



the San Francisco POLICEMAN

OFFICIAL PUBLICATION OF THE SAN FRANCISCO POLICE OFFICERS ASSOCIATION

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



Member of COPS - California Organization of Police & Sheriffs

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VOL. 13

SAN FRANCISCO, JANUARY 1982

NO. 1

\$50,000 DEATH BENEFIT COVERAGE EXPANDED

by Mike Hebel

In 1976 the Congress of the United States amended the Omnibus Crime Control and Safe Streets Act of 1968 by enacting the Public Safety Officers Death Benefits Act (42 USC 3796). The amendment provided that the Law Enforcement Assistance Administration (LEAA) shall pay a benefit of \$50,000 to the survivors (spouse, children, dependent parents) of a public safety officer (police officer, firefighter) who died "as the direct and proximate result of a personal injury sustained in the line of duty." LEAA has narrowly interpreted the words "in the line of duty" only to include officers who die as the result of a criminal act or hazardous activity. The United States Court of Appeals, Ninth Circuit, has expanded the coverage in the case of Russell v. LEAA (637 F.2d 1255) decided on October 31, 1980.

Accident On Way Home

Sergeant Edward Russell worked as a detective for the LA County Sheriff's Department. In that capacity he was required to bring his own car to work and use it extensively during investigations. On January 5, 1977,

he was working as a weekend duty detective, handling custodial cases and responding to emergency investigations needed. He reported to work at 8 a.m., worked on investigations at the station and in the field all day, and left for home at 11 p.m. At about 11:45 p.m., his car was forced out of its lane by an errant auto, colliding head-on with an oncoming car. Russell was killed.

Russell's wife and children received death benefits under the California 1937 County Employee Retirement Act and under the California Workers' Compensation Law. Mrs. Russell applied for the \$50,000 federal death benefit. The LEAA, which administers the Benefits Act, denied the application on the ground that Detective Russell did not die "in the line of duty". She petitioned the Appeals Court for review of that denial.

Scope of Coverage

The Benefits Act provides for this tax exempt payment to the survivors of any police officer/firefighter

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MEMBERSHIP AGREES: Collective Bargaining should not include Retirement Benefits

by Gale W. Wright

The general membership present at the Special Meeting on January 6, 1982, voted unanimously to rescind a vote of the Board of Directors on December 15, 1982 to have the entire membership vote on whether or not the collective bargaining amendment should include retirement benefits.

The emotions were strongly in favor of not jeopardizing the existing retirement benefits for the 1,300 members in the pre '76 system.

A second motion was also passed unanimously to get the POA started immediately on upgrading the post '76 retirement benefits for the 500 plus newer members.

Now we should be able to finalize the mechanics or teeth of the collective bargaining amendment so we can hire the right public relations firm to promote a good majority 'Yes' vote on the June 8, 1982 ballot. To me, CB simply means a lawful right to talk to City negotiators to gain a few well-deserved benefits for our members.

Of the meetings that I've attended on the CB subject, management seems to be hung-up on Management Rights. Management should have certain rights, but if they are heavy-handed or arbitrary, certainly there should be ground available to address any grievances in the area of rights.

Benefits I expect to see through the CB process are very simple and straight-forward:

1. Time and a half (1½) for overtime.
2. Night differential pay: 6 p.m. to 6 a.m.
3. Career educational incentive pay for Intermediate or Advanced POST (Police Officers Standards & Training, State of California) certificates
4. Longevity pay (pay for years of experience and knowledge)
5. Fully paid medical plan
6. Fully paid dental plan.
7. Marksmanship pay

From my point of view, there is no management right involved in these listed benefits which the San Francisco police officers have never had. Furthermore, I would not pursue more than two or three of these benefits per fiscal year. The shotgun approach is self-defeating. The focus never gets definite, the costs become astronomical and the stalling factors come into play.

PROMOTIONAL EXAMS Part III

Another Chapter in the Continuing Story of Impotent POA Leadership

by William Kidd

In the October issue of the S.F. POLICEMAN I pointed out that the September referendum to modify the consent decree so as to expedite a lieutenant's exam, while maintaining the then anticipated schedule of a pre-August '82 sergeants and Q35 exam, was likely to be of little value, since the Association leadership, through lack of foresight and/or initiative, failed to capitalize on the opportunity to achieve these goals when that opportunity developed in early 1981.

In December, Mike Hebel expanded on the theme by calling for "a promotional schedule for all classifications" and noted the "competing interests" which have developed at the levels of Q2, Q35 and Q50 for the upcoming scheduling of exams. Mike recognized that some hard decisions needed to be made, and that it is never possible to please everyone, when they see their personal goals and desires being affected.

I don't think that either of us expected that, on December 8, when Judge Peckham filed his proposed order, that the anticipated schedule as guided by the Consent Decree, would be reversed; we are now given a directive that the Lieutenant's shall occur prior to August '82, while the Sgts. and Assistant Inspectors exams must occur not later than August '83. So, as it now stands, the current sergeants gained, while Q2's have met a setback. This development, and Mike's article, serve to underscore the points I and others have been trying to make, namely, that postponement, delay and the juggling of specific promotional examinations only makes a complex situation more confusing, for invariably some will benefit while others lose with each given proposal. The only common denominator, the only practical goal that can benefit the greatest number to the greatest extent is the pursuit of frequent examinations at all levels.

Next one must realize that such a goal has to be sought with vigor, tenacity and assertiveness, none of which has been exhibited by the POA leaders as of yet. Instead, there has been delay, lack of direction and control, and a total fear of taking the issue head-on. It is, of course, always easier to do nothing, rather than stick your neck out, but that is exactly what leaders Barry and Chignell have chosen to do with this problem, as well as others. And in the P. O. A., this can be very successful; there is no risk in being identified as opposing any group of voting members when you don't come up front; the membership is generally very poorly informed, and asks few questions, not at least until a problem has festered, and the detriment becomes blatantly obvious. But, by then the issues have become so clouded that it is impossible to hold anyone accountable. And so, it can be argued, that this is what the membership wants to allow. so there should be no cause for complaint if the results are not always satisfactory. But complaints will come nonetheless, and member takes issue against member, sergeant against police officer, boss against subordinate, junior officer against senior officer, "Tier I" officer against "Tier II".

You might ask yourself a few questions at this point, and I apologize up front for posing them, because I'm not going to take the space here to answer them for you:

1. Do you think the City and police administration might have anything to gain by slowing down promotion? By postponing exams? By appointing temporaries instead of permanent promotees? (Clue: Out of the current budget, over 50 sergeants positions were eliminated from the budget. Also, for those who would complain about my grinding a personal axe, also ask:

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WIDOWS & ORPHANS

The December meeting was called to order by President James Sturken at 2:15 p.m., Wednesday, December 18, 1981 in the Traffic Bureau Assembly Room, Hall of Justice. All Officers and Trustees present.

After a motion and second, the following were approved as members of the Association: Duke B. Alegre, Mark A. Ballard, Victor S. Block, Louis A. Cassanego, Matthew J. Castagnola, James F. Cunningham, Gerald C. D'Arcy, Jr., Paul A. Falconer, Mark L. Felber, Kenneth H. Foster, William M. Garcia, Stephen F. Giesecker, Stephen M. Gillis, Melvin K. Gittens, Louis J. Glaser, William B. Griffin, Lawrence S. Hirsch, Eugene E. Kalinin, James M. Kowal, Mark S. MacAuley, William M. McFarland, George R. Malin, Richard J. Martin, Janet M. Matthews, Richard G. McNaughton, Leandra V. Militello, Donald E. Montgomery, Jr., Patrick W. Moore, Dennis A. Quigley, Gerald A. Ramirez, Robert L. Red, Darby J. Reid, Adele Roberts, Manuel F. Robleto, Henry V. Shishmanian, Mark G. Soloman, Albert R. Tong, Ronny B. Tsujimoto, William J. VanLaak, James M. Vannucchi.

The Secretary reported the following contributions: Cooper Bros. Plumbing: For assistance rendered by the Traffic Bureau. Mr. & Mrs. Golinker: For the return of purse by Ins. D. Toschi. Joseph I. Wilson: Just a man who likes policeman. Anonymous: Seems to be with us every month. Mr. & Mrs. Harley: In memory of retired Officer Edward Burke.

The Treasurer Barney Becker reported the following deaths:

WILLIAM COSTELLO — Born in San Francisco in 1901, he joined the Department in 1927 at age 26. Served at the various district stations until he was transferred to Park where he served for 20 years. He was transferred from Park to Taraval in 1959 remaining there until his retirement for service in 1968 at age 66. Bill was in the old \$2.00 system, hence could work until 70. He was appointed a Sergeant in 1950. Bill received the following Captain's Commendations: In 1945 for the capture of two men burglarizing a residence, in 1956 for the recovery of a valuable diamond ring that had been stolen. Bill was 81 at the time of his death.

GERALD ROBERTS — Another San Franciscan born in 1941. Jerry was 26 years of age when he joined the Department. After his stay at the Academy he started his police work at Potrero Station. Worked there for 3 years before being transferred to Richmond. After several good pinches, Jerry went to the Bureau of Inspectors as a temporary Assistant Inspector, working there until his retirement for disability in 1978 at age 37. Unfortunately, Jerry's stay as a retired policeman was short, lasting only three years. A very young 40 at the time of his death.

Treasurer Becker presented the usual bills which were approved. Under the report of the Trustees, Miss Minuth, Hibernia Bank, recommended the following which were approved by the Trustees: Sale of \$50,000 Fed. Land Banks (these were only paying 8.15%), purchase of \$50,000 U.S. Treas. Notes paying 13.25%, purchase 1,000 shares of H.J. Heinz.

Under Unfinished Business — Motion Hurley, 2nd Hardeman, that ART VI, SEC 1 of the ByLaws be amended to read "the full death benefit, a sum not to exceed \$6,500.00" approved. This means that the death benefit is increased \$500.00 effective January 1, 1982, total now \$6,500.00.

Also under unfinished business, the president instructed the Secretary to cast a unanimous ballot for all candidates for office as there were no opposed offices. Art. VII, SEC 4 of the by-laws.

The following are the newly elected: President, Bernard Becker; Vice President, William Hardeman; Treasurer, William Parenti; Secretary, Robert McKee; Trustees, Mark Hurley, Frank Jordan, Michael Lennon.

Under New Business — President instructed to send a letter to all members regarding new officers and increase in benefits, also to include a copy of the new Constitution and By-Laws.

Under Good of the Association, members are reminded that the next meeting is Wednesday, January 20 and will be the Installation of Officers.

There being no further business to come before the membership, the meeting was adjourned at 3:00 p.m. in memory of the above departed Brothers.

Fraternally,
Bob McKee, Secretary

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POLICE POST #456 NEWS

S.F. Police Post 456 notes with deepest sorrow, the passing of Joan Sloan, the wife of our Post Adjutant Don Sloan. Even with a lingering illness she kept her cheerful disposition. I know that the angels will be watching over her. Our deepest condolences to Don and his family.

I hope that everyone had a prosperous and safe holiday and that the New Year's resolutions are still somewhat intact. One resolution probably was to hold back on spending too much money. This is tough in these times when it takes two breadwinners to maintain a household.

Like a very observant man wrote in a popular book issued monthly, "Nowadays, both husband and wife are bringing home the bacon. The argument now is — who's going to cook it?"

One resolution that I hope all members of S.F. Police Post #456 keep, as well as all people of good will, is to maintain our good will toward other men. The preamble of the American Legion reads in part "by our devotion to mutual helpfulness". These words have remained with me ever since I became a member of S.F. Police Post #456 and for those of you who can take time to look it over, check on the back of your membership card. It is the last part of the preamble and also the best part.

You will find that it is very easy to put into practice. I dwelled on the Christmas visitation to Ft. Miley in last month's column. I cannot say enough for the people who take the time to make this trip. It's well worth the effort as well as the monthly Horse Race Bingo. It's very well received. Consult your Post Bulletin for the times and dates. As the saying goes, "Try it, you'll like it."

Till next issue, keep smiling and may God hold you in the palm of his hand.

Your Scribe,
John A. Russell

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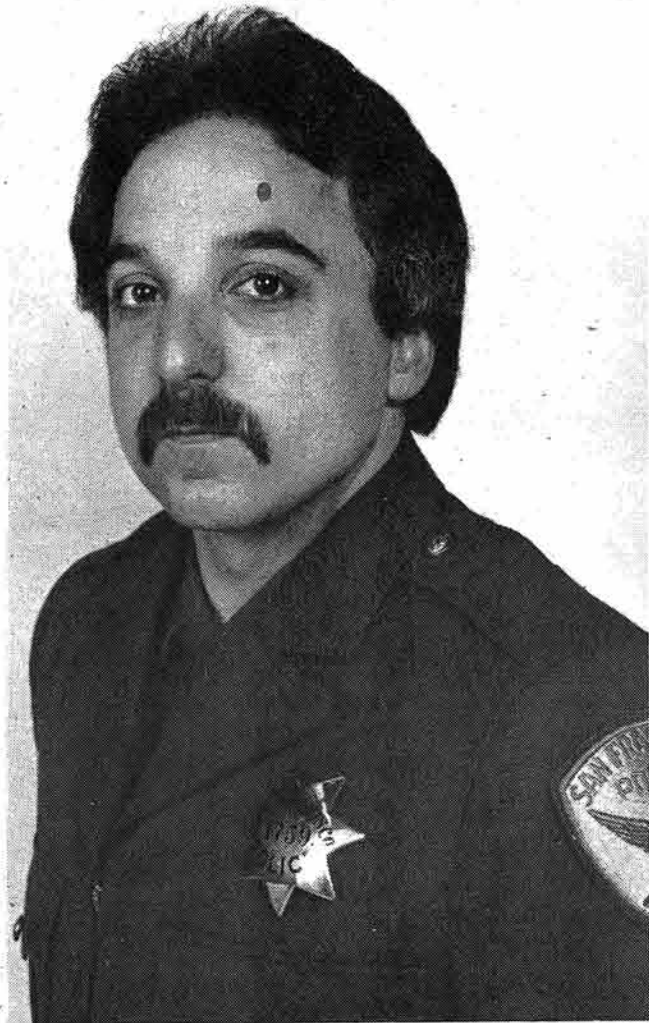
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- Address letters to the Editor's Mail Box, 510 - 7th St., San Francisco, CA 94103
- Letters must be accompanied by the writer's true name and address. The name, but not the street address will be published with the letter.
- Unsigned letters and/or articles will not be used.
- Writers are assured freedom of expression within necessary limits of space and good taste.
- Please keep letters and/or articles brief and legible.
- The editor reserves the right to add editor's notes to any article submitted, if necessary.
- Articles should be limited to two pages, typed, double-spaced.

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Traffic Enforcement Officer of the Month



Officer William Brunicardi

The Traffic Enforcement Officer of the Month for December, 1981, is Officer William Brunicardi # 1759.

Officer Brunicardi entered the San Francisco Police Department in April, 1980 and, after receiving his training at Central Police Station where he earned several Captain's Commendations for outstanding police work, he was assigned to Ingleside Station.

Officer Brunicardi attended Balboa High School in San Francisco and presently holds the rank of sergeant in the California National Guard.

An awards presentation honoring Officer Brunicardi was held on Wednesday, December 30, 1981, at the Police Commission meeting scheduled at the Hall of Justice.

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Progress Report . . .

POLICE YEARBOOK

by Gerry Schmidt

The editors of the 1981 Police Yearbook wish to thank all members, both active and retired, for their participation in the Yearbook process. Over 1,100 members had their photos taken during the portrait photo schedules.

We were greatly pleased to have so many members share their personal photographs with us for consideration to be used in the Yearbook. The photos were usually group photos of the periods from 1906 through 1970. Many sports photos were received as well as newspaper photo stories of the World War II vintage up through 1975.

Overall, there will be a very good pictorial selection, some history of course, but in the main, we will have a more contemporary department history.

Many thanks again for your participation. If you have not returned your photo proofs and indicated the photo you wish to be used, a selection will be made for you.

If you have not reserved a Yearbook yet, don't wait any longer. Only those books actually ordered, plus 100 extras will be printed. There will be no additional printings. When the additional 100 books are sold, that's that.

You can order a book for \$30 by sending a note and a check to ISI below. The cost to non-police officers is \$35, as per the vote of the Board of Directors, SFPOA.

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STRESS

District Health Center #1 is holding a six-week stress management program beginning February 23, 1982. All six sessions will be held at the Center, located at 3850 - 17th Street, on Tuesday evenings, 7 p.m. to 8:30 p.m. The last session will be March 30, 1982.

Session topics will include recognition of stressors, definition of the stress response, deep muscle relaxation, meditation, visualization, use of affirmations, communication exercises, and discussion of nutrition and exercise.

The fee for the six-session program is \$11.00, which includes materials. For more information and/or to register, please call 558-3905, Monday through Friday, 9 a.m. to 4 p.m.

District Health Center #1 is one of five city-county centers of the S.F. Department of Public Health. For information concerning other medical services available to San Franciscans, please call 558-2226 during normal working hours.

