results from contact with a person's solid waste and subsequent contamination of materials put into the mouth, such as pencils or fingers. Hepatitis A and viral meningitis are believed to be transmitted this way.

Vectors — Infection by this route involves living carriers, such as fleas, ticks and mosquitoes which deposit the infectious organism onto food, or into the body of a recipient. Malaria, Rocky Mountain spotted fever and plague are transmitted in this manner.

Body fluid contact — Infection by this route requires the recipient to come into contact with an infected person's blood, saliva, or other body fluid. The causative organism can then enter the recipient's body through a break in the skin. AIDS, hepatitis B and syphilis can be acquired this way.

Protection

Unless we wish to get away from dealing with the public entirely, there is little we can do to limit our exposure to infectious disease. What we can do is incorporate a three-aspect approach to infection control: chemical, hygiene and physical barriers.

• Chemical

There are relatively few diseases that we can be immunized against, but those of us who face frequent exposure to a variety of illnesses should be immunized against as many of these diseases as possible. In addition to those immunizations we received as children, immunizations exist for hepatitis B and influenza: The Heptavax-B™ is administered parenterally and followed up by an antibody titer. Once the antibody titer is at an acceptable level (occasionally this requires more than one injection), immunity lasts for about ten years. Gamma globulin is usually administered after exposure to hepatitis B.

The chemical aspect, then, involves immunization, testing and follow-up after confirmed exposure. This will aid in either preventing or limiting most diseases.

• Hygiene

Good hygiene is one of the worst enemies of organisms which cause infection. Keep your fingernails short. This will provide ten less places for organism-laden material to escape detection. Wash your hands thoroughly, using

a good bacteriostatic soap such as Hibiclens™, after coming into contact with anyone who is injured or ill. This should be done prior to your report or anything else. Definite contact with a body fluid such as blood or excrement requires very thorough washing with an agent such as Betadine™. Many people shy away from using Betadine™ due to its discoloring effect on the skin. Tests have proved it is the most effective bacteriostatic soap on the market. Each individual must decide if the discoloration is that much of an inconvenience. Uniforms should be changed daily or if they become very soiled.

Another part of hygiene to consider is care of equipment. Nightsticks, handcuffs, even the seats of squad cars need to be cleaned if any body fluids are on them. Metal and vinyl should be thoroughly scrubbed with a 10-percent solution of a chlorine bleach such as Clorox™. Do not attempt to clean and reuse disposable items.

• Physical

When treating a conscious patient, physical barriers are probably the least-used method of infection control. For some reason, responders often feel the patient will be insulted if they put on rubber gloves prior to applying a bandage. Nevertheless, any time contact with body fluids is a possibility, rubber gloves should be worn. Disposable examining gloves are ideal for this. Sterile gloves are unnecessary, as the gloves are primarily for your protection. If you carry a pair of rubber gloves in a pocket of your uniform, they will be available when you need them. It should take less than five seconds to put them on, so that even when a patient is in cardiac arrest, the lost time will be negligible. Disposable examining gloves should also be worn when cleaning contaminated equipment. Another prudent measure is to use a surgical mask when dealing with patients presenting with upper respiratory signs and symptoms. This should be of particular concern if the person appears to have a fever.

In cases of death when the cause is uncertain, it is imperative that you protect yourself as much as possible. A kit is currently available for his type of call. Dubbed

the Infection Control Kit, it contains two Tyvek™ suits, shoe covers and gloves, surgical masks, hair covers, a patient drape, a convenience bag for vomitus or urine and a contaminated materials bag for disposal of the suits after use. Just because a patient's been dead for several days doesn't mean the organism that killed him is. The kit would also be very useful in situations where personnel must deal with infected patients known or suspected to have life-threatening diseases, and in situations involving a large number of trauma patients where contact with body fluids is expected.

Many organizations are now supplying their health care providers with airway adjuncts and directives to utilize the adjuncts for resuscitation, rather than risk infection from performing mouth-to-mouth rescue breathing. This concern over contracting a disease, as well as the aesthetics involved, has in the past perhaps caused some hesitation on the part of potential rescuers. One corporation is now marketing a pocket mask with a disposable one-way valve. To the relief of those of us who own the old-style pocket masks, the older masks will also accept the one-way valve. The one-way valve redirects patient exhalation and other matter back toward the patient's face. The rescuer need not remove his lips from the mask to allow for exhalation. Like the original pocket masks, the new ones are also available with supplemental oxygen inlet.

While perhaps not as deadly as AIDS, diseases such as infectious mononucleosis will slow you down for a couple of months. Proper, consistent use of good infection control procedures will greatly reduce the number of diseases you acquire or pass on to other people.

Reprint from **POLICE PRODUCT NEWS.**

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MIRANDA

(continued from page 4).

right of silence and to assure a continuous opportunity to exercise it, the following measures are required:

Prior to any questioning, the person must be warned that he has a right to remain silent, that any statement he does make may be used as evidence against him, that he has the right to the presence of an attorney, either retained or appointed.

The defendant may waive effectuation of these rights, provided this waiver is made voluntarily, knowingly and intelligently. If, however, he indicates in any manner and at any stage of the process that he wishes to consult with an attorney before speaking, there can be no questioning. Likewise, if an individual is alone and indicates in any manner that he does not wish to be interrogated, the police may not question him. The mere fact that he may have answered some questions or volunteered some statements on his own does not deprive him of the right to refrain from answering any further inquiries until he has consulted with an attorney and thereafter consents to be questioned.

The Effects and Application of Miranda

Suspect's Silence

One of the most notable effects that the *Miranda* decision brought about was to almost eliminate the doctrine of admissions by silence of the accused in the face of an accusatory statement. (*People v. Stewart* (1965) 236 Cal. App. 2d 27, 45 Cal. Rptr. 712; *People v. Givans* (1985) 212 Cal. Rptr. 762.)

Custodial Interrogation

Miranda was then found not to be applicable in cases of temporary detentions. In *People v. Manis* (1969) 268 Cal. 2d 653, 74 Cal. Rptr. 243, the court stated that when a person is temporarily detained for brief questioning by the police who lack probable cause to make an arrest or bring an accusation, the subject need not be warned about incrimination and their right to counsel, until such time as the point of arrest or accusation has been reached or the question has ceased to be brief and casual and has become sustained and coercive. The concept of custody was addressed in *People v. Arnold* (1967) 66 Cal. 2d 438, 58 Cal. Rptr. 115, which expanded *Miranda*'s actual deprivation of freedom by adding a subjective test. The defendant has the burden of showing that subjective belief. (See *People v. Butterfield* (1968) 258 Cal. app. 2d 586, 65 Cal. Rptr. 765.) The court in *People v. Lopez* (1985) 209 Cal. Rptr. 575, stated that a police officer's investigation at a traffic stop was not custody because there was "no coercive atmosphere." Showing items to defendant without asking questions was considered an interrogation, *People v. Taylor* 223 CR, 638.