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BUREAU OVERTIME STRAIGHTENED OUT YOUR POA IN ACTION

by Paul Chignell, Vice President

In the last four months of 1981 a crisis developed in the Bureau of Investigations concerning overtime allotments to members of the Bureau. This crisis also affected the Vice Crimes Division.

Those three hundred POA members working in investigative functions are well aware of the memos from Room 400 advising the lack of overtime funds available at the end of each pay period and the orders that equivalent time off had to be taken for officers accumulating more than 160 hours on the books.

The memos have disappeared, but not through magic. The San Francisco Police Officers' Association solved the problem with the assistance of certain members of the department.

As soon as members of Homicide, Sex Crimes and other sections advised the POA of the problem, action was taken. A suggestion was made by the POA leadership to utilize excess EWW monies from patrol for the critical investigations that must be completed.

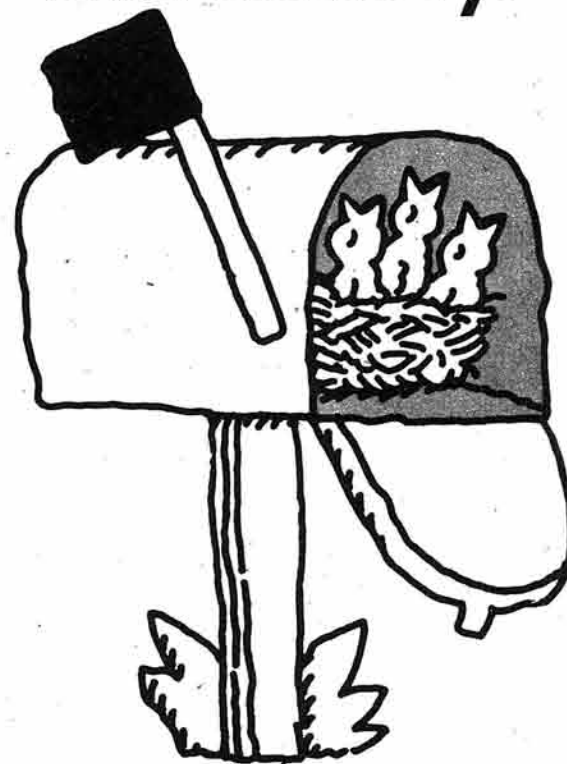
A period of procrastination resulted from that suggestion and two quick meetings were therefore held to resolve the problem. With the assistance of Chief Murphy, Deputy Chief Emil and Lieutenant Lennon the paperwork was completed and an order was issued.

No longer will inspectors have to take a day off jeopardizing an on-going investigation due to a lack of paid overtime funds. The San Francisco Police Officers' Association has solved another problem within the department which has assisted us in better serving the public.

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AROUND THE DEPARTMENT

by Al Casciato

... On Dec. 9th a sniping incident occurred on the 1500 block of Franklin Street. For the next four days, over 50 shots were fired by a mentally unstable individual. During the ensuing five day period, numerous officers of the Northern Station responded to the scenes of the shootings and painstakingly recovered slugs and casings. Those officers' extra concern and professional integrity eventually led to the arrest of the sniper on Dec. 18th. Because of the officers' extra effort, the crime lab was able to positively match the sniper's weapon to all incidents. Lieutenant Eugene Fogarty of the General Works Bureau recommended to Chief Murphy that the members of Northern Station should be commended for their work. The Chief has concurred and offers this as an example of continuing outstanding police work given to the citizens of San Francisco.

... Who said the population explosion is over? The following births that were recorded recently are but the vanguard of a large crowd that will arrive in '82. Jeffrey Emmett, 12 lbs. 13 1/2 oz. (wow!) got the jump on life when he bowed into the abode of James and Carole Hickson, Co. K Solos. Meanwhile down the road Vicki and Ray Carlson (Crime Lab) were graced with the arrival of Brian Alf, 8 lbs. 12 oz. Lil Lady Courtney Anne, 7 lbs. 6 oz. was the eagerly awaited first arrival for Vince and Jody Neeson, Co. A. Second arrival Sabrina Michelle, 7 lbs. 5 1/2 oz. is definitely not the last, promises James and Patricia Gaan of Co. B. Congrats and good luck to all...

... Golden Fleece Award. Recently, LEAA grant 78-DF-AX0213 paid for the preparation and printing of a bilingual glossary of terms and language identification. 5,000 copies were printed and distributed to police department personnel. But, many officers are questioning the glossary's value. For instance, on page 23, Korean section #3 reads: "What drugs or medication have you taken?" Moo-sun Yag-ul bog-yong-ha shut kona yang-mul chi-ryo-rul ba-du shu-sum-nika. Many officers ask "What happens if the person answers back?" So goes it for the Spanish, Chinese, Japanese, and Tagalog sections...

... Bob Martin of the Legal Office will be leaving shortly to hang his shingle at the offices of Harris & Abouzeid, 520 S. El Camino Real, San Mateo and 1390 Market St. #703, S.F., where he will be handling personal injury and workmans comp cases. We wish Bob the best of luck in private practice...

... There is a great debate going on on whether or not to include retirement with the collective bargaining charter amendments on the June 1982 city ballot. But, does everyone understand what is really going on or which specific type of collective bargaining the other person is talking about? I think not but then the debate over the wording of our pre-1975 pay formula only came to a close when we went on strike over the interpretation of the word "MAY"...

... Off. Jim Bosch of Co. A, while on wagon duty and booking a load of drunks at the City Prison, became suspicious of one particular alledged "wino". A few extra questions and some cross checking on the computer resulted in a finding that the "wino" was wanted by the Philadelphia police department for homicide. The wino sobered very quickly when the serious booking started...

... Sculptor Robert Fitzer. Yep! That's what they call Off. Fitzer of the Crime Lab as he and Ruby Newman spend their free time restoring the merry-go-round that once graced the Childrens' Playground at Golden Gate Park. Ruby and Bob expect to have the carousel finished and back in action at the park by July 1982. Donations for the purchase of supplies can be sent to the Park and Rec Department, Golden Gate Park, attention Merry-Go-Round Concession Fund...



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Handle Retirement Issues Separately

by Gale W. Wright

Since July of 1981 I have strongly advocated that the Board of Directors not mix retirement benefits with Collective Bargaining. My comments then were, "If we put retirement benefits on the table (with Collective Bargaining) the City Attorney's Office would put at least two deputies full time on the subject of police and firefighters' benefits, to reduce the benefits every way possible." I lost that vote 4 to 11.

In August 1980 Supervisor Dolson encouraged the Board to go with the "whole package" of CB and retirement. I really think he meant it, but I felt we should avoid mixing the two subjects. President Barry told the Board of Directors that Supervisor Molinari also urged us to sponsor a whole package. Again, the City Attorney, readily came to mind as well as the reasons for the pension buy-out proposal.

The Firefighters had conducted a vote of their membership around October of last year, as to whether retirement should be included with CB. Their answer was "No". Still, we did not resolve the issue at our Board. President Barry told us more than a few times that neither the firefighters nor the police union had enough votes to get two separate CB amendments on the ballot. We knew this for the November 1981 election and CB was withdrawn.

And even though we knew the legislative problems and how the firefighters had voted, we waited until December 15, 1981 to vote on whether or not our membership should decide on whether or not to include

retirement benefits with CB. I lost the vote on that motion too, by 12 to 1. The vote was to put it out to the members on the January 1982 SFPOA ballot.

Some members will tell you, and they mean it, that it was never their intention to allow the old retirement benefits to be included at all, in any way, ever. The area I tried to concern myself with, as a voice on the Board of Directors, has been, "What we are attempting to do, may in fact result in something else to our detriment, which was never foreseen."

Therefore, leave well enough alone.

I fully expect to work closely with Representative Dan Linehan to determine by priority which of the major benefits of the post '76 retirement benefits should be upgraded first. The planning should start now for each of the next four City elections, to improve the benefits one step at a time.

The Registrar of Voters tells me there are eight scheduled elections in addition to the June 8, 1982 election. These are:

General Election — Nov. 11, 1982
General Election — Nov. 1, 1982
Primary Election — June 5, 1984
General Election — Nov. 6, 1984
General Election — Nov. 5, 1985
Primary Election — June 3, 1986
General Election — Nov. 4, 1986
General Election — Nov. 3, 1987

Surely the POA can improve the post '76 retirement benefits by 1988.

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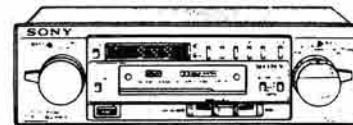
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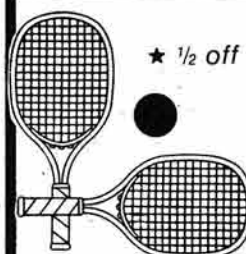
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PENSIONS! PENSIONS! PENSIONS!

by Dan Linehan
Rep. Southern Station

The purpose of this article is to dispell the unfortunate belief that post 1976 retirement (Tier II), led by this author was making an attempt to raise their retirement package by reducing the retirement of the pre 1976 retirement members (Tier I). **This was never the case.**

As we both know, during the summer of 1975 the police and firefighters entered into a strike against the City and County of San Francisco for approximately three days. Without discussing the merits of that action — pro or con — the voters of San Francisco, led by the Board of Supervisors, after the strike voted in a new pay scale formula for the whole department and a new greatly reduced retirement for new officers, that would enter the department after 1976. Both charter amendments were voted into effect as a backlash to that job action and today stand as charter law governing the benefits (if we can call it that) of our department.

Since that pay formula has been in effect we have seen an extremely slow rate of pay increases over the past five years. Our department was once paid equal to the highest paid law enforcement agency in California. We are now lagging woefully behind that to the tune of approximately \$300.00 a month. Everybody knows how we got here but the question that's on everybody's mind is, "How do we get ourselves out?" The answer — collective bargaining with binding arbitration.

Not only are we, as one, behind in pay but the benefits such as time and a half pay for overtime, night differential pay, pay incentives for educational degrees, paid medical and dental plans for those lucky enough to afford to have children, these are non-existent in our department. Look around at other police agencies in the Bay Area. They have some or all of the above — we have none. We work our tails off attempting to curb crime and what does the city offer us to thank us for a job well done? **Nothing.** Not one single benefit that is offered to other Bay Area police departments. They work only half as hard as we do because they just do not have the crime problems that we face daily. How do we change it? Collective bargaining with binding arbitration.

Now we come to the issue of the year. Should collective bargaining include retirement? Remember we now have close to 600 members of this association, paying dues working the same job that have a greatly reduced pension than the pre 1976 members. This author is one of the 600 who puts on his uniform every work day just the same as an older member did. However, as a member of the Board of Directors for Southern Station I was aware of the problems of placing both retirement packages on the table with collective bargaining. The main issue was the fact that the pre 1976 retirement plan is such an outstanding one that if it were part of the collective bargaining process that it could only be reduced. During the December meeting of the Board of Directors a vote was taken of the directors present which passed posing the questions — should retirement (both plans) be part of collective bargaining? The entire membership was to vote on this vital issue during the January election ballot. To every member I spoke to, both young and old I stated that they should vote **no!!** Because of the very real and distinct possibility that the pre 1976 retirement (Tier I) could be reduced.

It was at this time I began to wonder — how can we protect the old plan from the city getting their unholy hands on it and yet still raise the retirement for the post 1976 retirement members (Tier II). I then began to argue that through the language contained in the collective bargaining proposal we should author these words, "The post 1976 retirement plan (Tier II) shall be the only retirement plan included as part of collective bargaining". I did this for the below reasons:

1. This would protect the pre 1976 retirement (Tier I) members from ever being touched by the city as it would not be a negotiable item, therefore protected by charter law.
2. This would give the post 1976 retirement members (Tier II) a chance to better their retirement package.
3. Most important, it would show the newer members of our association that the older members are concerned about their grossly reduced retirement plan. This would create a bridge, a bond between the old and the new, a rare opportunity indeed. **This could be done**

YOUR PENSION BENEFITS WILL BE PROTECTED!

by Paul Chignell, Vice President

One of the most attractive benefits for San Francisco police officers employed before 1976 is the "Tier 1" retirement system that has been in effect for many years and amended continually during the early 1970s.

TIER ONE BENEFITS

This retirement system will be enjoyed by the eleven hundred current members upon their service or disability retirement and by currently retired police officers. The benefit structure is much higher than "Tier 2" retirees. Tier 2 officers will first be eligible for retirement in the year 2001.

The Tier 1 system was modified substantially in 1972 and 1974 by providing fluctuating retirement and improvements in percentages for officers entering the department between the ages of 21 and 25. The Tier 1 system is so desirable that the city has offered an unattractive buy-out in an attempt to eliminate the massive costs of the benefits. The benefits that attach to the Tier 1 system were placed before the voters by the Association and Firefighters Local 798 and large sums of dues money were spent to achieve victory at the polls in those years.

TIER TWO RESULT OF STRIKE

The Tier 2 system with less benefits now held by six hundred new officers was the result of a charter amendment placed on the ballot in November 1975 as part of various punitive measures sponsored by the Board of Supervisors after the August 1975 police strike. As the years go forward, officers employed after 1976 will become the majority of the department in Tier 2.

TIER TWO HOLDERS WANT IMPROVEMENT

Police officers unfortunate enough to be in the Tier 2 system want improvement including but not limited to death benefits, spouse carry over and fluctuating retirement. The demand for improvement will become more persistent as the years go forward, however the posture of the political leaders of the city will be to resist any increase in retirement benefits due to the heavy property tax burden of Tier 1 experiences.

JUNE BALLOT CONTROVERSY

The Association is committed to placing a benefit amendment on the June, 1982 city ballot by convincing at least six supervisors to approve such a measure to the

without costing the older members one single benefit, as their plan would not have been an item of negotiation.

Unfortunately, the San Francisco Firefighters Association conducted a vote of their membership in November of 1981 when one of the questions was asked, "Should retirement (both plans) be part of collective bargaining?" Their results were (in my opinion correctly) a resounding **no!!** I assume it was for the same reason that I was pushing a no vote on our question, the pre 1976 retirement plan (Tier I) could be reduced. They don't want that and neither do we. However, I wonder if they were shown that the old plan (Tier I) would be protected and the new plan raised, would that vote be different? I think yes and I also think that if the older retirement members (Tier I) of this department were shown that under no circumstances would their plan be touched, the post 1976 retirement plan (Tier II) would be part of the collective bargaining proposal to be placed before the voters of San Francisco this June.

I now know that this will not be because of misinformation — planned or otherwise. I want it to be understood throughout this association, this police department, this city that we, the members of this association stand together as one. I was **never, never** my intention to create a split among our membership. To

voters. In 1979 a charter amendment was submitted by eight supervisors, two more than necessary, for collective bargaining with binding arbitration. That measure was also sponsored by Firefighters Local 798 and lost with 46% of the vote. The question for June is: What kind of a measure should be submitted and should pension benefits be part of that process?

PENSION BENEFITS SHOULD BE SEPARATE

Under a recent Supreme Court decision, pension benefits can be negotiated by a recognized bargaining agent for police officers, which means the POA. This is a dangerous concept, as pre-1976 officers do not want their benefits tampered with in any way whatsoever.

The only proper approach in my view is to place collective bargaining on the ballot in June, 1982 with binding arbitration or other impasse mechanism and **exclude pension matters.** THERE HAS NEVER BEEN AN INTENTION ON THE PART OF THE POA BOARD OF DIRECTORS OR EXECUTIVE LEADERSHIP to bargain away any pre-1976 pension benefit or tamper with those benefits in any way. Inquiries have been made to our attorney on the legal issue in light of the Supreme Court decision.

The majority of the membership as presently constituted, the Board of Firefighters Local 798 and the vast majority of POA Board members do not want to negotiate pension benefits. The negotiation of pension benefits will not go on the ballot in June.

TIER TWO MUST BE ADDRESSED

Despite the present feeling of the membership and the Firefighters Union, the new members of this department (many of them becoming veterans very quickly) must have their concerns addressed. Specific charter amendments starting with spouse carryover after death in the line of duty must be placed on the ballot for the post strike officers.

UNITY MUST PREVAIL

The danger of pitting police officer versus police officer is a spectre that must not be allowed to happen. A vindictive Board of Supervisors created the problem by treating one group of officers differently. We cannot let our emotions on this issue divide the Association or the department. Pre 1976 officers will not have their pensions tampered with and all officers must work toward improving the benefits for the new officers.

all the members I observed at the January 6 special membership meeting who were so very irate, I apologize, but remember this — I did not cause it. The persons who played on your emotions, the ones who fed you the misinformation, they are the true villains. The thing you must do is try to remember their faces and ask yourself, why did they do it? And what did they hope to gain by their actions? They know who they are but it is important that you remember them also.

I stand by my actions, as I took these proceedings upon myself. Nobody and I mean nobody on the Board of Directors of our association had any part of my actions. I want it to be known that I never intended to cause any member of this association to worry about their pensions. You have worked too hard and you deserve to retire with a solid pension, but by the same token so do the newer members. Let it be known that as long as I'm around I will seek better benefits for all our members but I will **never** — under any circumstances reduce a benefit of one group of our membership to benefit another, not now or ever.

Now that everybody knows how and why the actions were taken, and what our true intentions are, let's resolve ourselves as one total and committed body to push collective bargaining through the Board of Supervisors and offer it to the voters that we serve so well.