The conditions that bring rise to an accusatory state and hence, a need for a *Miranda* admonition were addressed in *People v. Ceccone* (1968) 260 Cal. App. 2d 886, 67 Cal. Rptr. 499, where the court said that once the officer has probable cause to believe the person being detained has committed a crime and the officer expects not to allow the person to leave, at that point the interrogation becomes custodial and the warning must be given.

Request for Attorney

The accused's request for a lawyer has been held by the court to be broadly construed. The cases have

disallowed confessions ranging from an initial refusal to sign a waiver then after given a *Miranda* admonition a confession was obtained. (*People v. Fioritto* (1968) 68 Cal. 2d 714, 68 Cal. Rptr. 817.) From a juvenile's request for parental intervention (*People v. Burton* (1971) 6 Cal. 3d 375, 99 Cal. Rptr. 1); or when a subject was advised that an attorney would not be available for 15 hours. (*People v. White* (1969) 275 Cal. App. 2d 877, 80 Cal. Rptr. 461.) The court even said that just phoning an attorney prior to the *Miranda* warning was tantamount to requesting an attorney. (*People v. Randall* (1971) 1 Cal. 3d 948, 83 Cal. Rptr. 658.)

Compare this with the cases that allow the defendants' statements, *People v. Saidi-Tabatabai* (1970) 7 Cal. 3d 981, 86 Cal. Rptr. 866, here where the police officer contacted the attorney over the telephone and the attorney did not ask for questioning to be stopped, or in the case where a defendant wished to talk to an attorney at a future time, *People v. Turnage* (1975) 45 Cal. 3d 201, 119 Cal. Rptr. 237; or if a defendant makes a passing reference that he should have an attorney, any statements after that still can be admissible under *People v. Bestmeyer* (1985) 212 Cal. Rptr. 605. The requirement of the *Miranda* admonition not only binds the police officer, but also interrogators representing authority. Psychiatrists sent by the district attorney in *People v. Montgomery* (1965) 235 Cal. 2d 582, 45 Cal. Rptr. 475, a civil investigator in *Mathias v. United States* (1968) 391 U.S. 1, 88 Sup. Ct. 1503, probation or parole officers (*People v. Barry* (1965) 237 Cal. 2d 154, 46 Cal. Rptr. 727). This is different than information received from a private party who was acting as an agent for the police, *People v. Price* (1965) 63 Cal. 2d 370, 46 Cal. Rptr. 775, news reporter, or a defendant co-party's attorney finding that defendant would confess, *People v. MacPherson* (1970) 2 Cal. 3d 109, 84 Cal. Rptr. 129, statements to emergency room physician, *People v. Silliness* (1982) 131 Cal. App. 3d 925, 182 Cal. Rptr. 683, security guard's detention of a shoplifter, *In Re Deborah C.* (1981) 30 Cal. 3d 125, 177 Cal. Rptr. 852, an eavesdropper in the case of *People v. Boulard* (1965) 235 Cal. App. 2d 118, 45 Cal. Rptr. 104. The most recent case dealt with an employee of the government, it gives a synopsis of this area. The court in *People v. Paul P.* Cal. App. 3d, 85 Daily Journal D.A.R. 2594, stated that the *Miranda* warning was not required of a caseworker questioning a pupil.

The case dealt with a caseworker at a government facility for troubled and/or delinquent minors, who found the appellant in a restroom "tremulous and somewhat salivating about the mouth," standing rigidly against the restroom wall. When the caseworker was told that the appellant had attacked another student, the caseworker asked what happened. The appellant confessed to the attack.

It was argued that the caseworker was an extension of law enforcement officials. The court rejected this argument and held that the caseworker was not an extension, but a private person, quoting *People v. Whitt* (1984) 36 Cal. 3d 724, 745:

"A private citizen is not required to advise another individual of his rights before questioning him."

Waiver

The *Miranda* admonition permits the introduction of statements made in response to interrogations where the accused informed by the police of his or her rights, or otherwise aware of them, nevertheless elects to speak; though the waiver must be knowing and intelligent and must be affirmatively shown. (*In Re Schalette* (1965) 232 Cal. App. 2d 407, 42 Cal. Rptr. 708.) Also, where defen-

dant wished to talk to the police, the police told his attorney and the attorney advised him not to speak with the police. Over his attorney's wishes, the defendant persisted and the police *Mirandized* him. The court allowed the statement because the defendant waived his right. (*People v. Dixon* (1985) 213 Cal. Rptr. 722.)

If an improperly obtained waiver is given it will suppress any statement solicited by the police. The burden is placed on the authorities that the admonition was given and that the defendant waived them. (*People v. Lillock* (1965) 62 Cal. 2d 618, 43 Cal. Rptr. 699.) (See *U.S. v. Martin* (1985) 781 F2d 671 - Defendants admissions while on Demerol allowed.)

Voluntary Statements

The voluntary statements rule has always been an exception to the admonishment. When a defendant volunteers information or when officers ask questions to ascertain whether a crime has been committed, there is no need for a *Miranda* warning. (*People v. Hudec* (1985) 213 Cal. Rptr. 184.) Statements that are volunteered when not in response to interrogation are admissible against the defendant, even after an initial assertion of the right to remain silent, as well as spontaneous statements. (*People v. Steger* (1967) 16 Cal. 3d 538, 128 Cal. Rptr. 161.)

Rescue of Victim or Protection of Public

Courts prior to *Miranda* recognized the need for the police to get statements when their primary concern was with the rescuing of a victim and did not wish to impede their efforts by informing the defendant of his rights. (*People v. Modesto* (1965) 62 Cal. 2d 436, 42 Cal. Rptr. 417.) Post-*Miranda* decisions have not changed the *Modesto* holding. The court in *People v. Dean* (1974) 39 Cal. 3d 875, 114 Cal. Rptr. 555, and *People v. Riddle* (1978) 83 Cal. 3d 563, 148 Cal. Rptr. 170, described the elements of an emergency sufficient to excuse the requirements of the *Miranda* admonition. First, the urgency of the need in that no other course of action promises relief; second, the possibility of saving human life by rescuing a person whose life is in danger and that the rescue is the primary purpose and, finally, the motive of the interrogators.

Though the motive of the interrogators might well be to elicit statements in violation of *Miranda*, if the public need is greater the courts will allow the admissions. This was the case in *People v. McDermid* (1984) 211 Cal. Rptr. 773. The defendant was suspected of murder, yet he informed the police he would not be taken alive. The police, with the aid of a psychologist, then ran a newspaper ad in the *San Francisco Examiner* giving the defendant instructions on how to contact the police. Contact was made with and statements were made by the defendant. The court stated that the sheriff was motivated by both the desire to obtain admissions from him, nevertheless the assistance of an emergency situation renders the confession admissible. (See also *New York v. Quarles* (1984) 104 S.Ct. 26, 81 L.Ed.2d 559.)

Conclusion

The case of *Miranda v. Arizona* was the catalyst to gel the court's struggle with the balance of the constitutional safeguards of the Fifth Amendment and the need for police to effectively conduct an investigation. The constant friction between the contention of undue pressure to confess by the suspect which would be met with denials by the police, and hence gave way to the *Miranda* holding. Though the holding is clear, i.e., the person's right to silence, the right not to incriminate themselves, the right to have an attorney present, and, finally, that an attorney could be appointed for them, brought forth nuances of ambiguity that the court has had to rectify. In a microscopic view of the criminal procedure field, we see that *Miranda* will only apply in a very small area. What we can say is that any statements made by a defendant that did not arise out of a custodial interrogation will not be affected by the *Miranda* decision.

In retrospect, the major drawback of *Miranda* was gloomily prophesized in the *Miranda* dissent itself wherein Justice White, along with Justices Stewart and Harlan stated:

"In some unknown number of cases the court's rule will return a killer, a rapist or other criminal to the streets and to the environment which produced him, to repeat his crime wherever it pleases him. As a consequence, there will not be a gain, but a loss, in the human dignity. The real concern is not the unfortunate consequences of this new decision on the criminal law as an abstract, disembodied series of authoritative proscriptions, but the impact on those who rely on a public authority for protection and who without it can only engage in a violent self-help with guns, knives and the help of their neighbors similarly inclined. There is, of course, a savings factor: the next victims are uncertain, unnamed and unrepresented in this case."

The future for *Miranda* is not clear. Yet, it is still frowned on. In an article in the *San Francisco Chronicle* on August 26, 1985, the Attorney General for the United States, Edwin Meese, said that the decision was "...infamous...(and) wrong."

Though *Miranda* may be changing in the future, we must still live under its purview.

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Letters

Thanks

Dear Chief Jordan,

Last night, I was pulled over by a motorcycle cop for driving thru flashing red lights without coming to a complete stop. I made a mistake, and feel stupid about it, but these things happen.

The officer who pulled me over was the most considerate and professional officer I have ever had to deal with. I have never been pulled over for anything, and I was very nervous; but the officer's attitude and manners helped make a bad experience bearable.

I realize police officers receive more complaints than compliments, so I hope your office will pass on my gratitude for his consideration.

I can't read his signature but his badge number is 144 and his issuing unit is 4B67. I think his station might be the Mission Station, as the incident happened on 13th St. at So. Van Ness.

Thank you for your attention to this matter.

Sincerely,
Kellie L. Shabani

Dear Captain Philpott:

On behalf of The Ocean View Homeowner's Association and the 200 block of Farrallones St. Block Club, we want to say "Thank You" for assigning officer Ed Sweaney (Badge 1272) as traffic controller on our block.

He is professional, efficient, friendly and is doing an excellent job in curtailing speeders, thus creating a safer environment for our residents.

We are pleased to see that you are continuing to appreciate our concerns.

Thank You,
Lovie Ward

Dear Chief Jordan,

I would like to take this opportunity to commend Sergeant Pryal and his parking control officers for their prompt response to a problem in my neighborhood. Recently, people have been parking along Parnassus Avenue on street cleaning days in apparent disregard for posted signs. Consequently, Department of Public Works cleaning crews have been unable to sweep the refuse from driveways and curbs. I wrote a letter to the Traffic Bureau Commander requesting that parking control officers be deployed on Tuesday to alleviate the problem.

The following Tuesday my complaint was acted on. Officers have been tagging, on both sides of the street, for the past two weeks. Additionally, I received a telephone call from Sergeant Pryal advising me that my letter had been received and explaining the staffing problems the Police Department has been experiencing.

The prompt attention and follow-up are a credit to your Department.

Sincerely,
Mary Ann De Souza

Dear Chief:

Thank you and your men so very much for their assistance to my birthday party last Saturday.

It was a wonderful affair, and I'm only sorry that I don't have eighty more!

We've got a wonderful department, and they always have been, and they deserve thanks and congratulations now and ever since I've been in San Francisco.

I'm sending a little check to the Widows and Orphans in appreciation.

And especially thank Sgt. Harrison and Sgt. Myers.

Sincerely,
Melvin M. Belli

Frank Jordan
Chief of Police
S.F.P.D.

Dear Frank:

I had the opportunity to work as co-chairman of the Security/Admissions Committee for the U.S. Open held recently at the Olympic Club. This put me in day-to-day contact with a number of officers of the San Francisco Police Department. Frank, you and the Department are to be commended on the tremendous job that was done for the Olympic Club. I was especially impressed with the performance of Commander Dick Klapp, Lieutenant Bruce Lorin, and Patrolman Jerry Cassidy. Their direct involvement resulted in invaluable assistance being provided to the Club.

Many months before the Tournament started, Dick and Bruce attended numerous meetings, then planned and coordinated all the respective law enforcement agencies. It was their master plan which everybody operated under. I can attest to the fact both Dick and Bruce put in far more time than would be called for in carrying out their normal day-to-day jobs, with Bruce doing a superb job directing the Law Enforcement Center.

Special thanks should also go to Jerry Cassidy who coordinated the activities all week of over 250 San Francisco Police volunteers, putting in long hours, always with a positive attitude.

Frank, this was the first time I ever worked hand-in-hand with the Police Department, and I have to tell you I was extremely impressed. In executive search it is our task to select senior managers for corporations and organizations. In my opinion, Dick Klapp and Bruce Lorin are outstanding professional managers and you can be proud of them.

Sincerely,
John R. Ferneborg

Gentlemen:

The Union Street Association would like to thank you for your support during the recent black tie gala held for the benefit of the Kevin Collins Foundation for Missing Children on June 25th.

A lot of people spent a lot of time putting the event together. But, as I am sure you are aware, it is only the generosity and support from people such as yourself that make fundraisers like this financially successful.

Your generosity and support were very much appreciated by both the Union Street Association and the Kevin Collins Foundation for Missing Children. Thank you.

Sincerely,
Rosie Houweling
Treasurer,
Union Street Association

Dear POA,

Your kind expression of sympathy is deeply appreciated and gratefully acknowledged.

The Smith Family

Dear Bob:

My family would like to thank you personally and the San Francisco Police Officers Assn. for your thoughts and prayers at the demise of my wife.

Our prayers are for you and your family and the S.F.P.O.A. also.

Again many thanks
Hal Lang

Dear Bob:

"Cops Corner" baseball tickets for older citizens and youth were very well received by community groups in the Taraval District.

If this program is to continue, I would appreciate being on the list for distribution.

Thank you for your kind consideration in this matter.

Sincerely,
Donald Goad
Captain of Police
Taraval Station

To the S.F.P.O.A.

I would like to thank all the members of the Police

Officers Assn. for their support in my fight to regain the honorable job of San Francisco Police Officer. However, due to the political overtones of the "Rathskeller Scandal" I was unable to achieve this goal.

Although, I was a S.F. Police Officer for only a short period of time, I found the P.O.A. to be very generous and helpful.

And in all sincerity, I would like to offer any type of help you might find useful, in spreading the good work and word of the San Francisco Police Officer's Association.