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Community Services . . .

The 12th Annual Police-Fire Shriner's Hospital Christmas party was held on December 3rd. Police Chief Cornelius Murphy and Fire Chief Andy Casper let a good-sized contingent of officers and firefighters to bring a little joy into the lives of these disabled children at Christmas.

The entertainment show included Patches the Magical Clown, jugglers and magicians from Pier 39, balloon creations by Dee Nelson of Sausalito, Marriott's Great America comic characters, and the Young Vets Choir of Palo Alto.

Mike Cleary of KNBR radio was the Master of Ceremonies. S.F. Giants pitchers Al Holland and Greg Minton were special guests. Those who also helped to make the event a success:

Just Desserts

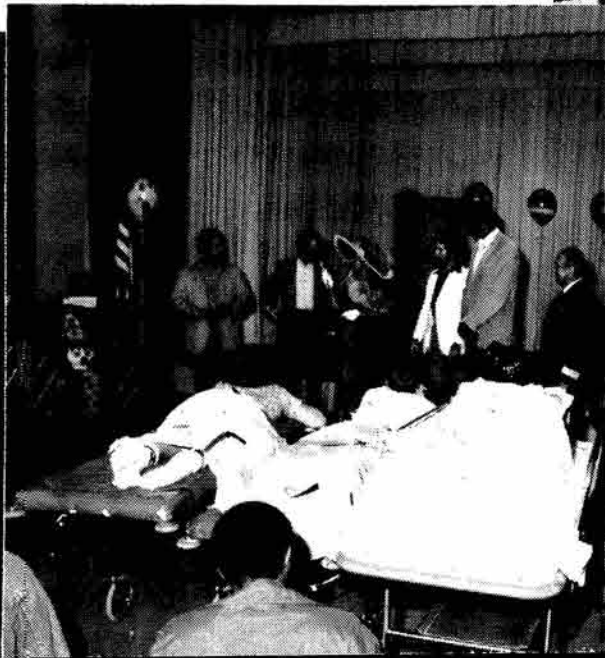
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Easter Seal Society	1,200.00
S.F. Fishing Program	2,000.00
Salvation Army	200.00
CYO Boys Club	200.00
Run-a-thon Recreation Center for the Handicapped	500.00
Salvation Army, Harbor Lights	216.00
Italian-American Earthquake Benefit	700.00
Hamilton Senior Citizens Center	500.00
Jerry Lewis Telethon	1,500.00
Geneva Social Center	250.00
Boys Club	250.00
Recreation Center for the Handicapped	250.00
Ella Hutch Community Center	1,600.00
City of Hope	100.00
Hospice	250.00
St. Anthonys Dining Room	100.00
Senior Escort Outreach	700.00
Meals on Wheels	500.00
S.F. Housing Authority	250.00
Shriners Hospital	100.00
Marty Trester	500.00
OMI Family Center Santa Claus Suit	37.00
United Cerebral Palsy	1,000.00
Consumer Fraud Unit	100.00
S.F. Night Ministry	200.00
Community Skills Youth Agency	50.00
Leukemia Society of America	500.00
The Guardsmen (Christmas trees)	722.25
UNICEF Center	500.00
Islam Temple Circus	112.00
S.F. Knights of Columbus	100.00
Glider Memorial Foundation	500.00
Ella Hill Hutch Memorial Fund	250.00
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Ferrando Benefit	500.00
Police & Fire Mass	250.00
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Balboa High School	40.00
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Italian-American Earthquake Benefit	200.00
S.F. Police Summer Youth Program	1,500.00
The Guardsmen	1,500.00
Potrero Hill Neighborhood	1,000.00
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Richmonds Maxi Center	100.00
Laguna Honda Hospital	351.00
Knights of Columbus	25.00
Flood victim	100.00
Salvation Army	100.00
Al Squair, Braille Institute	1,166.40
Guardsmen	1,500.00
Dan Boden Home flooded	100.00
Swartz Family	200.00
S.F. Fishing Program	500.00
Laguna Honda Hospital	135.00
S.F. Special Olympics	300.00
Geneva Social Development Center	100.00
William Wright Family	600.00
S.F. Lighthouse for the Blind	500.00
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Bayview Opera House	250.00
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COLLECTIVE
BARGAINING
&
PENSION RIGHTS

by Ralph B. Saltzman
SFPOA Attorney

October 2, 1981

To the Board of Directors:

Robert Barry, President of the San Francisco Police Officers' Association has requested response to the following question:

QUESTION: Can a Collective Bargaining Agreement disturb vested retirement right:

ANSWER: No. A Collective Bargaining Agreement may not disturb vested retirement rights held by individual members of a union.

ANALYSIS: Historically, the State of California has recognized pension rights as vesting to the individual employee in the public sector. For example, in 1947, the California Supreme Court in *Kern v. City of Long Beach*, 29Cal. 2d 848, 179 Pac.2d 799 (1947) held:

"Thus it appears, when the cases are considered together, that an employee may acquire a vested contractual right to a pension but that this right is not rigidly fixed by the specific terms of the legislation in effect during any particular period in which he serves. The statutory language is subject to the implied qualification that the governing body may make modifications and changes in the system. The employee does not have a right to any fixed or definite benefits, but only to a substantial or reasonable pension. There is no consistency therefore in holding that he has a vested right to a pension but that the amount, terms and conditions of the benefits may be altered."

From this case, it is readily apparent that pension rights are vested to the individual employee. It is apparent that these vested rights are subject to alteration so long as that alteration is not the overall detriment of the employee.

The California Supreme Court in *Wallace v. City of Fresno*, 42 Cal.2d 180, 265 Pac.2d 844 (1954) held:

"A city has no more right to adopt an amendment which does not come within the purpose of the rule permitting modifications than a private insurance carrier would have to change an annuity policy by making a unilateral amendment under which the insured's interest might be terminated . . ."

The rule relative to benefit offsetting detriment is set forth in *Abbott v. City of Los Angeles*, 50 Cal.2d 438, 326 Pac.2d 484, cited by *Abbott v. City of San Diego*, 165 Cal.Ap.2d 511, 332 Pac. 2d 324 wherein the court quoted:

" . . . '(B)enefits subsequently obtained by other employees cannot operate to offset detriments imposed by those whose pension rights have theretofore accrued.'"

In other words, any detriment to the pension right must be offset by an approximate advantage. See *Betts v. Board of Administration*, 21 Cal.3d 859, 148 Cal.Rep. 158 (1978).

More recently, the court in *Quintana v. Board of Administration*, 54 Cal.Ap.3d 1018, 127 Cal.Rep. 11 (1976) held:

"Quintana had a fundamental vested right to a disability retirement pension if in fact he was disabled . . ."

Therefore, reading the above referenced court decisions together, it should be noted that upon certain conditions being met, disability retirements are vested fundamental rights. Retirement pensions, likewise, are also vested fundamental rights.

However, it should also be noted that this pension right is not a fixed right but a right only to a substantial or reasonable pension which can be altered if not to the overall detriment of the employee. See *Frank v. Board of Administration*, 56 Cal.Ap.3d 236, 128 Cal.Rep. 378 (1976).

In *Newman v. City of Oakland Retirement Bd.*, 80 Cal.Ap.3d 450, 145 Cal.Rep. 628 (1978) the court recognized that where a pension system was set by charter, it cannot be substantially altered to the detriment of an individual employee. The rationale behind this decision, as well as other public employee pension right cases, is that the pension is an incentive to employment and was, in each individual case, a factor in an individual seeking employment with that governmental entity.

The question in this case, however, deals specifically with a union in a collective bargaining situation. This precise question was raised in the United States Court of Appeals, for the Ninth Circuit. The Court in *Tuensing v. Brown*, 528 Fed.2d 69 (9th Circuit, 1975) stated in unmistakable terms that retirement benefits for active employees are a mandatory subject for collective bargaining. However, the court noted that the union's duty, if bargaining for pension rights, is to fair representation. This duty requires that vested retirement rights not be disturbed. To disturb a vested pension right, would constitute a breach of the fiduciary duty owed by the union to its membership.

It should also be noted, however, that the union has wide latitude and discretion in determining what actions would be in the best interest of its members in respect to retirement rights.

In the *Toensing*, supra, matter, the District Court of Appeal was faced with a circumstance whereby retired members of a union had their pension rights subjected to collective bargaining agreements which culminated in pension rights for retired members being less than pension rights for active members. The Court approved this action.

CONCLUSION: A union may engage in collective bargaining relative to pension rights. A collective bargaining agreement can alter vested pension rights. Generally, any modification to a vested pension right must meet an equation that dictates that detrimental effects be offset by advantages procured through the agreement. Unions have notable discretion in determining what's best for their members relative to pension rights. The courts have held that a collective bargaining agreement cannot detrimentally affect vested pension rights. However, the courts have given unions latitude in determining what is beneficial and what is detrimental to their members.

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GENERAL ORDER B-2

Recommendation to delete "mental health" from G.O. No. B-2, 12/02/81

In the December issue of the *POLICEMAN*, Sgt. Al Casciato wrote an article relative to General Order B-2 "Qualifications for Specific Work Units Physical Examination by Police Surgeon". The article generated the following memo from Sgt. Al Benner to Deputy Chief Shannon and the following reply from the Deputy Chief. EDITOR

James P. Shannon
Deputy Chief

Sir:

I respectfully recommend that the term "mental health" be deleted from G.O. NO. B-2 12/02/81, indexed as: Qualifications for Specific Work Units Physical Examination by Police Surgeon. The second paragraph of this order reads as follows:

"Applicants for assignment to the Tactical Unit, E.O.D.-Bomb Unit, Dog Unit, Solo Motorcycle Unit, the Mounted Unit, and the Honda Detail will be reviewed by the Personnel and Training Division and will be required to have a medical examination by the Police Surgeon prior to assignment to the above units to determine their overall physical and mental health."

It is my considered opinion that including mental health as a qualifying consideration is inappropriate. Just as it is indefensible to use psychological evaluation in the promotional process it's equally mistaken to use it here. If someone is too mentally unhealthy to promote or to transfer to a specialized unit then they are too unhealthy to function as a police officer. It then becomes a disability issue.

Psychological assessment techniques are most effective determining the existence or lack of pathology. Using them to determine desirable versus undesirable profiles becomes questionable in its validity and defensibility. General Order B-2 does not specify how mental health would be determined. The wording indicates that the Police Surgeon will cause the assessment of mental health in all candidates. Deleting the term "mental health" will prevent this interpretation. It will not prevent evaluation of individuals on a case by case basis should specific emotional problems manifest themselves. This remains an administrative prerogative. It should not, however, be included as part of the routine process of specialized assignment or promotion.

Respectfully submitted,
Alan W. Benner, Sergeant

To Sgt. Alan Benner
Consent Decree Division

During the Meet and Confer sessions with Officer Reno Rapagnani of the Police Officers' Association, and others, there were discussions regarding the term, "mental health" as used in the above mentioned General Order.

I informed the members of the P.O.A. that this reference to mental health referred to the responsibility of the examining physician to make a determination to the general overall physical and mental condition of the officer being examined. I also informed the P.O.A. that a psychological examination costs upwards of \$750 and the examination must be approved by at least the Deputy Chief of Administration.

It was not the intention of the department that at the time an officer was examined for a specific work unit, that the officer be routinely referred to a Psychologist, that any referral of the officer would be because the officer exhibited a specific psychological problem.

Deputy Chief James P. Shannon
Administration Bureau

This memo by D.C. Shannon should become a permanent part of G.O. B-2 so that any future administration will 'remember' the 'intent' of the order and not apply it in areas where it was not intended to be used.

Gale Wright, Editor

George C. Zube

ATTORNEY AT LAW

1793 UNION STREET
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IN MY OPINION

by Ed Collins, Police Academy

All too often of late I've heard the phrase, "Who cares?" This is usually said in such a way as to indicate that nobody cares and that if someone does care, they are flat crazy. "Who cares" is the tip of an iceberg of indifference; apathy if you will and it seems to be abjectly rampant.

Officers point to our failure to gain employment benefits, the struggling P.A.L. program, our turned around court system, and many more areas where just a little effort could produce innumerable positive effects.

Perhaps though, I'm wrong about the apparent apathy within our ranks. For example, it is because we care, deeply care, about the city's budget with its cost over runs and red ink that we haven't really tried to get time and a half for overtime.

It's not that we don't care about the declining number of officers participating in the Police Activities League, quite the contrary. It's just that such service conflicts with the long hours we are duty bound to spend in various public houses helping those unfortunate alcoholics.

When I first started to write this month's column I'd thought of doing a serious commentary on apathy and its concomitant evils. However, I scrapped that idea, because in asking around, I couldn't find anybody too terribly excited about it and frankly, Scarlett, neither am I.

BAD TIMING

by Maureen D'Amico

At a time when it seems that no one can make ends meet, I feel that our POA representatives must be forced to answer some serious questions.

Time and time again President Bob Barry has let us all know how hard he and his administration fought for our pay raise, which is governed by City Charter, yet the POA took no time cutting in on their slice of the raise. The dues could have stayed at the old rate which would have been a small Christmas bonus for the membership.

Rumors have been a standing tradition in the S.F.P.D. for as long as history. Rumor had it that since we were all good guys that a pat on the back might come to us in the way of a turkey or small monetary rebate for the members' families during the Christmas season which always catches everyone short. And after all, our dues were just raised and Bob Barry is always boasting about how for the first time he is running the Association in the black. A turkey or small gift would have been just what the morale needed.

But I guess the price of purchasing turkeys for the entire membership would have been too costly so instead, WE (?) gave (I don't remember being asked) \$10,000.00 (ten thousand dollars) to Paul Chignell so he could run for office in Northern Marin/Sonoma County.

And just to add insult to injury, while the Board of (Mis) Directors were in the giving spirit, they gave \$500.00 to Supervisor Hongisto for his campaign and \$500.00 to Doris Ward for her campaign and cocktail party.

Ask yourselves this question. If Chignell is elected, is he bound to go out and fight for the S.F.P.D. or the people in N.M./S.C. where his votes came from. ??????

My personal feelings are that the Board of Directors have lost sight of the smaller, inner workings of the Association and are too busy trying to play in the big political bowl where only a few win. And the few are never the general membership.

LINEUPS

by William F. Fazio
Assistant District Attorney

The California Supreme Court in *People vs. Bustamonte* 30 Cal. 3d88, decided on October 22, 1981, ruled that a defendant has a right to have counsel present at a lineup prior to the commencement of any formal criminal proceedings. Before the court ruled in the *Bustamonte* case, the law was that one had a right to have counsel present only after the commencement of criminal charges, i.e., after the formal filing of a complaint or the return of an indictment. The *Bustamonte* decision is prospective in application and does not effect any past cases other than *Bustamonte* itself. In other words, from November 22, 1981, (thirty days from the decision) all defendants who are placed in a lineup must be advised that they have a right to have counsel present and if they cannot afford to retain counsel that counsel will be made available to them.

Since the *Bustamonte* decision is based on the interpretation of the California Constitution it is not subject to review by the United States Supreme Court. The United States Supreme Court has decided in *Kirby vs. Illinois* (1972) 406 U.S. 682 that the right to counsel does not attach until criminal charges have formally been filed. Under the *Bustamonte* case a defendant's right to counsel at a lineup have been significantly expanded beyond that provided by the United States Constitution and its interpretation by the United States Supreme Court.

Bustamonte does provide that "if conditions require immediate identification without even minimal delay, or if counsel cannot be present within a reasonable time, such exigent circumstances will justify proceeding without counsel," the court does not, however, indicate what such exigent circumstances are.

Relying on the ruling in the *Bustamonte* case the defense in *People vs. Mark Anthony Jones* 4 crim. No. 13500 attempted to extend the right to counsel at lineup to in-field identification. The appellate court held that "after reviewing *Bustamonte* and California precedent on the precise question before us, we conclude the rationals of California cases is still persuasive. "(T)he immediate knowledge whether or not the correct person has been apprehended is of overriding importance and service to law enforcement, the public and the criminal suspect himself." in addition, the practical in-field problems of getting counsel, although not insurmountable, are clearly distinct and more burdensome than those presented in *Bustamonte*, a consideration favoring a policy determination not requiring counsel under such circumstances. Admittedly, some of the concerns expressed by the *Bustamonte* court present in an in-the-field identification in which a suspect may well be prejudiced when singled out as the culprit within a short period of time after the incident. In balance, however, in weighing the respective individual and societal interested to be served, we conclude precedent on this issue to be correct."

At present, the Supreme Court has not "reviewed" the *Jones* case, and one does not have the right to have counsel present at an in-field identification.

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by Robert Fitzer

HERE SON, PUT THIS APPLE ON YOUR HEAD

Clements F. Crosbie, born 1901, in Ogden, Utah, the son of a railroad worker. He came to San Francisco and joined the Muni Railway, as did a number of potential policemen in those days. He entered the P.D. in 1929 and at the end of his long and tedious studies in the academy, was ready to hit the streets. He was assigned to the Traffic Bureau where he was given fixed post duty. Clements stayed with Company K and eventually made the Solos and from there went to the three-wheelers. After several years and several spills, Clements decided to leave the bikes and transferred to Potrero Station. He remained there until 1946 when he left the department to pursue a more lucrative career in the construction business.