Gratefully,
Anthony Marcal



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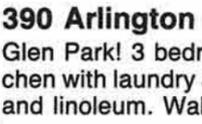
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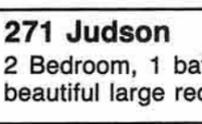
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Natural Preparations Offer New Hope For Stress Relief

by Leslie J. Kaslof

The notion that stress can predispose an individual to physical illness has persisted for centuries. However, current research in the rapidly developing field of psychoneuroimmunology (PNI) may prove this to be true. Recent studies conducted at leading universities, hospitals, and research facilities throughout the country are clearly linking mental and emotional stress as the primary casual factor in nearly all physical disease.

This is particularly true in high stress jobs such as police work and firefighting, where pressures unique to these jobs, make one more vulnerable to the negative affects of stress. This is often compounded by those not willing to admit having these difficulties, and seeking help before things get too far out of line.

Numerous studies have been done on stress and police work, however, little has been written on ways to deal with the problem. Though there are others, the following is one of the more safe and effective approaches available today.

What Can Be Done

Pioneering the research in this field in the early 1930s, the prominent British physician and scientist Edward Bach; an immunologist, pathologist, and bacteriologist, was one of the first to prove that negative attitudes and emotions do lead to physical disease.

In his pursuit of an effective treatment modality, Bach's concern with the indiscriminate use and abuse of chemical drugs, led him to search for natural substances that would be free from side-effects.

Following extensive research and testing Bach and his colleagues succeeded in isolating certain nontoxic species of wildflowers, of which resultant preparations were found to help stabilize a wide range of negative emotional and psychological difficulties. Named after their discoverer, these preparations are today known as the Bach

Remedies. Though used extensively by physicians worldwide over the past fifty years, it wasn't until January 1981, that they were officially recognized here in the United States.

In a recent interview, former New York City Commissioner of Mental Health Dr. Herbert Fill, stated that; because police and firefighters were under tremendous emotional, psychological, and physical pressures, they could benefit a great deal from gentle acting nontoxic approaches such as Bach Remedies. "I feel the Bach Remedies are unusually gentle in their action yet at the same time potent in helping to resolve emotional and psychological difficulties . . ."

Some of the preparations used for specific emotional stresses include: the Bach remedy Aspen, derived from the flower of the Aspen tree, used for anxiety and apprehension; while flowers of the Willow tree are used for the resentment arising out of feeling unappreciated, or the preception that one has been treated unfairly; Holly, for jealousy; Larch for lack of self-confidence, preceiving ones own response capability as inadequate; Mustard for deep gloom and depression; Pine, for the guilt arising from feeling one has not done as good a job as they could have; and Beech, for the emotional isolation arising from hyper-critical and judgmental attitudes.

Rescue Remedy

Named by Bach for its positive calming and stabilizing effect in the acute emergency situations, Rescue Remedy is said to be effective used for the emotional stress arising from accidents, bereavement, hysteria and times of fright. Even minor everyday anxieties, such as taking exams, going on job interviews, as well as the stress resulting from arguments is said to be alleviated with the Rescue Remedy.

Mary Catherine Kelly, a New York City financial advisor, describes her introduction to the Bach Remedies through her use of Rescue Remedy. "Following severe per-

sonal problems I found myself experiencing acute anxiety attacks nearly every day. This no doubt was aggravated by my quitting smoking. To control the anxiety, I started taking Valium and other tranquilizers on and off for a year. Also, for the two previous years I'd had dizzy spells that no doctor could find the cause of. The day I took Rescue Remedies was the last day I needed a tranquilizer. As I continued the use of the Rescue Remedy, my anxiety attacks slowly abated, then disappeared, as completely as did my dizzy spells."

We are rapidly approaching a health crisis in this country. Stress and related disorders have grown to become a major concern to us all. Parallel to this the indiscriminate use and abuse of chemical drugs has become so rampant that on July 1, 1987, New York State will have passed one of the toughest regulations nationwide restricting the use of Valium and Xanax, both currently taken for anxiety and depression.

Perhaps in searching for safe, non-habit forming alternatives to chemical drugs, natural substances like Bach Remedies may be just what the doctor ordered.

Further information and free literature may be obtained from the U.S. agent, Ellon Inc., 644 Merrick Road, Lynbrook, NY 11563. 516 593-2206.

NOTE: Persistent conditions, and those conditions requiring medical attention should be referred to a physician immediately.

Leslie J. Kaslof is a Director, City of New York, Police Reserve Association. He is an internationally recognized authority, noted health researcher, writer, educator, and published author in the field of holistic and preventive medicine; he is also the developer and series editor for Health Shield, a health column series for law enforcement publications.

Reprinted from the Nassau County Patrolmen's Benevolent Association Newsletter June, 1987.

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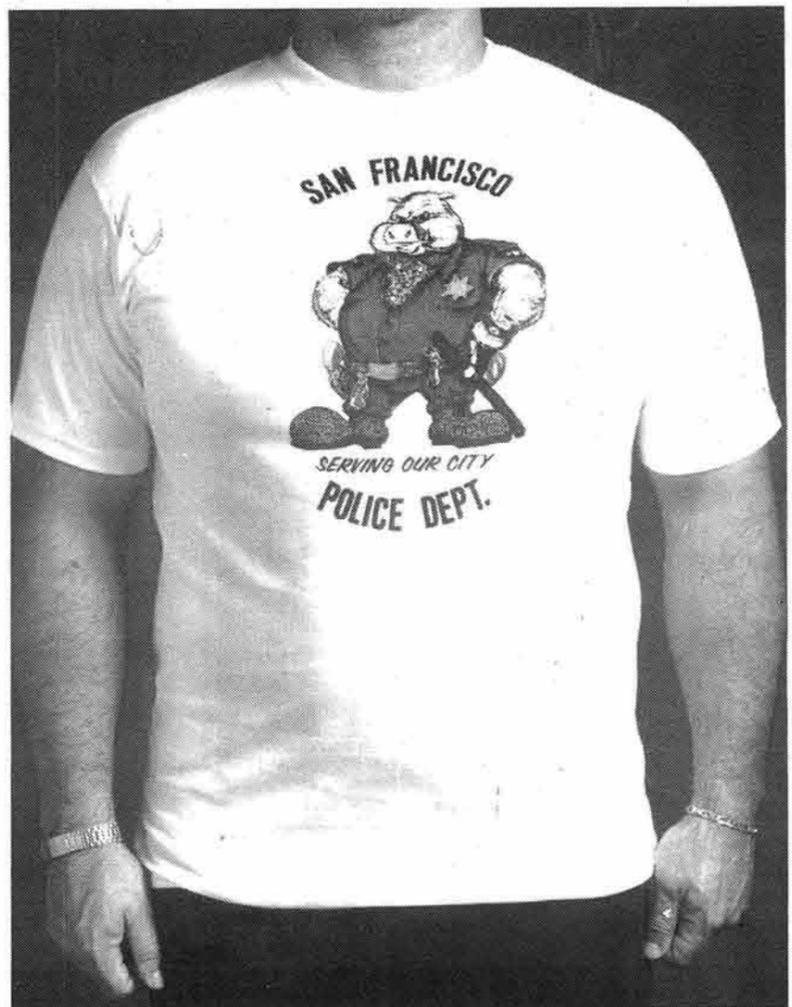
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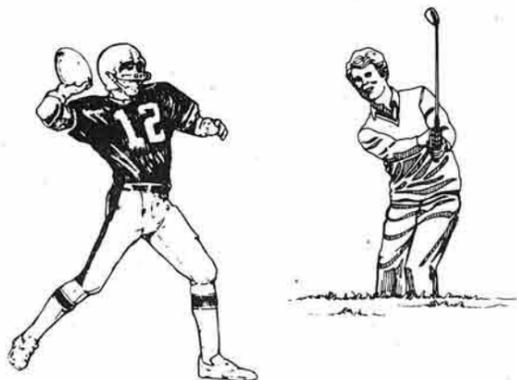
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SPORTS



Olympic Softball Teams Get Mixed Reviews

By Dave Herman

San Francisco's softball entries into this year's Police Olympics were as varied as the results they attained.