Just another cop? Another nameless face in blue? (Or brown, since the Traffic Bureau wore brown uniforms for a while.) Maybe so, but he could cut a piece of chalk in two or shoot an apple off your head from 20 paces with his service revolver.

When Clements Crosbie was assigned to the Traffic Bureau, he met Captain Charles Goff, its commanding officer and an avid supporter for police pistol competition. Clements was a good shot and won a place on the department's pistol team. He participated in numerous competitive matches at his own expense, as do the present members of our pistol team. To quote an article from the time (Sept. 23, 1931):

"No officer in the Police Department (San Francisco) is required or given the opportunity, except at his own expense to qualify as an expert marksman. Members of the Traffic Bureau paid for their own guns and ammunition to conduct periodical target practice at a range which they were obliged to build and maintain themselves during their hours off duty. It was also revealed that every member of the Los Angeles Police Department is required to engage in target practice every week and to maintain a standard in order to remain in the department, and that the cost of guns ammunition is borne by the taxpayers. Permanent bonuses ranging from three to twenty dollars a month are added to the regular salaries of officers according to the degree of their (shooting) efficiency."

But despite the financial drawbacks, Clements loved shooting. The team went on to national acclaim as one of the country's best when they beat the top ranked U.S. Navy team that held the national championship.

The pistol team also made public appearances and in one such performance staged a feat probably never to be seen again. After a program of superb marksmanship, one member of the team placed an apple on his head and the other members of the team lined up, took aim, and in a single volley, blew the apple off the head of the team member who surely must have drawn the short straw.

Clements son was present at many of these performances so you can always ask Captain Lloyd Crosbie (Park Station) about his father. If it wasn't for the determination of Lloyd's mother Gladys, he might not be here today. Everytime the Crosbie family went on an outing, Clements would do a little target practice. He always tried to put an apple on little Lloyd's head. "Don't worry dear," he would reassure his wife, "If I miss, I'll try and miss a little high."



THE S.F. POLICE PISTOL TEAM
Circa 1940
Clements Crosbie, 2nd row, 2nd from right

Good deed prompts another

S.F. Progress By Dan Borsuk

One good deed rarely deserves another in the world of San Francisco robbery inspector David Toschi.

But recently, Toschi received on behalf of the San Francisco Police Department Fund for Orphans and Widows a \$25 check from a New York state woman who was a robbery victim during a November visit in San Francisco.

Selma Golinker was robbed by three men Nov. 8 while she and her husband took a walk on Nob Hill when her purse containing \$365, eye glasses and identification was taken.

Police eventually recovered the purse, money and other posses-

sions and nabbed the three suspects.

The three suspects were released because Golinker was unable to positively identify the suspects.

"She could not believe that the SFPD had actually made an arrest, but most importantly, I gave her back her purse intact. Not one item was missing," recalled Toschi, a 28-year San Francisco Police Department veteran.

When he arranged to release Golinker's stolen property on Nov. 9 to her so that she and her husband could fly to Los Angeles, Toschi said, "At this point, she hugged me and her husband wanted to give me a cash reward. I

declined, but said if he wanted to donate something for the way our department handled this case, the SFPD Widows and Orphans' Aid Association fund always needs money."

Toschi, who said he doesn't consider himself to be a promoter of the San Francisco tourist trade, had sent the Golinkers a letter shortly after the robbery urging the New York couple "Not to scratch San Francisco off your visiting list."

The police inspector said he knew when the couple left San Francisco they still had a good thought of the City.

Toschi said he received a letter from the Golinkers

on Dec. 7 that conveyed her pleasure in getting her money and purse back and wrote, "As for Francisco, it's a lovely city and if we have the opportunity, we most certainly would return."

Also attached to the Golinker letter was a check for \$25 that he Golinkers wanted Toschi to deliver to the Widows' and Orphans' Aid Association of the police department.

Toschi said he was amazed to receive the letter and check saying, "It's most unusual for a robbery victim, a tourist and a New Yorker to take the time to send me a worthy cause check. So this robbery of a New York tourist has ended on a positive note."

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AN OPEN LETTER FROM SUPERVISOR WENDY NELDER

Dear Members & Friends of the POA:

We hope that you will help us obtain a FINGERPRINT COMPUTER for the San Francisco Police Department Crime Laboratory.

More than two years ago when several of us joined to form Crime Lab Fund, Inc., to raise money to acquire the computer, the \$2 million price tag was very remote. However, we were convinced that the value of the computer was so great that the public would readily support it. And it has, with contributions both of effort and money — but from small contributions \$2 million is a very large amount to amass.

I have met with representatives of various large corporations and foundations who are major donors to public causes. I have been assured that substantial checks — some of six figures — will be given toward acquiring the computer if the City will just take the lead and indicate that this project has a priority.

But City Hall is still procrastinating even though a \$60 million budget surplus was recently "found" in our General Fund. I have brought the request for the fingerprint computer before the Finance Committee of the Board of Supervisors for the Board refuses to move on it. The Mayor appointed a Task Force to make recommendations to her "within 4 weeks". That was 5 months ago. And that \$60 million budget surplus is being saved for "something important".

We don't think anything is more important than the safety of San Franciscans and the proper equipping of our police department.

So we are circulating the Petition set out here so that the people can add their votes to the many voices which have been raised already in support of bringing San Francisco's Police Department Crime Laboratory into 1982! (The current fingerprint identification system has been in use since 1907). We want the public to let City Hall know we want our police to have every modern tool available.

We hope that you will help us by cutting out the Petition, have your relatives and friends who are San Francisco voters sign it and return it to:

FINGERPRINT COMPUTER
PETITION HEADQUARTERS
Rolando Realty
1653 Noriega
San Francisco, CA 94122

by the end of January. Please be sure that you sign at the bottom of the Petition as "circulator".

Crime Lab Fund, Inc.

The officers and directors of Crime Lab Fund, Inc., are deeply grateful for the vote of the Police Officers' Association to contribute \$20,000 toward the acquisition of an automated fingerprint computer for the use of the San Francisco Police Department. No one knows better than law enforcement personnel of the vital necessity of getting the present "horse and buggy" methods of identification into the 20th century. Also, knowing how recidivists repeat their crimes while the Crime Lab is trying to come up with a "make" is frustrating to officers and the public alike — as in the

recent Russell Coleman case.

The Crime Lab Fund, Inc., would be happy to sign an agreement when presented to the effect that the money would be used solely for the acquisition of a fingerprint computer system for use by law enforcement personnel, and to return the money if not needed or used for that purpose.

All the best to you and to your interesting paper, from

Mary Moran Pajalich, President
Crime Lab Fund, Inc.

FINGERPRINT COMPUTER PETITION

To the Board of Supervisors and the Registrar of Voters of the City and County of San Francisco:

We, the undersigned, registered and qualified electors of the State of California, residents of the City and County of San Francisco, pursuant to applicable provisions of Article XI of the California Constitution, the California Elections Code, and Article IX of the Charter of the City and County of San Francisco, present to the Board of Supervisors and the Registrar of Voters of the City and County this petition and request that the following declaration of policy be submitted without alteration to the registered and qualified electors of the City and County for their adoption or rejection at the next regularly scheduled election.

DECLARATION OF POLICY

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

DECLARATION OF POLICY: SHALL THE CITY AND COUNTY OF SAN FRANCISCO, DURING THE FISCAL YEAR OF 1982-1983, ACQUIRE A FINGERPRINT COMPUTER FOR USE BY SAN FRANCISCO LAW ENFORCEMENT PERSONNEL?

For Official Use Only	USE PEN ONLY	ONLY SAN FRANCISCO VOTERS MAY SIGN THIS PETITION	
Example	SIGN AS REGISTERED PRINT NAME	ADDRESS AS REGISTERED	DATE
	Wendy Nelder WENDY NELDER	123 City Street San Francisco, Ca	12/22/81
1	SIGN AS REGISTERED PRINT NAME	ADDRESS AS REGISTERED	DATE
2	SIGN AS REGISTERED PRINT NAME	ADDRESS AS REGISTERED	DATE
3	SIGN AS REGISTERED PRINT NAME	ADDRESS AS REGISTERED	DATE
4	SIGN AS REGISTERED PRINT NAME	ADDRESS AS REGISTERED	DATE
5	SIGN AS REGISTERED PRINT NAME	ADDRESS AS REGISTERED	DATE
6	SIGN AS REGISTERED PRINT NAME	ADDRESS AS REGISTERED	DATE
7	SIGN AS REGISTERED PRINT NAME	ADDRESS AS REGISTERED	DATE
8	SIGN AS REGISTERED PRINT NAME	ADDRESS AS REGISTERED	DATE
9	SIGN AS REGISTERED PRINT NAME	ADDRESS AS REGISTERED	DATE
10	SIGN AS REGISTERED PRINT NAME	ADDRESS AS REGISTERED	DATE

DECLARATION OF CIRCULATOR

(to be completed after above signatures have been obtained)

I am registered to vote in the City and County of San Francisco. Each of the signatures to this petition was signed in my presence. Each signature of the petition is, to the best of my knowledge and belief, the genuine signature of the person whose name it purports to be. All signatures to this document were obtained between _____ month, day, year and _____ month, day, year.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Signature of Petition Circulator	Registered Address	City (in full)
Print Name	Date	Zip

Chairperson of Fingerprint Computer Initiative Campaign:
Supervisor Wendy Nelder, Room 235, City Hall, SF, CA 94102 (558-2497)
You may pick up more petitions at Angelo Rolando Realty and Insurance:
1653 Noriega Street, SF, CA 94112 (564-2511)

NOTICE OF INTENT TO CIRCULATE A PETITION

Pursuant to the provision of the San Francisco Charter, the undersigned proponent hereby notices her intention to circulate an initiative petition so that the following question of policy can be submitted to a vote of the electorate of San Francisco: "Shall the City and County of San Francisco, during the fiscal year of 1982-83 acquire a fingerprint computer for use by San Francisco law enforcement personnel?"

DECLARATION OF POLICY: I am the sole proponent of said petition and that the reason for such an initiative is to supply San Francisco law enforcement personnel with the necessary equipment to safeguard the people of San Francisco.
November 23, 1981
Wendy E. Nelder, Member
San Francisco Board of Supervisors
No 74787
Nov 30-11-R

BOARD OF DIRECTORS ELECTION

The Nominating Committee received written nominations during the first weeks of December for the January 1982 Election of the Board of Directors of the SFPOA. Additional nominations were received from the floor at the General Membership Meeting of December 23rd, 1981.

NOMINATING COMMITTEE

Chairman:
Henry Friedlander
Committee Members:
Ray Portue
Dan Hallisy

Board of Directors:

Robert Swall	Co. A
Daniel Linehan	Co. B
Gerald Schmidt	Co. C
Mike Dempsey	Co. D
Ron Parenti	Co. E
Michael Gannon	Co. F
Daniel Mar	Co. F
Rick Bruce	Co. F
W. A. Tennant	Co. G
Jack Minkel	Co. H
Peter Maloney	Co. H
George Grant	Co. I
Gale Wright	Co. K
Jerry Doherty	Co. K
Ben MacAllister	Co. K
Duane Collins	Tac Div
Mike Nevin	Inspector
Robert Huegle	Inspector
Al Casciato	HQ
Jack Ballentine	HQ
Lee McVeigh	HQ
Tony Bell	Retired

The Election of Directors to the Board will be held during the week of January 25 - 29, 1982. You should receive your ballot on or about January 22nd IF you have your correct address on file with the Association.

IF you do not get your ballot by January 26th, call the POA office at 861-5060 and a ballot will be sent to you at your unit so you can vote before midnight on the 29th.



"... been watching S.W.A.T. re-runs again, huh?!"

WIVES WIVES WIVES

Many thanks to the wives that hosted the Shriners Hospital Christmas Party. The evening was a great success and the children were so excited to see Santa Claus and all the characters from Marriots Great America.

Our next meeting will be Tuesday, February 9 at 7 p.m. in Room 551, at the Hall of Justice. We will be discussing another Mace training course as well as holding our monthly meetings in other counties, so other wives can become involved.

Also, if our husbands need volunteers for campaigning for the June elections, we will begin organizing and will start sign-ups at our February meeting. Wives!, we need



Pat Barsetti and Marianne Strange with Cory Bender of Shriners Hospital wearing Chief Murphy's hat.

this measure to pass so our husbands can obtain better pay and benefits from the City. This is your chance to act.

For more information, call Pat Barsetti, 566-5985 or we'll see you Feb. 9 at 7 p.m.



Irish Baker, Mary Gutierrez, Pat Barsetti, Marianne Strange, Sgt. Gary Epperly, Officer Henry Friedlander and Diane Hulsey with Santa after the cleanup at Shriners Hospital's Christmas Party.

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I.U.P.A.

by Gerry Schmidt

In the few short years since it was granted a charter from the A.F.L.-C.I.O. the International Union of Police Associations (I.U.P.A.) has had the controversial existence typical of most internationals during their founding years. Given its calculated instability, previous administrations of the San Francisco Police Officers' Association have always been on record in strong support of our affiliation with organized labor via the I.U.P.A. With a clear understanding of the sacrifice and dedication behind the police labor movement, these men and women committed themselves to establishing a voice on the national level through which police officers could be heard. It was this same sense of dedication and commitment that ultimately resulted in the establishment of the state and local organizations we rely upon today.

Recently, an audit of the I.U.P.A. was requested by the P.O.A. for the purpose of determining its financial solvency. Also at question was the P.O.A.'s liability assuming the I.U.P.A. could no longer meet its financial obligations. A financial statement indicated that the organization was solvent, but that it lacked a surplus of monies in its legislative fund. The question of withdrawal from the I.U.P.A. has since been proposed and is now before the membership on the January ballot via a referendum petition.

Withdrawal of the P.O.A. from the International could have certain ramifications on our status within the organized labor community here locally, in Sacramento, as well as in Washington, D.C.

When the I.U.P.A. was granted a charter from the A.F.L.-C.I.O.'s executive council, it was formally recognized as that organization which was best suited to represent the concerns of law enforcement. The police labor movement, having already organized at the state and local levels, was now ready to attempt nationwide unity. For the first time it became possible to target major political forces for intensive lobbying. Legislation could also be promoted or curtailed at its origin depending on its anticipated effect(s) on the police labor force. The need for a national police union had become essential.

The I.U.P.A. currently operates on the lowest dues structure of any international; \$1.55 per member per month as opposed to some organizations which receive as much as \$10.00 and \$12.00 per member per month. In addition to providing daily services all across the country this young organization also faces the great expense of recruitment of new members; a burden established organizations no longer must endure.

Seventeen million members are currently represented by over one hundred national and international unions within the A.F.L.-C.I.O. Through affiliation, we will receive their support next June for our collective bargaining package which is expected to cost in the area of \$60-\$70,000. This support will come from the San Francisco Central Labor Council. Statewide legislation was recently enacted providing agency shops for public employees. Support for this legislation at the state level came from the California Labor Federation. Now that attacks on public employee unions from the federal government are a reality, the need for unity amongst the labor force at the national level has never been more evident.

I question the wisdom, if not the timing, of withdrawal from the I.U.P.A. and I hope you'll also give it some serious thought. Is \$1.55 per month really too much to pay for our affiliation with the A.F.L.-C.I.O.?

AN OPEN LETTER TO THE MEMBERS OF THE SAN FRANCISCO POLICE OFFICERS' ASSOCIATION FROM ED KIERNAN, PRESIDENT OF THE INTERNATIONAL UNION OF POLICE ASSOCIATIONS, AFL-CIO

Dear Brother Officer:

In the very near future you will be asked to vote on whether or not to continue your membership in the International Union of Police Associations, AFL-CIO. Please bear with me as I express my feelings as to why you should vote to remain as members of the only AFL-CIO Police Union in organized labor.

Since the 1950's the San Francisco Police Officers' Association has been involved in International and National police organizations. They have always been in the forefront of the fight to improve police work and to obtain benefits for police officers. There is no difference between the fifties and the eighties and the fight to protect our members is an ongoing one.

I believe very strongly that you can't win a ballgame by sitting in the grandstand. You must be on the field and part of the team — win, lose or draw. Having been involved in police organizations as a patrolman for many years and knowing your POA leaders going back to 1952, I find it hard to believe that police officers in San Francisco are willing to give up their reputation as one of the nation's leading police unions.

Now, let's look at what we are talking about as far as cost is concerned. Our International Union dues are \$1.55 per member per month. That's less than the cost of a six-pack of beer or two packs of cigarettes. We have the lowest per capita tax of any International Union in the country. Check it out by talking to a firefighter or other union member. They pay anywhere from \$2.75 per member per month to \$10.00 and \$12.00.

1. Let's look at what the International is doing for you. One of the primary fights we are and have been involved in is the mandatory inclusion of police officers into Social Security. When the Reagan Administration announced their plans to revise Social Security, I met with Bob Bonitati, the President's Special Assistant, and later with the President himself and presented our arguments as to why we oppose forcing police officers into Social Security. As a result of these and several other meetings with White House Staff, we received the assurances of President Reagan that we would not be mandated into Social Security.

On just this one issue let's look at what the IUPA has saved each and every police officer as far as take home pay is concerned. The current rate of contribution to Social Security is 6.70%. Based on a yearly salary of \$20,000 (using round figures) the loss of take home pay for a patrolman would be \$1,340.00 a year. Just think, the take home pay you save for one year because of the activities of the IUPA leadership, would pay for your International dues for more than 75 years. I would say

that is a pretty good return for your dues money.

In addition to the patrolman's contribution the city must pay the same amount which means that when negotiations start for new salary increases the city position will be that the 6.70% will be deducted from the salary package and the union members would lose on that front, too.

2. You have heard much about the \$50,000 Public Safety Officer's Benefits Act that was won by your current IUPA leaders and everyone feels that is yesterday's benefit. What are you doing for me today? It just so happens that the \$50,000 benefit was administered by LEAA, which has been phased out. Today we are fighting along with the firefighters to get this program turned over to the Justice Department and to maintain its present budget and staff. Last year in the State of California 18 police officers were killed in the line of duty (10 patrolmen and 8 deputy sheriffs). The widows of those officers received \$50,000 a piece for a total of \$900,000 statewide. If we didn't have the dues of our members we would be unable to fight those people who would seek to remove the federal funding for this essential program. We need you and your dues to help us do the job.

3. Our current fight for a national collective bargaining bill must be continued as well as our fight for a national Bill of Rights. These fights are not just San Francisco fights but are important to every police officer throughout the country. Only by banding together can we win. It may not be tomorrow, next year or two years from now but if we don't keep the pressure on we will never win. Organized labor has been involved in these fights since its inception. As a cop, I have never walked away from a fight and I assure you I have no intention of doing so now.

Finally, we have been criticized because of our budget allocations for staff and officers. The monies we allocate in our budget for salaries are again the lowest in the trade union movement. Your President makes less than most third line personnel in other unions. I am sure you agree that the first order of business in a new union is to provide adequate staff to handle the business of our office. I would venture to say that most large locals employ more staff people than we do. This is not by design but by necessity. The more dues we receive the more programs we can initiate and the more people we must hire. We are now in the labor movement and we must start from the bottom. Only by growth can we succeed.

In closing, let me say that we in the IUPA respect the San Francisco POA and are not ashamed to say we need you.

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DIABLO CANYON DEMONSTRATIONS

The Expensive Fun & Games Law Enforcement Must Play (and for Which Taxpayers Must Pay)

by Sgt. William Kidd

Last month-I had the occasion to pick up some information from some of the law enforcement participants in the Diablo Canyon Nuclear Facility protest demonstrations that occurred this past September. For those of you who are interested in hearing the law enforcement view of the goings-on there, after reading the rather lop-sided media representation of the incident, I am relaying the following.

Probably of the greatest significance is the fact that the conservative estimate of the costs — they're still being computed — of maintaining law and order in the immediate vicinity and at the facility is in excess of \$3 million, or approximately \$2,000 per arrested demonstrator. This is as of the conclusion of the incident, and does not include current and future prosecution costs. If you are employed or a property owner, guess who is paying, or will pay for that!

The operation involved 1,500 law enforcement personnel, 35 local agencies, and state agencies, and resulted in 1943 arrests, with no serious injuries. Possibly to the benefit of all of us, an unprecedented lawsuit has been filed by a private group, against the Abalone Alliance and other identifiable groups, to recover the costs, on the basis that the demonstrations were the result of a conspiracy to commit criminal acts, planned well in advance of the incident.

The agencies involved seemed to be of the consensus that the management of the incident went extremely well, primarily due to the fact that here was an extremely lengthy advance notice of the nature and approximate date(s) of the demonstrations. This greatly facilitated planning and preparation by law enforcement, and the arrangements for Mutual Aid assistance from outside jurisdictions.

Mutual Aid

The Mutual Aid aspect is one of a couple of very interesting political aspects to the Diablo Canyon demonstrations. Firstly, while Governor Brown had previously and has since spoken out in opposition regarding the nuclear power issue and against the Diablo Canyon facility in particular, he nonetheless cooperated fully and acted in good faith with the various agencies charged with maintaining the peace at the incident. It could be argued that he had little other choice because of his office, but anyone who understands the influence politics can have on law enforcement (or say, agricultural code enforcement?) is aware of the roadblocks the politicians can throw up, and the interference that can take place.

Secondly, for the first time ever, one city and one county agency, officially refused to provide mutual aid assistance after it was requested by the San Luis Obispo County Sheriff's office. The reason was of course the political nature of the nuclear issue, but regardless of

the validity of their stand on nuclear energy, the fact that these agencies were precluded from assisting by their local politicians is not only unprecedented, but raises some worrisome questions about the reliability of the Mutual Aid system. Political interference in the mutual aid arrangements, should it catch on, could cause some serious problems for small or even large agencies when they are strapped for assistance from outside jurisdictions.

National Guard

Another first for this incident was the fact that through special arrangements by the Governor's office, the California National Guard was not only utilized, but deployed prior to most all of the law enforcement agencies. Ordinarily, the National Guard is utilized only after local law enforcement resources have been deployed and have been unable to control the incident. At Diablo Canyon, however, the Guard provided only support assistance — logistics: transportation (both by motor vehicle and by air), meals, some lodging, air traffic control (to coordinate the swarm of law enforcement, National Guard and media aircraft in the area), and most of this had to be activated and deployed prior to the arrival of most law enforcement agencies. Many outside agencies were in fact transported from throughout California to the scene by Guard aircraft.

The Arrests

The arrest procedures appeared to be the most highly organized and well planned aspect of the operation. All incidents which culminated in arrests were to be handled by SLO county personnel making up the arrest teams; they handled the approach, admonishment and arrest of demonstrators, which then precluded the need to subpoena various officers from throughout the state later on during the prosecution stage following the arrests. All law enforcement witnesses are thus for the most part from the local area.

Each arrest incident was assigned as "Arrest Action Number", the arrest(s) was/were video-taped, and 35mm portraits were taken of each suspect immediately, with large "cue-cards" which indicated name, date of birth, etc., the date/time of the arrest and the Arrest Action Number. This greatly facilitated later prosecution of who was arrested when, where, etc. The booking process was immediately computerized, rather than prepared and entered into a computer later. The computer program allowed for an immediate printout in the format of an O/R release form, since most all anticipated arrests were expected (and turned out) to be misdemeanors requiring O/R release. All refusal to disperse arrests were then transported to nearby holding facilities, either at the San Luis Obispo Men's Colony (California Department of Corrections) or at a gymnasium at nearby La Cuesta College, where they remained for a short time until the O/R processing was

complete.

The Media Troops

The media was in attendance in staggering numbers, and in fact, on a number of occasions outnumbered the demonstrators. They also had an unknown number of media operatives present in "quasi" undercover capacity. You may recall local coverage here by a member of the media who desired to play the role of demonstrator. Two very large news organizations actually called the law enforcement Command Center, in an effort to get messages to their own people, who were out among the demonstrators, in a "covert" capacity; they had infiltrated some of the demonstrator groups!

The arrangements which were made to accommodate the media provides an interesting contrast to the critical commentary which was reported here in the Bay Area. San Luis Obispo provided, on a daily basis, two buses for the transport of the media around the PG&E facility (several square miles), some facilities for the lodging of the media, the daily issuance of passes, four press briefings a day, and even assistance in film processing!

Nevertheless some areas of the media managed to run rampant. No National Guard personnel were utilized to perform law enforcement functions during the incident, but several news organizations persisted in reporting that "National Guard troops" were on the scene making arrests and confronting demonstrators, because they couldn't tell the difference between law enforcement jumpsuits and Army fatigues.

At one point, the CHP Commissioner, Glen Craig, directed the Public Information Officer to call one such recalcitrant local radio station, and explain to them that the "National Guard troops" they were broadcasting live as making arrests were in fact San Luis Obispo Sheriff's deputies. After the PIO did so, the radio reporter calling the "play-by-play" on the scene was then heard to transmit that "the CHP now tells us that the arresting officers are NOT National Guard troops, but are in fact Highway Patrol officers DISGUISED as National Guard troops"!!!

Some final notes:

Thus far, those arrested one time only during those several days, ultimately received sentences of \$120 fine (suspended) and 4 days in the County Jail, credit for time served. Those arrested a second time were, as of November, with trials still in progress, receiving sentences of 21 days County Jail.


And, for those of us who were unable to make it the first time, San Luis Obispo is anticipating more, and possibly larger activities next time; and, with the delays resulting from the Nuclear Regulatory Commission suspension of the Diablo Canyon testing permits, they anticipate that they may have to do the whole thing over again when (and if) the permits are re-issued, or when actual operation commences.

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Union-busting is 'growth industry' across the U.S.

By Wilfrid C. Rodgers
Boston Globe

Suddenly, union-busting is the talk of the nation.

From the vast union halls of the United Auto Workers to tiny backroom gathering spots at small manufacturing shops, workers are increasingly uneasy about negotiation strategies that management is beginning to reveal.

Charges of union-busting are being heard with more frequency than at any time since the 1920s, when disruption of union organizing was a fact of working life in the United States.

When President Reagan fired 12,000 air traffic controllers and forced the decertification of their union, PATCO, the charges were amplified.

Yet what worries labor leaders as much as the busting of the controllers union is that most polls back Reagan's actions in the air-traffic controller strike. Public employee unions across the nation are already feeling the backlash as state and local government stiffen their backs in negotiations.

In the private sector, industry is continuing to hire union-busting consulting firms, either to get rid of unions or to erect a barrier to organizing.

"The greatest growth industry in the nation," said the late George Meany, president of the AFL-CIO, of these labor-management consultants.

Nationally labor consultants have had a large impact. Alan Kistler, chief of organizing for the AFL-CIO, said in a report to the recent AFL-CIO convention in New York:

"Even where there has been a long-established and mutually satisfactory collective bargaining relationship, consultants are urging employers to retrench on contract proposals, bargain to an impasse, force the employees on strike and break the union."

"In the event that a strike does not occur, surface bargaining creates an atmosphere of futility that leads with increasing frequency to a decertification election," he reported.

National Labor Relations Board statistics bear out Kistler's contention. In 1970 there were 301 decertification elections with 8,508 employees decertifying. In 1977 there were 849 elections with 22,398 employees decertifying.

Kistler said there had been a decline in the number of decertification elections in 1978 and 1979, but initial data for the first three quarters of fiscal year 1980 showed an increase.

Frank Ceccaroni, a sub-regional director of the United Auto Workers (UAW), says every plant his union has tried to organize in New England in the past few years has been represented by a labor-management consulting firm.

So confident are some of these management consultants in their psychological warfare, based on fear, intimidation, isolation and surveillance, that they offer their services on a guaranteed-results-or-no-fee basis.

Edward T. Sullivan of Local 254 of the Service Employees union has been organizing in New England for more than a quarter of a century. Here is how he describes the new "union-busting" technique.

"In the old-days, a manager of a firm you were trying to organize might threaten to punch you in the mouth. That is what one did to me years ago when I told him I was going to organize his workers."

"Today, these consultants are more subtle. They run a profile on the workers. They ignore those they know will vote for the union and those they are sure will vote against the union."

"They concentrate on the rest, using threats, isolation and surveillance to intimidate them."

"That is why, when we lose an election today, it is by just a handful of votes — the handful the consultants concentrate on," he said.

Suggest criteria for the towing of felony vehicles when found parked and unattended.

by Michael Keys

It seems that many vehicles are being towed when found parked and unattended strictly because they have been mentioned in an incident report as used in the commission of a felony. Experience tells us we could produce far greater results if we leave the vehicles alone and under surveillance until they become mobile with possible suspect in the vehicle.

Leaving felony vehicles alone until they become mobile gives the unit on patrol, as well as the inspector handling the investigation certain advantages.

1. Many suspects deny having access to vehicles as their defense. Obviously if they are stopped in a vehicle this defense will not be available to them.

2. If the person(s) stopped are not involved often times they can provide important information as to who had the car at certain times and locations.

3. In the case of suspects you are familiar with towing their vehicle lets them know you are aware of their involvement, gives them an opportunity to develop alibis and makes their apprehension more difficult. Smart suspects will also know they must dispose of stolen property thereby making its recovery that much more difficult. Not towing the vehicle gives you another tool of apprehension.

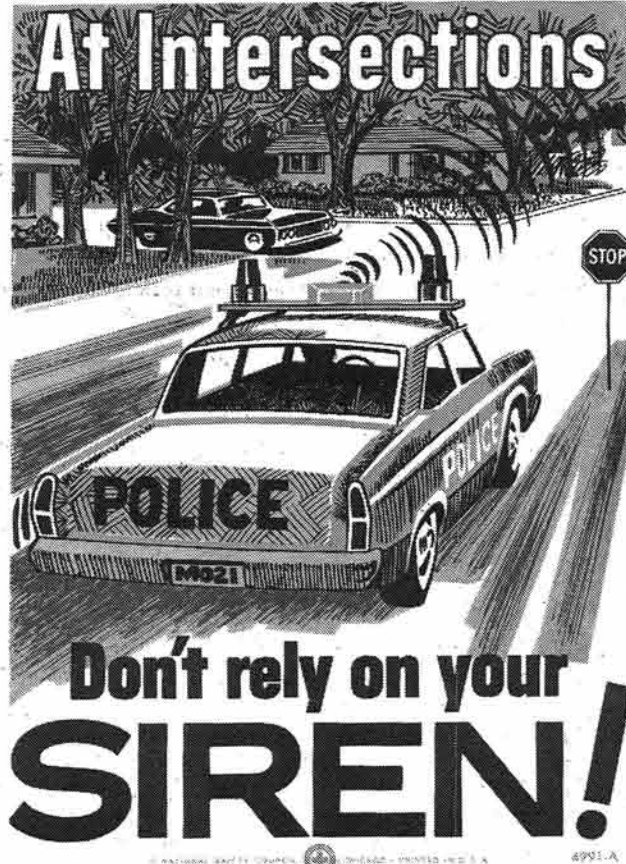
4. In the case of burglaries, or any other crime where fingerprints are found at the scene, the crime lab must have names to compare their latents with. An empty felony vehicle provides no such names. Many times, even known suspects with fingerprints only is not enough to get a warrant. Therefore getting the suspects in the vehicle is essential.

5. More often than not vehicles are not used by the registered owner to commit a crime. In many cases it has been sold with the new owner failing to register the car in his/her name. If the vehicle is towed with a hold for a particular detail, the inspector will be wasting valuable time by contacting the R/O to come in for a release.

The above criteria does not always apply. Stolen vehicles used in a crime and are abandoned are rarely re-entered by suspects. After the officer(s) are convinced that this is the case, it serves no purpose to wait in towing the vehicle. Also, in the case of a serious crime where a suspect is in custody, a delay in towing the vehicle may result in the destruction of valuable physical evidence.

Communication between various units including marked, unmarked, inspectors and D.A.'s investigators is essential. When information passed along from one unit to another results in an arrest it should be the policy of the arresting unit to make appropriate mention of that fact in their report thereby giving credit where credit is due. Withholding information for the purpose of making arrests on your own breeds mistrust between units and could put officer safety in jeopardy. A well orchestrated arrest involving team work will provide enough gratification for everyone involved.

It is hoped that the above suggestions will be considered as the subject of a patrol division order, training bulletin, or perhaps as part of the training of recruits by the academy staff.



SOCIAL CALENDAR

by Mike Gannon, Park Station
O IC Social Calendar

We're attempting to keep a calendar of significant events at the P.O.A. If you are planning a function, retirement dinner, station party, sporting event, etc., please let us know as early in the year as possible. Feel free to contact Mike Gannon, Co. F, Ext. 1061 with your plans.

LETTERS

Senior Escort

Now that our celebration is over, and so successfully so, let me send a belated THANK YOU to you who made it possible to feed 800 people and so well!

Throughout the entire preparation period, it was so good to feel that we had your support and assistance on problems that might — and did — come up.

I hope that you are hearing from your representatives who attended nearly as much praise as we are hearing. Seniors were delighted, and I am hearing from many of them personally as are our staff members.

Thanks to each and every one of you.

Sincerely,

Thelma Kavanagh, Pres.
Senior Advisory Councils

Sup. Hongisto

Dear Bob & Members:

I am writing to thank you for your contribution to my reelection campaign and to tell you how much I appreciate your support and generosity.

Next year will be a tough race. It's reassuring to know I can count on your support. It's friends like you that make a victory possible!

Thanks again for your generosity.

Sincerely yours,

Richard D. Hongisto
Supervisor, S.F.

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MEDAL OF

The Awards Committee met in Room 551, Hall of Justice, on Friday, November 20, 1981 at 0930 hours, in regular session.