A total of 4 teams entered; including a men's masters team (40+ years), a women's team, the P.O.A. Allstar team, and the ever popular Yellow team, aka team #3 (every player has the same jersey number #3 on the back).

In the 40 years and older division it was a first year effort, and the results were rather disappointing. Playing just 2 games, the club took losses at the hands of Santa Ana 4 to 3 and LAPD 17 to 13. After watching both games, it appears to me the club is a little unorganized, and maybe a spring league before the olympics next year might get the team going on the path to a medal. The talent certainly looks to be there.

In the women's division this was another first year attempt by the department. Going into the competition it was unknown what the other teams would be like, and, having spent most of our spring getting clobbered by the men's teams in the dept. "B" division, there were a lot of questions to be answered. Especially for me, since I was coaching a women's team for the first time.

It didn't take long to get those answers, as the squad opened the tourney by crushing San Bernardino Sheriffs

26 to 2. The team's second game, however, was a real test, as we drew LASO (last year's 3rd place team). S.F. jumped out to a 6-0 lead, but couldn't hold it as LA came back to tie and then take the lead 10 to 6. But we came back to tie the game with 4 runs in the seventh inning and win it in the 8th inning 11 to 10. This was a tremendous win that left the team 2 and 0 and lined up a meeting with last year's gold medal winner, LAPD.

This contest stayed tied 3 to 3 for 6 innings, but LA took the lead 7 to 3 in the 7th and won it by that score.

Game #4 was even closer as the squad lost a heart-breaker to San Diego 5 to 4.

With a 2 & 2 record the team would have to settle for a 5th place playoff game with LASO. They beat the LA club by a score of 9 to 6 for a bronze medal finish, and a 3 and 2 overall record.

The effort here was excellent as the team stayed in every game 'til the last out. With the return of Mindy Pengel, Phyllis Ford & Denise Whitlock (all lost to pre-tourney injuries), next season should see the team at full strength and moving up in the medal brackets. This team is only a couple of players (and a few runs) away from a gold medal.

In the men's open class division S.F.'s Yellow team won its 1st game ever as they scored an extra inning victory over Torrence P.D. (out of the losers bracket) 25 to 24. The Yellow squad is not considered a serious contender for a gold medal, but every member is a competitor, and I'm sure they probably enjoy the Police Olympics as much or even more than most people. It's a team that has fun

and puts a lot of smiles on people's faces (usually their opponents and would-be fans) just kiddin' guys! As I mentioned initially, everyone wears number 3, and when a fan yells "nice play, three," naturally they all take the credit, even if they are on the bench. They ended up with 1 win and 2 losses.

The other men's open team, the P.O.A. Blue team, looks at the olympics in a more serious fashion. It's the one chance a year to play against the dozens of quality ballclubs from the southern half of the state (this year would be no exception).

Opening up against Cypress P.D., S.F. slugged its way to a 19 to 4 victory. It was immediately evident that this was going to be a high scoring tournament when numerous balls were launched out of the park by S.F.'s Steve Collins and Jerry Donovan. Game #2 was no different as the team flattened Downey P.D. (seeded third in the tourney) 24 to 6.

The 3rd matchup in this bracket was the ever tough LAPD Red team. This game proved to be a classic with the lead changing hands numerous times early on, but the top of the 7th inning will long be remembered as one of the best hitting displays ever by an S.F. team. With lots of fanatical cheering and support from a large contingent of S.F. fans the team scored 11 runs on 13 consecutive hits, beating LA Red 30 to 19 in the process. This was a huge victory as LA is just a hell of a ball club, & this was considered a hump game for both teams. Adding to a 3-0 record S.F. coasted by Oxnard/Ventura 13 to 6 to advance as only 1 of 2 undefeated teams in a tournament of almost sixty ball clubs.

Friday morning, 0800 hrs, the team met LAPD Blue and lost in a rather lackluster contest 11 to 2. So into the losers bracket they went, meeting Buena Park (a team that has won it all twice before).

But this one was over early (very early) as S.F., batting in the top of the 1st inning, scored 16 runs and finished off with a 29 to 16 win, and 4th place secured. They then met LASO Blue who put on a heavy hitting display, eliminating the S.F. club 22 to 11.

So the team finished 5 & 2 overall, in 4th place, and with the knowledge that no other Northern California ball club even came close to advancing this far.

This was a real tough tourney, with a lot of strong hitting teams, live balls, and short fences. Capturing a medal in this competition is like making it to the final 4 in the NCAA basketball tourney.

Well, that just about raps it up for 1987. The P.O.A. team, 14 and 4 this season, has the T.O.C. in Lake Tahoe left (Aug 15 & 16), and the rest of the teams should start looking towards Bakersfield '88 and improving their marks from this season.

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SPORTS



Loons Land 4th in Golf Championship

by Ed Garcia,
Co. E

The Loon's Nest Golf Club, the Northern Station-based N.C.G.A. Associate golf club, sent its first four-man best ball team to compete in the Northern California Associate Club Championship, played July 22nd and 23rd at the beautiful Rancho Canada Golf Club in Carmel Valley. The team consisted of club President Tim Hettrich, Secretary Mike Paulsen, Handicap Chairman Ed Garcia and Ron Parenti.

The Loon's Nest team competed against seventy-one other teams from all parts of the Northern California, playing two excellent and tough golf courses at the Rancho Canada complex. After the first round on the East course, the Loon's Nest team had a best ball score of 61, leaving the team just ahead of the middle of the pack, facing the tougher West course on the following day. The Loon's Nest team responded by going out and shooting a team score of 56, which was two strokes better than any team shot on the West course throughout the entire tournament. A total score left the Loon's Nest team in 4th place, one stroke from third, two strokes from second and three strokes from winning the tournament.

Tim Hettrich had the team low individual score on the East course with an eighty, and Ed Garcia had the low individual score for the team on the West course with a seventy-nine. After this fine first effort, it was clear to the golfing world that this was not the last time that Carmel Valley would hear the proud call of the Loon's Nest Golf Club.