Gold Medal

POLICE OFFICER EDWARD J. WEAVER

For services rendered on Thursday, April 30, 1981, at approximately 12:40 p.m., while off-duty and working in the capacity of a teller for the Bank of America at Jerrold Avenue and Toland Street, had his attention suddenly drawn to three armed suspects who entered the bank, leaped over the counter areas and commenced going through the cash drawers. Officer Weaver, cognizant of the grave danger to ten innocent bystanders, chose to allow the suspects to complete their action and leave the bank. Upon exiting the premises, Officer Weaver disregarding his own safety, pursued the suspects on foot, in the open and without cover. The suspects entered a vehicle and thereupon, unleashed a barrage of gunfire at the pursuing officer. Officer Weaver, miraculously evading a hailstorm of bullets, returned the fire and during this fusillade, he was able to blast out the windows of the fleeing suspects' vehicle. The suspects, minutes later, abandoned the vehicle a few blocks away. Evidence recovered from the vehicle subsequently led to Officer Weaver's identification of a "Mug Shot" of one of the suspects and arrests were made. This astounding display of bravery under fire by Officer Edward Weaver, prompted the San Francisco Police Department's Award Committee, to grant him by unanimous acclaim, the Department's Gold Medal of Valor.

Silver Medal

CAPTAIN DONALD L. TAYLOR

For services rendered on Friday, May 1, 1981, at 4:30 p.m., when, during a rally by the Revolutionary Communist Party at 23rd and Mission Streets, which turned into a full scale riot, he observed 20 rioters armed with four foot clubs, savagely and brutally beating a lone police officer into a bloody, crumpled heap. The Captain, with his bare hands, waded into the rioters and pulled the attackers off the prone and unconscious officer. The rioters were immediately attacked Captain Taylor. Numerous blows were reined upon his head and body causing him to sustain severe lacerations to the scalp and several broken ribs. Although seriously injured, he was able to rescue the officer from this tumultuous assault and undoubtedly save his life. The officer suffered a broken shoulder and cracked vertebrae. Because of Captain Taylor's unselfish actions in risking his life with full and unquestionable knowledge of the danger involved, he was awarded the Department's Silver Medal of Valor.

POLICE OFFICERS EDWARD G. BUCK, KEVIN F. CALLANAN AND DUANE C. COLLINS

For services rendered on Monday, July 6, 1981, at 4:50 p.m., when they monitored a communications broadcast of a kidnapping. The kidnapping had just occurred at Stockton and Sutter Streets by two male suspects armed with a shotgun and they were fleeing

with the victim in an auto from that location. Responding, they observed the suspects' vehicle at McAllister and Franklin Streets, and all three officers converged on the auto with guns drawn. At that time one of the suspects was in the rear seat with a sawed-off shotgun covering the victim. The suspect suddenly raised the shotgun as if he was going to discharge it. Officer Buck jerked the car door open and grabbed the shotgun preventing the suspect from firing it. At the same time Officers Callanan and Collins pulled the victim from the vehicle and out of the line of fire. The two suspects were taken into custody. For manifesting outstanding bravery in the line of duty, Officers Buck, Callanan and Collins were awarded Silver Medals of Valor.

POLICE OFFICERS ROBERT A. SROCK, MICHAEL P. COLLINS AND ALEX T. WILLIAMS

For services rendered on Tuesday, July 7, 1981, at 12:30 a.m., when they responded to a communications broadcast of a family fight — man with a gun assignment at 2000 Broadway Street and upon arrival, were told that the suspect was threatening to kill his wife and baby. Responding to the suspect's apartment, the officers saw him pulling his wife into a clothes closet and yelled for him to come out with his hands up. The suspect did not respond but the officers then heard a gunshot and saw the suspect's wife crumple to the floor. The officers, cognizant of the suspect's wife's immediate need of medical help, exposed themselves to the suspect's gunfire to get to her. Officers Williams and Collins provided cover for Officer Srock who crawled to where the suspect's wife was lying. Arriving at the closet doorway, he observed the suspect lying on the floor with a gun in his hand and his hand slowly moving. Officer Srock rushed him and grabbed the weapon. He then discovered the suspect had shot himself and was dying from his wound. The suspect's wife died just prior to the arrival of the ambulance. These officers, disregarding their own safety, displayed great courage and fortitude in exposing themselves to possible gunfire in an attempt to reach the mortally wounded woman. Because of their courageous actions they were awarded Silver Medals of Valor.

POLICE OFFICERS KITT E. CRENSHAW AND BERNARD J. SULLIVAN

For services rendered on Thursday, August 14, 1980, at 5:30 a.m., when they responded to 78 Manchester Street on a radio broadcast of shots fired and upon arrival, were informed that the suspect had barricaded himself in an upstairs bedroom and was firing indiscriminately into the street. The officers proceeded to the upstairs bedroom and attempted to talk the suspect into surrendering. The suspect responded by firing six rounds from a .357 Magnum through the door narrowly missing the officers. During this barrage of gunfire Officer Sullivan pulled Lieutenant D. Christensen out of the line of fire. The officers then descended the stairs but then realized that a fellow officer was trapped on the upper floor. They returned, threw a canister of CS Gas into the bedroom and then fired covering rounds to allow the officer to safely exit. Failing to get the suspect to surrender peacefully, the officers returned his fire and fatally wounded him. These officers exhibited outstanding bravery under the most dangerous condi-

tions possible and because of this they were justly awarded Silver Medals of Valor.

NOTE: Lieutenant Christensen, etc., received Silver Medals of Valor for their efforts in this incident.

POLICE OFFICER THOMAS M. HEFFERNAN

For services rendered on Friday, June 26, 1981, at 10:50 a.m., when, while off duty, he observed an armed robbery at the United Federal Savings and Loan Company at 2300-16th Street. Officer Heffernan, outside in the parking lot, observed the suspects hop the counter, scoop up money and hurriedly leave the premises. He ordered the citizens in the area to take cover as there was a robbery in progress. When the suspects rushed out Officer Heffernan identified himself and ordered the suspects to stop. One of the suspects turned and aimed his weapon at the officer at which time Officer Heffernan fired four times in rapid succession. The suspects dropped the cash trays and money bags they were carrying and fled. Officer Heffernan then recovered all of the money taken by the suspects, a total of \$65,200 dollars in currency and money orders. The suspects were captured a short time later. Because he risked his life under extremely dangerous circumstances, Officer Thomas Heffernan was awarded the Silver Medal of Valor.

PARKING CONTROLLER LORENZO R. VALDEZ

For services rendered on Monday, July 6, 1981, at 6:45 a.m., while driving south on Mission Street at 26th, he observed flames rising from a two unit residence and immediately notified communications and attempted to gain entrance to the premises. After shouting and pounding on the door proved futile, he forced open the door, searched and located two elderly occupants who were asleep and assisted them to safety. He then returned and located a 5 year old boy running aimlessly in the smoke filled hallway. He picked him up and carried him to safety. In recognition of Parking Controller Lorenzo R. Valdez's quick thinking and heroic actions in the prevention of serious injuries and/or loss of lives, he was awarded a Silver Medal of Valor.

Bronze Medal

INSPECTORS VINCENT P. REPETTO AND RICHARD D. ADKINS

For services rendered on Monday, April 27, 1981, at 10:50 p.m., while working in plainclothes and surveying vice conditions in the Tenderloin, arrested a male suspect who solicited Inspector Repetto for an act of prostitution. The suspect prior to his apprehension attempted to run. When the officers caught him he whirled around and attacked them with a pair of seven inch scissors. The officers after fighting desperately for several minutes to disarm the suspect were finally able to subdue him and take him into custody. Both officers suffered injuries to their hands, elbows and groin and had to be treated at St. Francis Hospital for their injuries.

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POLICE OFFICERS JOHN M. FARNHAM AND EARL E. WISNER

For services rendered on Friday, May 8, 1981, at 11:00 a.m., when they responded to a broadcast of a drunk person threatening to jump from the roof of 743 Polk Street. Upon arrival they observed the man sitting on the ledge of the roof 5 stories above the street. The officers made their way to the roof and Officer Wisner grabbed the subject around the waist and tried to pull him to safety. The subject in Officer Wisner's grasp lunged forward and over the side of the building. The officer's grasp was the only thing keeping him from plunging 5 stories to his death. Officer Wisner was now off his feet and being slowly pulled by the subject's weight over the ledge of the building. Officer Farnham, without regard for his own personal safety, quickly grabbed Officer Wisner around the waist and although in danger of falling himself, pulled both safely back onto the roof. The subject was then transported to San Francisco General Hospital for observation.

POLICE OFFICERS DANIEL J. FERRETTI AND EUGENE E. KALININ

For services rendered on Saturday, July 4, 1981, at 1:36 p.m., when they responded to a hotel at 702 Vallejo Street on a report of a woman with a gun. Prior to the officers arrival the woman shot a man and boisterously stated, "I have a gun and a knife, and I will shoot the police when they arrive." The officers, upon arrival, observed the woman walking across the lobby. She suddenly turned and removed a small handgun from her purse. Fearing for the lives of innocent bystanders, the officers rushed her and after a brief struggle disarmed her and took her into custody.

POLICE OFFICER JOHN P. FEWER

For services rendered on Tuesday, April 28, 1981, at 4:00 p.m., when he and his partner responded to 493 Eddy Street to abate a dispute involving a male suspect threatening to kill to mutilate a cat belonging to a female tenant. The officers rescued the cat from the suspect, but upon leaving the suspect's room were challenged by the suspect to a fight. The suspect then suddenly slammed the door but reappeared with a axe raised over his head and advanced upon Officer Fewer as if ready to strike. The officer ordered him three times to drop it and when he didn't comply, fired one shot immobilizing him. The suspect was subsequently hospitalized and charged with two counts of aggravated assault.

NOTE: Police Officer Gilbert P. Meuniot received a Police Commission Commendation for his efforts in this incident.

Meritorious Award

INSPECTORS CALVIN L. NUTTING AND CHARGES E. BREWSTER

For services rendered on Friday, May 8, 1981, the conclusion of an outstanding investigation of an armed robbery case where the victim was tied up in her home with the telephone cord, her home ransacked and \$20,000 in household goods, jewelry and the victim's car were taken by the suspects. The officers interviewed various street people, searched "moniker" files and after obtaining a street name of a suspect that matched

the physical description of one of the robbery suspects, located his whereabouts and arrested him. The suspect confessed to the crime and at the same time named his crime partner who at that time was already imprisoned in the San Bruno County Jail for another crime. The officers recovered the victim's car and 90% of her other stolen property.

Police Commission Commendation

POLICE OFFICER BERNARD J. SULLIVAN

For services rendered on Saturday, June 20, 1981, while off duty and attending a private social function at the Golden Gate Yacht Club, saved the life of one of the people present who suddenly collapsed to the floor unconscious. The officer quickly took control, diagnosed the victim's problem and dislodged food from the victim's throat which was choking him to death.

POLICE OFFICERS GLENN R. SYLVESTER AND LARRY MURDOCK

For services rendered on Saturday, July 17, 1981, in the apprehension of two suspects, who, during a quarrel at 2960 Mission Street, fired several shots in an attempted murder and fled. The officers obtained a description of the suspect's vehicle, located them and promptly took them into custody.

SERGEANTS FRANK M. RYAN AND SAMUEL A. MOORE

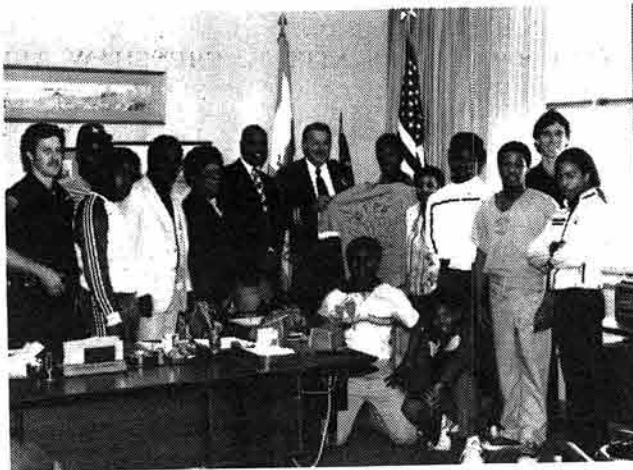
For services rendered on Wednesday, June 14, 1981, at 1:30 p.m., in the apprehension of an armed shotgun wielding suspect engaged them in a high speed chase originating in the Southern District and ending in the Central District. The suspect had earlier, during a traffic dispute, pointed a shotgun in the face of the victim and chambered a round. The victim was able to push the gun away, flee and then notify the Sergeants who were nearby.

Willie Frazier, Secretary
THE AWARDS COMMITTEE

Chief Murphy receives honors from students

S.F. Progress

Police Chief Cornelius Murphy got a T-shirt honoring the Police Department's Youth Program Backpacking activity from students of the Morissania West/Postal Street Academy of San Francisco, a special school for troubled youngsters.



Staff and students at the special academy signed the S.F. San Francisco Police Department Youth Program T-shirt to thank the department for allowing the youths to participate in the summer backpacking program. The T-shirt has a 4-H logo.



Police officers Tim Foley and Walter Scott developed the backpacking program last April and the program is part of the police department's youth program.

"The program prepares the youth involved for more than just the outdoors," said Scott. "It shows them that obstacles can be overcome, that you have more alternatives than just running away from a problem."

"This program gives the department the type of contact with youth that we are looking for," said Murphy. "Not only do the youth benefit, but it adds depth to the ability of the officers involved when dealing with youth on a day to day basis."

Some 150 youth, many of whom are students from Morissania West/Postal Street Academy and officers from district stations participated in 12 rope course and backpacking trips last summer.

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DA of the Month

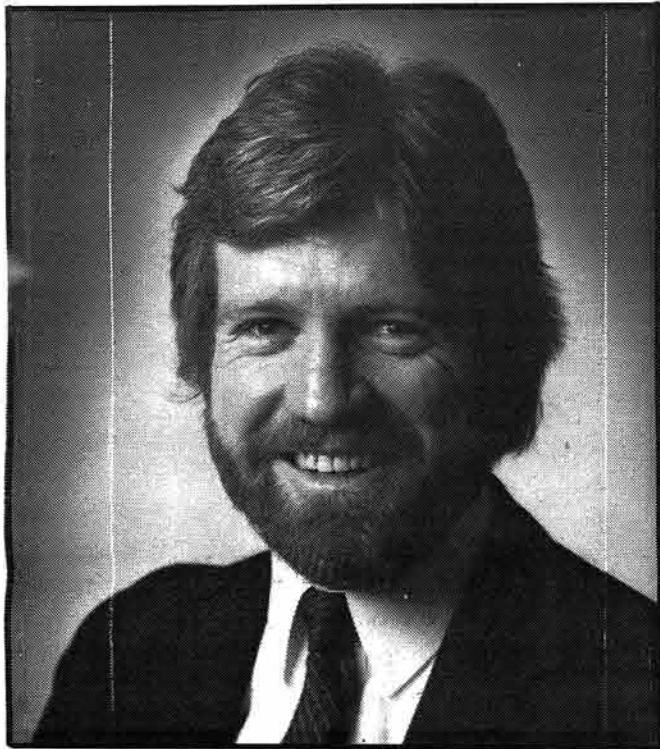
by Julie Smith, S.F. DA's Office

James Goodman of the Homicide team and Robert C. Gordon III of the Narcotics/Vice team are this month's featured Assistant District Attorneys. They were chosen D.A.s of the month by a committee of team leaders and department heads in the District Attorney's Office voting on recommendations from the staff. Looking at their 1,000 batting average in Superior Court, the choices were good ones. They have proven their ability as consistently winners of tough cases.

JAMES "ROOKIE" GOODMAN

At midnight on Saturday, January 31, 1981, 16 year old McAteer High School students Sean Donnelly and Charles McKelvie were happily enroute in McKelvie's automobile to an open-house in the Sunset District. A few minutes later Donnelly lay mortally wounded on the pavement of the intersection at 11th Avenue and Kirkham Street — the victim of a gunshot wound in the back. McKelvie was in serious condition from a gunshot wound to his left shoulder. Their vehicle had been hit numerous times by gunfire. Bullet holes, shattered glass, and bullet fragments were scattered throughout it.

Sean Donnelly was the son of retired San Francisco Police Inspector Robert Donnelly and the brother of Officers David, Cynthia and Dorree Donnelly. No motive for his killing or the attempted murder of McKelvie was apparent. No witnesses came forward. The physical evidence was meager and unproductive.



James "Rookie" Goodman

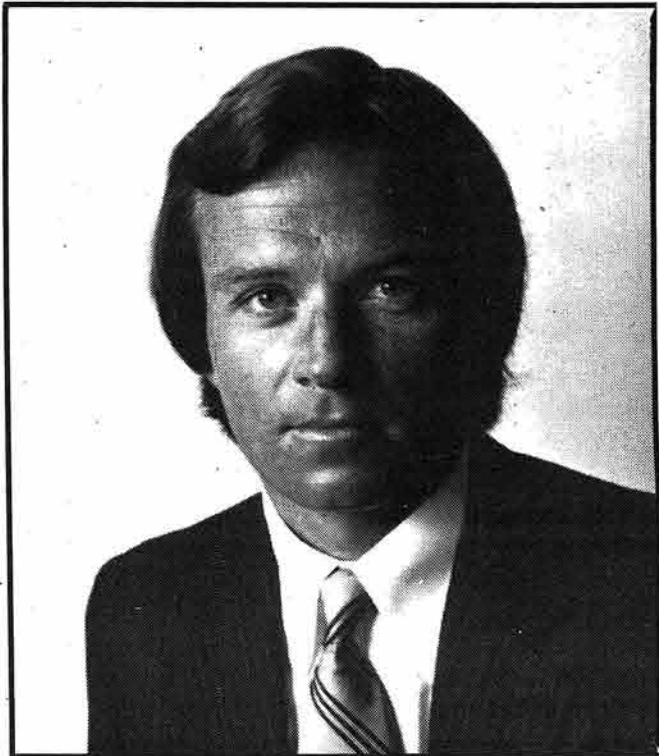
On December 9, 1981, as a direct result of the superb efforts by Assistant District Attorney James Goodman and Homicide Inspector Frank Falzon, San Francisco Superior Court Judge Richard Figone sentenced 19 year old Wah Ching gang member Steve Thompson to state prison for the

term of 38 years to life. Several weeks before a jury had found Thompson guilty as charged: of murder in the 1st degree as to Sean Donnelly and of attempted murder as to Charles McKelvie.