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SPORTS



Olympic Medal Results

Billiards

Mike Boyd-Silver, Bronze

Boxing

Tom Argo-Silver

Equestrian

Don Haskell-Bronze, Bronze

Handball

Vic Aissa-Gold, Gold
Dennis Devlin-Silver, Silver
Ed Dullea-Gold, Bronze
Ed Kenny-Gold
William Koenig-Silver
Dave Rios-Gold, Gold

Pistol (Team #2)-Silver

Roger Farrell
Duane Otis
Armand Pelissetti
Don Sloan

Powerlifting

Steve Hutzler-Silver
Joe Curry-Silver
John Curry-Bronze

Racquetball

Bob Davis-Bronze
Teri Jacobs-Silver, Bronze
Mark Madsen-Bronze
Jeff Woo-Bronze

Rifle

Duane Otis-Bronze, Bronze
Cliff Java-Bronze
Rod Nakanishi-Silver, 3 Bronze
William Leet-Silver, Bronze
Glenn Pennebaker-Gold, Silver, 2 Bronze
Paul Swiatko-Gold, 2 Bronze
Jamie Ongpin-Silver, 2 Bronze

Road Race (Marathon)

Mike Mahoney-Bronze
John Payne-Silver

Soccer (White Team) - Bronze

Tom Bruton
John Conefray
Brian Delahanty
Tim Dempsey
Phil Dito
Bill Dyer
Liam Frost
Steve Glickman
Eric Hipp
Frank Machi
Pat Mullins
Pat Murphy
Brian Olcomendy
Jim O'Shea
Joey Boyle
Don West
Steve Roche
Ken Sanchez

Softball (Blue Team) - Bronze

Gary Delagnes (Manager)
Jeff Barker
Steve Collins
Jim Drago
Al McCann
Matt Hanley
Rich Dalton
Jack Minkel
Ross Laffin
Mike Keyes
Warren Hawes
Dave Herman

Softball (Women's) - Bronze

Valerie Agard
Ann Corriea
Mary Dunnigan
Sharon Bissell
Juanita Stockwell
Brenda Walker
Meri Veavea
Pat Correa
Dolly Casazza
Sue Roth
Chris Lee
Martha Fabiana
Phyllis Ford
Patricia Jackson
Marlene Wilhoite
Denise Whitlock
Dave Herman (Coach)

Swimming

Mike Biel-Bronze
Bill Cooke-Bronze
Ken Foss-3 Silver, 2 Bronze
Howard Kyle-3 Silver, Bronze
Frank Petuya-2 Silver, 2 Bronze
Kevin Phipps-Bronze
Reno Rapagnani-2 Silver, 2 Bronze
Bob Ribiero-Bronze

Tennis

Richard Leon-Bronze
James White-Bronze

Track & Field

Lou Perez-Gold, Bronze
Dennis Gustavson-Bronze
Kathie Sherry-Bronze
Dennis Bianchi-Bronze

Triathlon

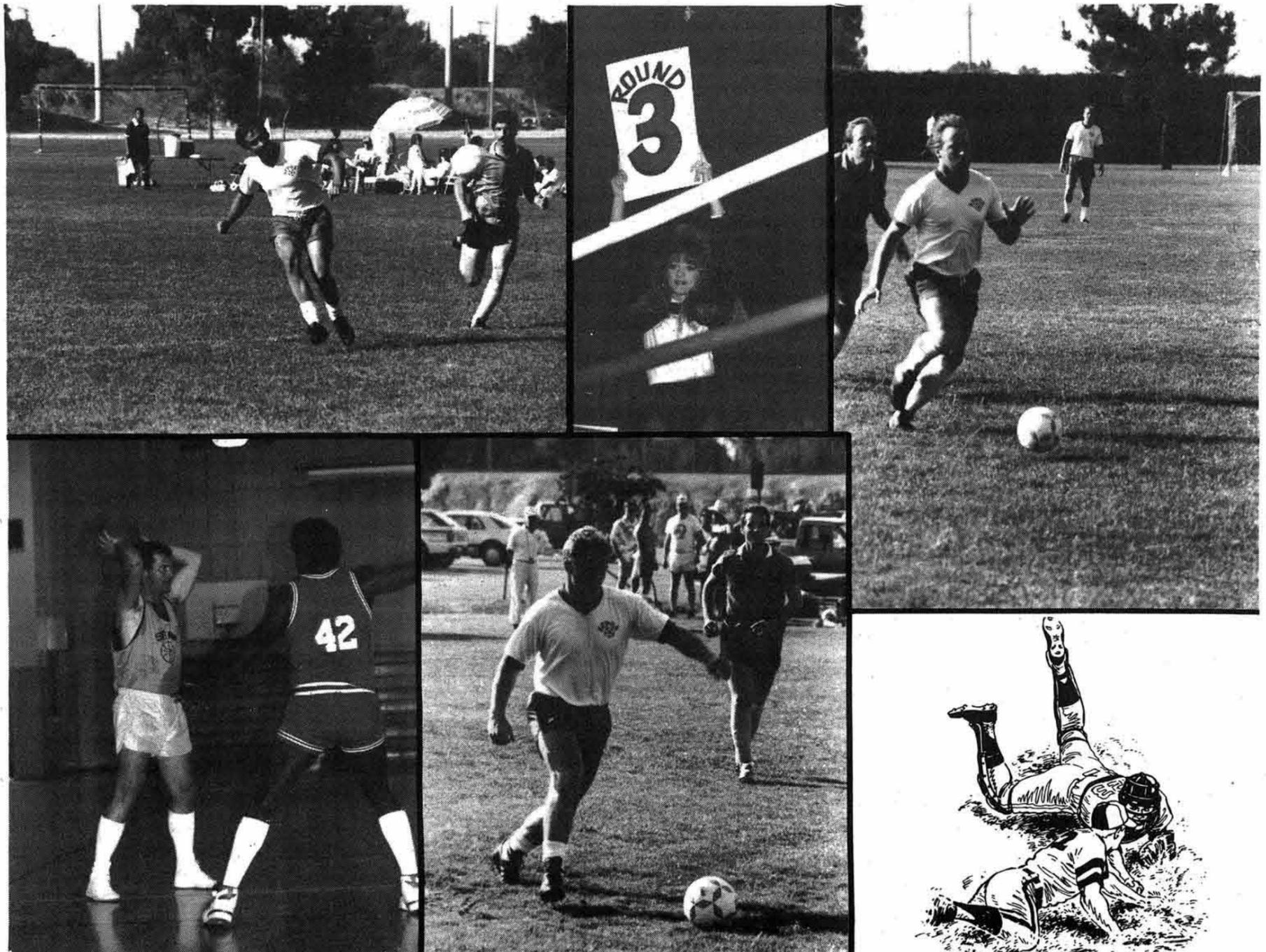
Lou Perez-Silver
Mike Dower-Gold
Eric Neff-Gold
Dennis Gustafson-Gold

Water Skiing

Russel Matli-Bronze

Congratulations To All Olympic Competitors

(Apologies extended to any medalist who may have been omitted from the above list)