As it turned out, all the material witnesses were members of the Wah Ching. In order to convict Thompson, his Wah Ching confederates had to be located and either convinced or compelled to testify. Their testimony supplied the missing motive — that Thompson opened fire on Donnelly and McKelvie because he was on his way to commit burglary and thought they were police officers attempting to arrest him. The whereabouts of the murder weapon and five empty shell casings were determined but could not be recovered and thus no fingerprints or ballistics evidence was established. Thompson was Caucasian and claimed that the Wah Ching were putting a frame around him for crimes which they had committed. In order to compel their testimony, key Wah Ching witnesses had to be immunized from prosecution for other crimes. And, because of their admitted criminal activities the credibility of the Wah Ching witnesses was easily impeached. Goodman also faced the difficult task of proving premeditation in a crime committee only seconds after the defendant encountered his victims and who he had never even seen before. No cross examination of the defendant would be possible because he was not going to testify.

Nevertheless, Assistant District Attorney Goodman methodically and skillfully hammered home each precious element of the People's case, a case which was perilously predicated on a very iffy combination of factors. Goodman emphasized Thompson's long record of serious criminal activities which began when he was only 14 years of age. He highlighted the fact that on the night in question Thompson was in a stolen car and carrying a loaded gun. And, he brought out the fact Thompson was on parole at the time. He argued that these and the other fragile pieces of the puzzle led to only one conclusion: that Thompson's twisted criminal mind weighed the consequences of shooting or not shooting and made a reasoned decision to kill the two youths. Through Inspector Falzon's testimony Goodman also detailed the meticulous investigation which corroborated the People's case, a tortuous route which ultimately destroyed the defense's claim of "frame-up". He also demolished through rebuttal evidence the defendant's claim that Inspector Falzon had put words into the mouths of the Wah Ching witnesses.

Goodman, 32, joined the District Attorney's Office in 1976. He received his undergraduate degree from Kent State University and his law degree from American University. He spent two years in private practice in Virginia before moving to San Francisco. Since joining the District Attorney's Office, Goodman has worked in the misdemeanor, preliminary hearing, vice, burglary/robbery/assault, and sexual assault/child abuse sections before joining the homicide team in September of last year. Since joining the homicide team Goodman has handled 6 prosecutions: 1 defendant pled guilty to murder and the remaining 4 were convicted of murder following jury trials. Jim lives in San Francisco with his wife, Soni, who runs The Kicks Company, her own aerobic exercise firm.



Robert C. Gordon III

ROBERT C. GORDON III

Bob came to the District Attorney's Office in 1979. He is a graduate of U.C. Berkeley and Hastings College of Law. He also studied language in Japan. In law school, Bob worked as a law clerk for the United States Attorney in Alaska and the California Court of Appeals. After law school, he clerked full time for the Court of Appeals and then worked at a Montgomery Street law firm in San Francisco. In the District Attorney's Office he worked his way through the Municipal Court Misdemeanor and Preliminary Hearings Sections to earn his place in the Superior Court felony department. He was assigned to prosecute narcotic cases in early October of last year and almost immediately began trying narcotics cases as a result of D.A. Arlo Smith's policy that major dope dealers go to prison. Bob recently completed four back to back jury trials involving drug dealers. All four were found guilty as charged.

William Edward "Tony" Mason was a dope dealer with an extensive criminal record for the past 25 years. Although he was on probation he apparently thought he could get away with holding \$400 worth of "speed". Unfortunately for "Tony" his case was the first assigned to Bob Gordon for jury trial. "Tony" is now in state prison for two years as a result of his conviction and the investigation started by Officer Earl Edmond Wismer, Jr.

Bob's second jury trial resulted in the conviction of Booker T. Morton, a cocaine dealer. Undercover officer Paul Makaveckas brought him up and Bob Gordon got Morton convicted. Morton received a suspended sentence to state prison.

Billy Ray Brown had heroin for sale and came to the attention of Police Officer Philip D. Brown who confiscated 124 handrolled balloons. Billy Ray Brown is awaiting sentencing by Judge Anthony J. Kline after trial by Bob Gordon.

Undercover officer Stephen Bosshard bought "dillys" or dilaudid from Dennis G. Wilson. Wilson's defense was a heartbreaker. Wilson stated he sold the dope to the cop because he felt sorry for him. Wilson felt the cop needed the drugs. The jury had no sympathy for Mr. Wilson so Bob Gordon obtained his most recent conviction. Wilson was sentenced to 4 years in state prison by Judge Claude Perasso.

Bob's team leader, George Beckwith, pointed out that convictions in narcotics cases in San Francisco are difficult because many jurors have a liberal attitude towards drugs. Bob's strength is in overcoming that attitude and getting the jury to concentrate on the facts of the officers' testimony.

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SAN FRANCISCO POLICE YOUTH PROGRAM CHRISTMAS EVENT

by Walt Scott & Tim Foley

The San Francisco Police Department Youth Program closed out the year with its largest event of the year, "Christmas with the S.F.P.D." In all, 85 young people and community leaders participated in the program along with eight police officers, five of whom were detailed from district stations. The sight was the Clara Miller Environmental Education Center at Point Reyes National Seashore.

For three days and two nights the Christmas program brought together city youth from every part of San Francisco and from many cultural and ethnic backgrounds. To start the program off, each participant brought an ethnic potluck dish to begin the sharing of cultures. We had never seen such a wide range of food before. There was Vietnamese, Samoan, Chinese, Mexican, Soul, Latin American, Irish, Italian, German and even "American" food.

After the potluck dinner everyone gathered around a roaring campfire and sang traditional campfire songs. Later, after the voices were warmed up, a round of Christmas carols began and lasted until the fire was just a glow. For some, it was bed time, but for others it was inside to finish the evening with dancing, hot cider and cookies.

The next day was filled with crafts. An award winning teacher, Anne Panch, volunteered her time to prepare and lead the craft making. The officers and the

young people made dough, felt and paper ornaments which later adorned our Christmas tree. Leather craft, wood craft and sewing was available to make gifts for each person to take home. The craft making continued well into the evening. Many people did not want to stop to eat.

Possibly the highlight of the day was when Tim Findley from Channel 7 news came with a film crew and filmed the young people and officers busy making the crafts. Many of the young people and officers were interviewed by Mr. Findley. None of us were able to see the news segment. However many phone calls were received upon our return; one of special meaning was from an elderly Tenderloin resident who said that seeing our Christmas program on television "made his Christmas".

After the craft making was finished and our Christmas tree bulging with the handmade ornaments it was time for another campfire with singing and skits developed and acted by the young people. Once again after the campfire dancing, hot apple cider, and cookies were the order of business.

The final day brought the group together bright and early for a Christmas present exchange. After examining and trying out the new gifts, everyone got busy putting the finishing touches on the Christmas decorations and preparing for the great Christmas feast. After

everyone was served their dinner of turkey, ham, mashed potatoes with gravy, yams, stuffing, cranberry sauce and vegetables, the officers sang Christmas carols while everyone joined in for the choruses.

When dinner was finished everyone participated in a closing circle and a "giant hug", after which the police department special gift was given to all the participants. The drama and suspense was held until the last moment before the special Christmas T-shirts were unveiled. The T-shirts were green with red lettering and a picture of Santa surrounded by "SFPD Christmas 1981".

On behalf of the SFPD Youth Program we want to thank all those who made the Christmas Program possible. First, Officers Arlana Spikener, Gary Aicardo, Terry Collins, Eddie Dare, Alberto Miranda, and Rowland Wing. Next, to former Chief Don Scott, his wife Estelle, their daughter Cathy and Susan Foley for preparing and donating a great deal of food for the Christmas feast. To Anne Panch, Mrs. Scott, Cathy and Jim and Carol Blackman for their time and energy in preparing and teaching the crafts. And finally to the administration of the San Francisco Police Department, the Board of Directors of the San Francisco Police Officers' Association and the members of the department for having faith and trust in this program. Best wishes for a good New Year.

812 S.F. EXAMINER ☆ Fri., Dec. 18, 1981

Firemen's lie-detector dispute goes to judge

By Caroline Young
Examiner staff writer

REDWOOD CITY — A last-ditch effort by the city and its firefighters to reach a settlement on public employees' rights has fallen through, and a Superior Court judge now will decide the issue.

Attorneys met Wednesday afternoon and yesterday morning after a full day of court testimony, but failed to settle the question of whether firefighters may be ordered to take lie-detector tests.

The dispute began last spring when Fire Chief Peter O'Brien ordered the tests to determine who fired four .38-caliber bullets into the refrigerator and one into the wall behind it in the main station on Feb. 22.

Ten firefighters and one battalion chief were on duty that night.

Although in the past O'Brien has said the culprit would be fired, he testified this week that he had recently "put the word out" that those responsible would instead be suspended from their duties for up to 60 days.

Attorney Alan Davis, representing the San Mateo County Firefighters Union Local 2400, said his clients had not heard that offer before and the court was recessed while Davis and Assistant City Attorney Clark Maloney tried to work out an agreement.

Failing that, it was turned over to Superior Court Judge Alan Haverty.

O'Brien said during the trial that two shifts had been arguing over the use of the

refrigerator, which was owned by one of the firemen. One shift kept it locked, and the other shift members couldn't get to their food.

The chief said he thought two people were responsible for the shooting.

Davis, who contends it is unconstitutional to require firefighters to take such tests, called a Minnesota professor to the stand to testify about their reliability.

Dr. David Lykken, a professor of psychiatry and psychology at the University of Minnesota, has studied polygraph tests since the 1950s.

"There is no such thing as a lie detector," he said. "There is no particular pattern of response that people show when they're lying. (The test shows) this person acted more disturbed to this question, but what you can't determine is why he acted disturbed."

The theory behind the tests, Lykken said, is "naive and unpsychological," adding that they are not a product of modern science, but have been invented by lawyers and policeman.

Lykken also quoted three studies that showed the accuracy of the tests ranges between 63 and 72 percent — not between 95 to 99 percent, as polygraph examiners frequently claim.

Haverty is expected to make his ruling after the attorneys' final briefs have been submitted on Feb. 7.

Peripheral Canal committee formed

S.F. Progress

Formation of a San Francisco committee to campaign against the Peripheral Canal was announced this week by Mayor Dianne Feinstein.

"As mayor of San Francisco, I am deeply concerned about the disastrous impact the Peripheral Canal will have on the Bay Area environment and economy, both dependent on a healthy San Francisco Bay and Delta," Feinstein said.

Headquarters for the campaign is located at 490 Taraval Street. Persons interested in further information about the campaign against the Peripheral Canal which will be on the June ballot may be obtained by calling 681-3800.

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GuyWright/ Registering objection

S.F. Examiner

Two years after Jaime Enrique Sandoval was condemned to die in the San Quentin gas chamber for double murder, only one man stood up to protest against turning him loose on parole.

Neither the sentencing judge nor the district attorney bothered to register an objection, according to parole spokesmen at Chino State Prison.

Only police Inspector Dave Toschi, who played a key role in his conviction, told the parole board it would be a mistake to set him free.

The Sandoval case is a fascinating crime story that illustrates some serious shortcomings in our criminal justice system.

A pint-sized hospital attendant, Sandoval came to public attention in 1960 when he told a tale of a \$1 million inheritance awaiting him in his native Puerto Rico and persuaded a Peninsula couple, businessman Donald Douglas and his wife, Virginia, to stake him to a trip there to collect.

Virginia and her two young sons went along. She never returned. Her body was found at the bottom of a cliff. An accident, Sandoval insisted, and Puerto Rican police were unable to prove otherwise.

Ten days later her husband committed suicide, leaving an accusatory note.

Although Peninsula police investigated a series of suspicions, the charge on which they finally nailed Sandoval was a sordid aside — sexual offenses against the dead couple's sons.

Seven years after he went to San Quentin as a sexual psychopath, he was pronounced cured and paroled.

Helping him win parole and taking him into their home were Mission District real estate man Edelmiro Huertas and his fiancée, Carmen Asenzio.

Two years after Sandoval went to live with them, their bullet-riddled bodies were found at the bottom of a cliff on Devil's Slide in San Mateo County. To his way of thinking, killing them was less inconvenient than moving, as they had requested him to do.

In 1971 Sandoval was convicted of their murders. The jury actually sentenced him to death twice, once for each homicide. But while he was awaiting execution, the Supreme Court, which makes up the law as it goes along, brushed aside the wisdom of centuries and abolished the death penalty.

Sandoval was just one of many condemned killers who benefited mightily from the court's decision. They did not become life termers without possibility of parole, as you might expect. They simply moved into the prevailing parole system.

For Sandoval that means he is now eligible for parole any time the parole board decides to spring him.

Furthermore, the law requires that he receive a parole hearing each year. And as time goes by, his good behavior in the artificial environment of prison counts more than what he did when he was out.

The parole board now invites comment from the sentencing judge, the prosecutor and the police when a convict like Sandoval is scheduled for a parole hearing.

The district attorney may send someone from his staff to attend the hearing and speak against premature parole, if he chooses. Some DA's are diligent about that option.

According to parole board members, no San Francisco district attorney has ever sent a representative to a parole hearing.

In the Sandoval case, neither the district attorney nor the sentencing judge, who has since retired, responded to the invitation to comment.

Inspector Toschi told the parole board, "Inmate Sandoval destroyed two human lives. My recommendation is to deny parole." Parole was denied.

Chief of Police
New York City Police Department
New York City, New York

Dear Fellow Officers:

On Sunday, January 3, 1982 at approximately 1:45 p.m., I received a telephone call while on duty at the Juvenile Division Offices at the Hall of Justice from a NYCPD Detective named George. After ascertaining that I was an Inspector with the SFPD, and that I was aware of the up-coming play-off game between the SF 49ers and the NY Giants, he stated that they had a message for us.

After a short pause, what sounded like approximately twenty voices in unison, sang a short victory yell which gave their opinion on the forth-coming battle. I responded, "Oh, yeah?" "I dare you to repeat that!" They did, as Inspector Heller picked up an extension to listen in.

We had a short discussion, extolling the talents of our respective teams, and I informed them that not only would we win the game, but that Ronnie Lott would win Defensive Rookie honors over their Lawrence Taylor.

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Unfortunately I neglected to get George's last name,
address or phone number, so this open letter is being
formally written just to run it in and say "I TOLD YOU
SO!"

Sincerely yours,
Glenn Pamfiloff
Inspector, S.F. Police Dept.



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THE WAY IT WAS. THE WAY IT IS.

by Mike Nevin

In these weeks of 49er fever, our enthusiasm for the present young squad, and at the time of this writing, our hope that they will reach the Super Bowl, somehow causes all of us to return in memory to the days of Albert, Strykalski, McElhenny, Perry, Nomellini and St. Clair. Let's do the same thing and turn the clock back in our own department.

Let's recall the historic time, one generation ago, the 50's and the 60's, when Cahill was chief, John Engler was Chief of Inspectors, Con Murphy, Sr. headed the Bureau of Special Services, Dan Quinlan was the Captain of Inspectors, Joe Hallisy was the head of the Chinatown Squad, and Bob Kane sang songs. Bold headlines in the News-Call Bulletin and the Chronicle: "Police Shake-Up" was not a rarity but rather a way of life. Police transfers from Bureau to Bureau, Detail to Detail happened in droves the day following the Policeman's Ball.

The Chinatown Squad was considered an elite detail. Its history dates back to the turn of the century when John Manion and many colorful characters were at the very heart of this city's unique tradition.

George O'Leary, Harry Atkinson, Frank Fitzpatrick, George Crofton, Joe Hallisy, Ed Nevin, Bob Kane, Frank Shannon, John Toomey, Leo Callagy, Leo Osuna, Dave Utter, Jimmy Spillane, Ron Schneider, Bill Armstrong, Jack Jordan, Jack Cleary.



Joe Hallisy, son of Northern Station's Sgt. Patrick Hallisy, headed the squad for a number of years. He was a special breed who would lead, while at the same time be one of those he worked with. Joe knew every facet of the department and loved "The City". He and his life-long classmate, friend and partner, Ed Nevin, were "The Last of the Hats" in the tradition of this department. They deeply respected the Chinese community of San Francisco and were deeply respected in return. They knew virtually everyone in Chinatown, and there was no question that the community felt their presence. It was law enforcement/community relations long before Andreotti ever set-up a separate office. It was community relations in the street and not at 850 Bryant Street. Chinatown was and is an extremely congested community — a community of immigrants with all the problems of language, assimilation, complicated by gangs and tourism, to site a few among a multiplicity of community problems.