SPORTS



'87 Olympic Rifle Team Results

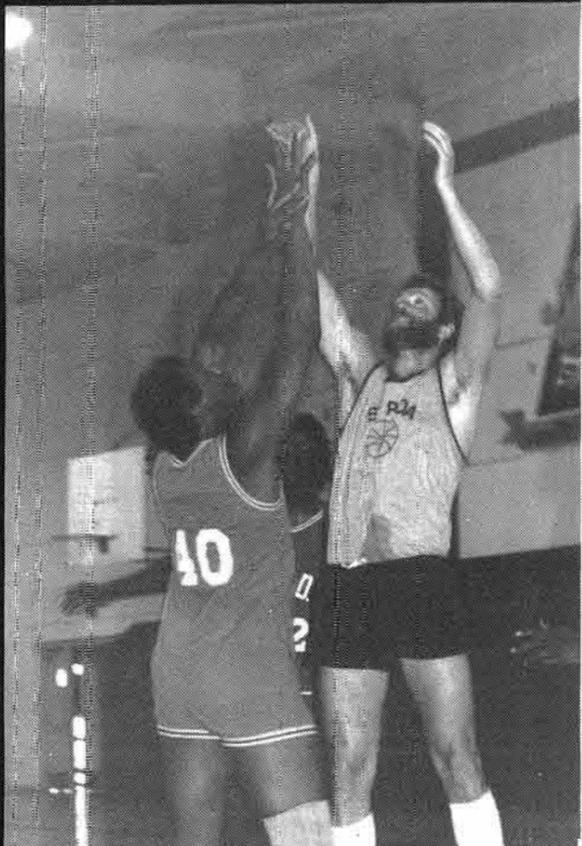
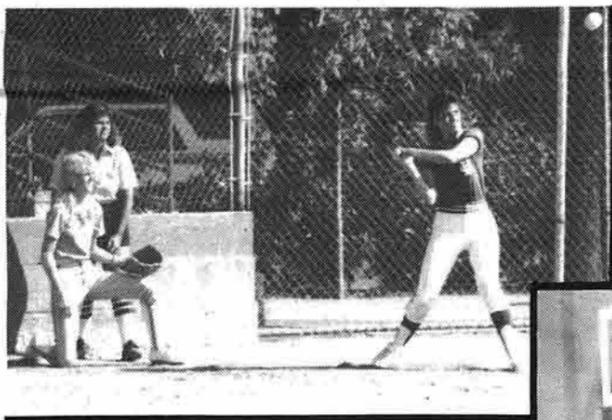
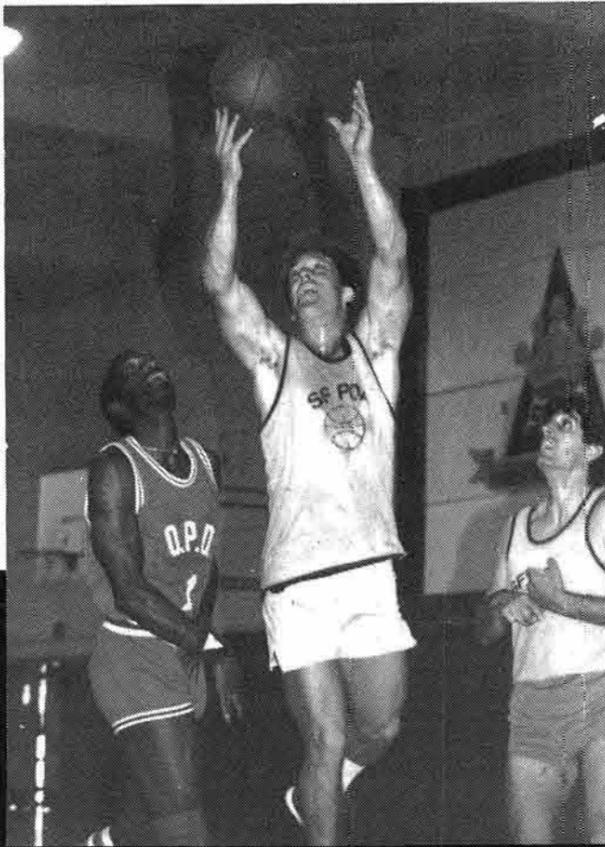
by William Leet, PCD

Stockton was hot — so was the S.F.P.D. Rifle Team. Friday, at the Small Bore (22 cal.) Event, the temperature was 105, in full sun for six hours. However, due to the smooth efficiency of the Stockton Gun Club volunteers we had a minimum of delays.

On the Blue Team, Sgt. Pennebaker, Co. H, took a gold in his expert class; Sgt. Leet, PCD, took first bronze in unclassified; Insp. Nakanishi, Juve., took third in sharpshooter and J. Ongpin, Housing Co. E, earned a third bronze in unclassified. The Blue Team also won the team silver against an overwhelming challenge from an all-expert team. The Gold Team consisting of Sgt. Morris, Ret.; P. Swiatko, TAC, individual 3rd bronze; D. Otis, Robb., individual 4th bronze; and C. Java of Narc. held out for the 3rd bronze team medal.

Saturday found the temperature down for the Large Bore Rifle competition, 100 same range, same sun. The competitor was extreme in all classes, but the S.F.P.D. was still hot. Pennebaker took a fifth in expert, Nakanishi a 3rd bronze in expert, Java a 4th in marksman, Ongpin a 5th in marksman and then Swiatko captured the first place gold in individual marksman. The Blue Team earned a team third for the event. Congratulations to all for surviving the sun and conquering the competition! Next year Bakersfield!

THANKS FOR THINKING OF US
THE MEMBERS OF THE SAN FRANCISCO POLICE OFFICERS ASSOCIATION WOULD LIKE TO EXTEND THEIR THANKS TO THE MILLER BREWING COMPANY AND MR. JOHN TAYLOR OF MILLER SPORTS GROUP FOR THEIR DONATION OF 124 TICKETS TO WATCH THE GIANTS BEAT THE DODGERS DURING THE AUGUST 14-16 SERIES.



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The Notebook Needs You

We need your articles to make this the best possible newspaper.

Articles should be sent to:
Editor, POA Notebook
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San Francisco, CA 94103

Deadline for September issue: August 24, 1987

Editorial Comment

Gamesmanship

Wells, it's budget time again in the "City That Knows How". These games rival anything you will see in Candlestick.

Consider this scenario:

Some hard-working cop makes a nice pinch... let's say a warrant arrest... and uses a minimal amount of force to overcome the suspect's resistance. No injuries are sustained by this suspect, but he makes the obligatory complaint to OCC. The complaint is rejected, of course; even the OCC finds no evidence of any misconduct.

Somewhere this suspect hooks up with one of the many wily lawyers in this town. This able fellow convinces the suspect (now known as 'the innocent victim of a brutal attack by police') to file a lawsuit against the City. This suit alleges all sorts of lingering effects caused by the vicious police assault.

The city attorney's office, the legal office of the Department, and the cop involved get together to plan their defense. There is no apparent problem: the arrest was clean, the force used was minimal, no injuries were apparent.

What could possibly go wrong?

The suspect's... uh, the victim's lawyer sits down to negotiate with the City's representative (the City Attorney). The claim for damages is reduced to some fairly small amount, and... surprise... the City settles out of court.

The poor cop is left holding the bag; the City's rep. kindly explains that it just doesn't pay to fight these little cases when it is possible to settle out of court. Of course the lawyer for the... uh, victim receives his fee (paid for by the City) which just happens to be six times the size of the settlement.

Now comes the kicker: the Finance Committee of the Board of Supervisors is ever vigilant in the struggle to reduce the cost of government (unless it concerns some Welfare Program that spends millions to feed and house the poor homeless citizens of the City in the Fairmont or someplace). Because of this vigilance, they notice that there seem to be many lawsuits against cops being settled. Obviously, this is the fault of those crazy cops beating everyone into submission while making arrests.

In a brilliant stroke of genius they inform the Department that settlements will start coming out of the Police Department's budget instead of the General Fund, unless the number of settled lawsuits is reduced. This means that fewer new officers would be hired, of course, and, therefore, there would be even less chance of promotion than there is now.

Is that gamesmanship at its best, or not?

Students Win Awards in AAA Safety Poster Program

Marina Middle School

Denice Jiang, an elementary student at Marina Middle School in San Francisco, has received an award for her entry in The American Automobile Association's 43rd Annual National School Traffic Safety Poster Program.

The program is sponsored annually in this area by the California State Automobile Association to promote awareness of traffic safety through poster designs illustrating safe pedestrian behavior and safe bicycle riding habits.

Denice earned a COMMENDATION for her illustration of the slogan "Keep From Between Parked Cars."

The award was presented at the school awards ceremony by Susan Piper, assistant manager of the CSAA San Francisco district office, Domestic Travel Department.

Hillwood Academic School

Chiara Medicina, an elementary student at Hillwood Academic School in San Francisco, has received an award for her entry in The American Automobile Association's 43rd Annual National School Traffic Safety Poster Program.

The program is sponsored annually in this area by the California State Automobile Association to promote

ON THE STREET/Tom Flippin



DICKEY

(continued from page 1)

Francisco Police Department on February 21, 1955. On July 1, 1976 he was appointed to the rank of non-civil service sergeant by the Chief of Police, Charles Gain. This appointment continued through June 30, 1978. As of July 1, 1978 he was assigned to the position of like work/like pay sergeant by Deputy Chief Kevin Mullen.

On June 30, 1978 Russ sustained a severe occupational injury to his back resulting in hospitalizations and disability leave for one year. Russ has yet to recover from this injury. The Retirement Board granted Russ an industrial disability retirement effective June 30, 1979.

While his police career was prematurely ended through occupational injury, Russ at least felt financially secure with a sergeant's retirement benefit. This was not to be the case; the Retirement Board decided that Russ was only entitled to Q-2 police officer monthly retirement benefit.

When his monthly checks began to arrive, Russ couldn't understand the figures. Something was wrong. After nearly 25 years of police service, he felt entitled to proper care and consideration from the Retirement Board.

Russ contacted his POA, and he got the desired results; albeit, after a long, arduous, unremitting court battle.

The Law

Written communication with the Retirement Board began and continued through March of 1982 requesting either monthly retirement benefits based on a sergeant's pay or a hearing before the Retirement Board to resolve the issue. The Board refused to calendar the matter and likewise continued its improper retirement payments.

The Charter stated that Russ was entitled to a retirement allowance "at the rate of remuneration attached at that time to the rank or position which said member held, provided that said member has held the rank of position for at least one year immediately prior to his retirement."

Russ Dickey, honorably retired, maintained a straight forward assertion. When he entered police service, he entered into a contract with the City and County of San Francisco. He would work for 25 to 30 years, unless otherwise disabled, and in return the City would pay him a monthly pension at the end of his career based on his rank or position.

To which the Retirement Board posited — a pension yes, but at a lower rank. This Board (which in my experience treats police officers fairly) took transient leave of its senses. It said that Dickey had not served as a like work/like pay sergeant for the requisite year. It said Dickey had not properly been assigned to the like work/like pay position.

The Facts

Depositions of now deceased Deputy Chief James Shannon were made part of the record. Chief Shannon explained that the annual salary ordinance provided for payment to police officers who assume the duties of a higher rank or position. Shannon said Dickey was assigned to the position of like work/like pay sergeant and held that position for one year immediately prior to his retirement.

The Board of Supervisors provided for a differential pay account and knew that it would be used to pay those police officers who were assigned to higher positions on a like work/like pay basis. Russ Dickey was so assigned and did receive sergeant's compensation for the year he served as a like work/like pay sergeant.

The Retirement Board's arguments began to fade when it was clearly shown that Dickey was required, during his year as a like work/like pay sergeant, to contribute into the Retirement System an amount commensurate with the rank of a sergeant. The Retirement Board wanted (demanded, compelled and received), when Russ was an active member, retirement contributions at a sergeant's level, but then, when Russ was a retired member, paid him a monthly retirement pension at a Q-2 police officer level. A nice attempt, but one that was slapped by the Court of Appeal.

The Decision

This high court unanimously ruled: "Dickey lawfully held the position of like work/like pay sergeant for a year prior to his disability retirement date. Pursuant to sections 8.559-3 and 8.559-1, he is entitled to have his retirement pay calculated on the basis of the position of like work/like pay sergeant."

It was a clean victory. But most sadly a victory which should never have been necessary.

The Police Department has throughout the decades made like work/like pay assignments to higher ranks and positions when there were vacancies and no current civil service promotional list. These appointments were, and are, made to insure proper supervision and management of the Department. They are made in between promotional exams and lists to insure continuity of command. In recent years, like work/like pay assignments have been made to the rank of lieutenant; presently, these assignments are filling the ever growing captains' vacancies.

The Court of Appeal was made aware of the Department's past practices and that numerous police officers are receiving, and have received for decades, the same pension which Dickey earned, deserved, sought and was finally judicially awarded.

The Dickey Legacy

Russ is now happily retired in Sonora, California with his wife Ruth. He comes to San Francisco for doctor's appointments and meetings of the Retired Officers Association and the American Legion Post. If you see Russ, wish him the best in his well deserved retirement and congratulate him for having the patience, persistence, and tenacity to go "toe to toe and head to head" with the Retirement Board to ensure pension justice not only for himself but for all police officers who have retired and in the future will retire while holding a like work/like pay position. Proper retirement payments will be made.

Russ' case was of great concern to the Police Association. It feared for the pensions of all officers now retired who held like work/like pay positions — and there are many. If Russ Dickey could be paid a Q-2 pension, would the Retirement Board reduce pension payments for all officers who retired holding these assignments?

When the Court of Appeal aligned itself with Ruscel Dickey, it aligned itself with all police officers similarly situated.

Congratulations to Ruscel Dickey.

"Give Imports the Boot—
Buy American and
Look for the Union Label."