San Francisco owes much to its Chinese people and community who for so long have represented the largest Chinese population outside of mainland China. The members of the Chinatown Squad were as much ambassadors on behalf of the people of the community to City Hall as they were representatives of law enforcement from the Hall of Justice, that is, the old Jenny

Deadline for articles to be submitted is the first Wednesday of each month. No exceptions.



Lind Theatre on Kearny Street, one block up from Red's Place and on the same block as Cookie's.

Ed Nevin took over the Chinatown Squad following the shocking loss of Joe Hallisy. Hallisy's funeral was the most vivid in my memory. It was the largest I had ever seen, swarming with policemen, firemen, city employees, family, friends and San Francisco's Irish and Chinese communities. I watched big men cry and later regroup and pickup where Hallisy left off. The squad was to continue for a few more years until it was gone forever in the late sixties.

Is it my eyes then — admiring, enthusiastic youth vs. my older, more cynical vision now — I don't know. Somehow, though, the police department seemed different then. Policemen somehow got the job done easier and with more feeling for each other and those they served. They had a pride about themselves and believed they were the finest. There was an identity, a knowledge of the job and a desire to do it. Maybe it was the times. Maybe it was the city. Perhaps it was a combination of anything and everything, but it seems to be it was there.



Today there are four deputy chiefs, then there was one. Today we have five police commissioners, then we had three. Today we have 40 captains, then we had 20. Yet, the police force is about the same size now as it was then, approximately 1,800. Is it the paperwork today? The phone log sheets? The sign-out slips to take a police car from the pool? Or is it, perhaps, the caseload? Perhaps the present day system of rebooking limits the time available for the performance of a first-rate investigation. Did partnerships mean more then? Cases are assigned separately now.

Partners in Burglary, Fraud, Robbery and General Works, get together only when they need each other. Too bad, perhaps, but the caseload could not be handled in any other way. Following the Jackson Street-Golden Dragon shooting of a few years back, then Chief Charles Gain implied in direct statement to the press that the police department investigation was and would be hampered by the traditions of silence, and, therefore, the lack of cooperation from members of the Chinese community. That insult reverberated throughout the city, causing many to observe that such



an insult and such a situation never would have happened in the days of the Chinatown Squad, because the Chief would have been informed and guided by the men who knew so intimately the people they served. There is no question that the era of Chief Charles Gain hurt this department. Charles Gain did not feel comfortable around policemen. Perhaps he could have named the nine district stations; we don't know, but certainly he needed a map and a tour guide if he were to visit them. The fourth floor of the Hall of Justice was equally foreign territory. He was thought by the men to be a punishment and punishment he was. But today we have one of our own, and I believe he is willing. I do not intend to have us focus on the 40's, the 50's, the 60's, in some kind of hopeless wish for a return to the old days. Life changes, as it must. Certainly, though, we should learn from the past to better deal with the present and to look positively and with enthusiasm to the future. Somethings can never be the same, yet the spirit of the past can infuse and enhance the present. We have policemen now, who as raw rookies, worked with Hallisy, Quinlan, Nevin, Kane. They are with us today: Huegle, Bailey, Johnston, Schneider, Falzon, Erdelatz, Callagy, Gamble, Balmy, Otten, Leon, Mayer, Mangan — to name a few. They were taught well and thus offer a piece of the past for the work of the present.



Police work has become complex. We live in a fish bowl — judged by everyone from Room 200, City Hall — to the community at large. They are actors in a different San Francisco, asked to perform in a setting that has become a national test tube for change. San Francisco was, is and always will be a great city, if only its people stop and reflect. Slow down, we're moving too fast. At times the city is not remembering and therefore not learning. The spirit of San Francisco, the spirit of this department can be uplifted by recalling the way it was. I sincerely believe the talent today is as good as, or perhaps even better than, then. But somehow the motivation is not at the same high level. We get discouraged. We get stale. But we can rise to the occasion. We need the esprit de corp of the Hallisy era. It's an intangible thing, an inner thing, but therefore even more real. The photographs accompanying this article invite a look into the scrapbook of our own history. They invite us to reflect on who we were and, therefore, who we are, and most of all who we can be. Bob Kane would sing it for you. I think you know what I mean.

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BOARD OF DIRECTORS MEETING — December 15, 1981

Opened with the Pledge of Allegiance at 5:15 p.m. Roll Call: Nineteen present (Swall, Linehan, Schmidt, Dempsey, Parenti, Gannon, Minkel, Grant, Doherty, Wright, Collins, Strange, Sullivan, Huegle, Nevin, Bell, Barry Rapagnani and Hebel), and one absent (Bernardini) and one excused (Chignell).

SPECIAL ORDER BUSINESS

Supervisor Wendy Nelder spoke to the Board concerning the Fingerprint Computer. She indicated that she had filed in the Recorder's Office a Notice of Intent to circulate a petition for the June 1982 ballot regarding the city's acquisition of this computer in fiscal year 1982-1983. She indicated that she needed valid signatures (9,700) so as to force political action on this issue. She requested the use of the POA's newspaper to print the petition to get a POA membership response and would like financial assistance from the Police Association to circulate the petition. She indicated that presently there is a need for a strong firm statement from Mayor Feinstein supporting the computer. M/Gannon S/Hebel to allow Supervisor Nelder's petition regarding the Fingerprint Computer to be published in the January 1982 issue of the POLICEMAN. Motion passed by a vote of 18 yes (Swall, Linehan, Schmidt, Dempsey, Parenti, Gannon, Grant, Doherty, Wright, Collins, Strange, Sullivan, Huegle, Nevin, Bell, Barry, Rapagnani, Hebel).

M/Rapagnani S/Parenti that this Association rescind its October 20, 1981 vote on the \$20,000 pledge to the Crime Lab non-profit organization. Motion passed on a vote of 14 yes (Schmidt, Dempsey, Parenti, Doherty, Wright, Collins, Strange, Sullivan, Huegle, Nevin, Bell, Barry, Rapagnani, Hebel) and 3 no (Swall, Linehan, Grant) and 2 abstain (Gannon, Minkel).

M/Parenti S/Hebel that this Association pledge \$20,000 to the Crime Lab non-profit organization, \$2,000 of which is to be used for Supervisor Nelder's petition drive and the remaining \$18,000 is to be a pledge to be used only for the San Francisco Rockwell Fingerprint Computer Software and for no other purpose. A contract is to be entered into, regarding this \$18,000 pledge, where the monies are to be used only for this purpose and that the monies will be returned to the Police Officers' Association or that this pledge will not be given should the computer not be obtained by the City and County of San Francisco. President Barry is to review the petition prior to awarding the \$2,000 to Supervisor Nelder and the Petition Campaign Committee. Motion passed by a vote of 16 yes (Linehan, Schmidt, Dempsey, Parenti, Minkel, Doherty, Wright, Collins, Strange, Sullivan, Huegle, Nevin, Bell, Barry, Rapagnani, Hebel), 2 no (Swall, Grant) and one abstain (Gannon).

M/Linehan S/Parenti to allow Supervisor Nelder to use the external mailing list collected from the Civilian Review Board postcards. This motion was withdrawn by the maker.

FEDERAL LITIGATION COMMITTEE: Attorney Ralph Saltzman spoke on the December 8, 1981 proposed order from Judge Peckham wherein the judge requested input from the parties on this proposed order by December 18, 1981. Mr. Saltzman indicated that this proposed order primarily concerned two issues: 1.

failure of the City to recruit and retain sufficient minorities and women and 2. technical violation by the City and County in the appointment of limited tenure lieutenant on the basis of seniority only. Mr. Saltzman indicated that the judge may have exceeded its jurisdiction in altering the consent decree Q50/Q35 exam dates. The judge, viewing the violation of Consent Decree Section 10C — Lts. appointments made on a basis of seniority — could eliminate all 54 like work/like pay temporary appointments.

M/Hebel S/Gannon that this Board of Directors direct our attorneys to respond to the proposed order of Judge Peckham as follows: that the Q-60 examination be given on or before May 2, 1982 and that the Q-35/Q-50 examination be given on or before November 1, 1982 and guaranteed the specific appointments to these ranks; that monies be expended from the Auditor/Monitor's fund in any manner to allow compliance with this proposed exam time table. Motion passed by a vote of 15 yes (Linehan, Schmidt, Dempsey, Parenti, Gannon, Grant, Doherty, Wright, Collins, Strange, Sullivan, Huegle, Bell, Barry, Hebel).

M/Collins S/Linehan to instruct our attorneys to demand deletion of Section 4 of Appendix I of the proposed order of December 8, 1981. Motion failed by a vote of 5 yes (Linehan, Schmidt, Dempsey, Gannon, Collins); 9 no (Parenti, Minkel, Grant, Doherty, Wright, Strange, Sullivan, Barry, Hebel) and 1 abstain (Bell).

M/Parenti S/Wright that we add to the title in Appendix A paragraph 4 of the proposed order of Judge Peckham the following: "For recruit officers during probationary period". Motion failed on a vote of 4 yes (Schmidt, Parenti, Sullivan, Hebel) and eight no (Linehan, Dempsey, Gannon, Grant, Wright, Collins, Strange, Barry) and 1 abstain (Bell).

M/Dempsey S/Sullivan to direct our attorneys to request clarification from Judge Peckham as to the meaning and intent of Section 4 of Appendix A of his proposed order of December 8, 1981; if no clarification is given by the judge then we direct our attorneys to reject this section in its entirety. Motion passed by a vote of 13 yes (Linehan, Schmidt, Dempsey, Parenti, Gannon, Grant, Doherty, Wright, Collins, Strange, Sullivan, Bell, Barry) and 1 no (Hebel).

SECRETARY'S REPORT: Secretary Hebel indicated that he had certified as containing over 150 signatures a petition regarding the withdrawal of this Association from the International Union of Police Associations. In addition he had certified a constitution and by-laws change containing more than 100 signatures of members pertaining to political contributions. By voice vote the minutes of the meeting of November 17, 1981 were adopted.

WELFARE OFFICER'S REPORT: Welfare Officer Mike Hebel handed out this written report and stressed the fact that as of December 11, 1981 there were 74 pension buy-outs by police officers and firefighters. That a recent Retirement Board study shows that the hearing officer has awarded significantly more industrial disability retirement than had the Retirement Board; and that the case of Russell v. LEAA had liberalized the \$50,000 death benefit. Mike Hebel indicated that there would be articles appearing in the

POLICEMAN concerning the Retirement Board's study on the hearing officer award of industrial disability retirement as well as the case of Russell v. LEAA. Hebel further discussed the PCB exposure at Park Station and his report that was composed with Mike Gannon from Park Station to notify members of their exposure and to document this fact. He further indicated that while members may seek monetary awards for this exposure it would be difficult to obtain such an award without damages having been sustained now or in the future.

PRESIDENT'S REPORT: President Barry indicated that the IUPA petition will go directly to the membership in the January mail ballot. He indicated that the two constitution changes dealing with the moratorium and with political donations required action by the general membership at a quarterly or special meeting.

Barry also indicated that nominations for office are to be made at the December Quarterly Membership Meeting in which receipt of nominations can be made from the floor. Since it appears that there would not be sufficient members for a quorum present on December 15, 1981, President Barry instructed the Board members that a Special Membership Meeting would be called on Wednesday, December 23 at noon for the specific purpose of nominating officers and for presenting the proposed constitution changes.

President Barry then spoke on collective bargaining and indicated that an amendment was submitted on December 14, 1981 in skeletal form without any specific language.

The general discussion then ensued regarding whether or not the collective bargaining measure to appear on the June 1982 ballot should or should not include pension benefits and if it included benefits whether the new system benefit should be included in collective bargaining. M/Gannon S/Hebel to put through a vote of the membership whether or not to include retirement issues in the forthcoming ballot measure for collective bargaining. Motion passed by a vote of 12 yes (Linehan, Schmidt, Dempsey, Parenti, Gannon, Grant, Collins, Strange, Sullivan, Hebel, Barry) and 1 no (Wright).

An amendment to the prior proposal was made by Linehan and seconded by Bell that pensions on collective bargaining amendment to refer only to Tier Two benefits to the exclusion of Tier One benefits. Motion failed on a vote of 2 yes (Linehan, Dempsey), ten no (Schmidt, Gannon, Parenti, Grant, Wright, Collins, Strange, Sullivan, Barry, Hebel) and 1 abstain (Bell).

A quorum was lost at 8:35 p.m. and the meeting was therefore adjourned.

Submitted by,
Michael S. Hebel, Secretary

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SPECIAL GENERAL MEMBERSHIP MEETING — December 23, 1981

Meeting opened at 12:15 p.m. by President Barry with the Pledge of Allegiance. A quorum was present.

NOMINATING COMMITTEE: Nominating Committee Chairman Henry Friedlander gave the following report of qualified individuals who had submitted their names into nomination for seats on the Board of Directors. Co. A, Bob Swall; Co. B, Dan Linehan; Co. C, Gerry Schmidt; Co. D, Mike Dempsey; Co. E, Ron Parenti; Co. F, Mike Gannon; Co. G, Woody Tenant; Co. H, Jack Minkel and Pete Maloney; Co. I, George Grant; Insp. Bur., Mike Nevin and Bob Huegle; Retired, Tony Bell; Traffic Bur., Gale Wright; CSTF, None; HQ, Al Casciato, Jack Ballentine, Roy Sullivan and Lee McVeigh.

The following nominations were made from the floor at this meeting: Co. F, Dan Marr and Rick Bruce; Co. G, Greg Winters; Traffic Bur., Gerry Doherty and Ben McAllister; CSTF, Duane Collins. No other nominations were made.

CONSTITUTION AND BY-LAWS CHANGE: The proposed Constitutional changes dealing with moratorium for dues payment and political donations were printed on Page 17 of the December 1981 issue of the San Francisco POLICEMAN. This issue was distributed prior to this meeting of December 23rd.

MORATORIUM: It was moved and seconded to delete the requirement of repayment of all back dues and assessment in order to get into the membership. This amendment was adopted by a show of hand. It was

moved and seconded to adopt for presentation to the membership of the following constitution change of Article III Section 13: "All present sworn members of the San Francisco Police Department who have resigned from this Association, been terminated from the Association or who have failed to join the Association upon becoming a sworn member and who desires to become a member shall be granted membership status upon their timely application. No person exercising this special membership privilege shall be entitled to legal representation of any nature whatsoever for any action, omission, injury, grievance, or any other matter arising or occurring prior to the exercise of this membership privilege. This opportunity shall terminate on the 90th day following adoption of this amendment." (Added February 1982) Motion passed by a show of hand.

POLITICAL DONATION: It was moved and seconded that the proposal for Article IV Section 6D be amended to reflect the following: "And provided further that such question proposal or proposition concerning political solicitations is in compliance with Article IV Section 4E of this Constitution." This amendment passed by a voice vote. It was then moved that the following two changes be placed on the January General Election Ballot. Article IV Section 4E: "The Secretary of the Association shall keep a true and accurate account of all meetings of the Board and their actions. He shall cause to be posted five (5) ((3)) days prior to each meeting of the Board the agenda of that meeting." Included on the agenda will be a detailed list of all political solicitations of any sort whatsoever made by this Association since the previous meeting of the Board. He shall also do the same for each quarterly

general membership meeting. He shall distribute the same to all members of the Board of Directors who shall also post the agenda five (5) ((3)) days prior to each regular and quarterly meeting.

Article IV Section 6D: No question, proposal, or proposition which may be wholly within the powers and jurisdiction of the Board to decide shall be decided except on a majority vote of the members of the Board present at the meeting at which such matter is presented, provided that such majority shall in no event be less than nine (9) in number even though a bare quorum is present, and further provided that such question, proposal or proposition concerning political solicitations is in compliance with Article IV Section 4E of this Constitution. Attendance and voting records of all members of the Board shall be printed in the official publication of this Association. This passed by a voice vote.

Discussion for the Good of the Order: 1. Next Lieutenant's Examination; 2. Judge Peckham's December 8, 1981 Proposed Order; 3. Collective Bargaining With/Without Retirement Benefits; 4. Letter request from attorneys as to whether retired members can vote on the retirement/collective bargaining issue.

It was moved to rescind the vote of the Board of Directors regarding the vote to be given to the General Membership on collective bargaining with or without retirement benefits. Motion was ruled out of order in that it was not on this special meeting agenda.

Meeting adjourned at 1:15 p.m.

Submitted by,
Michael S. Hebel, Secretary

Cal/OSHA Report of PCBs in Park Police Station Compound

by Mike Gannon, Park Station

On December 1, 1981, I received the attached report from Mr. John McGuire of Cal/OSHA. In it he points out that their test for the presence of PCBs (polychlorinated biphenyls) in the Park Station compound proved positive. The substance was found at the base of the Kezar light tower on the southwest corner of the parking lot. The report further indicates that there are serious health hazards and consequences associated with the chemical, which is a suspected carcinogen.

I further submit that I have been assigned to Park Station for 8 years and that I had noticed an oily residue that daily settled on the radio cars, building and compound for at least a three year period ending in the summer of this year when a large electrical box at the top of the light tower was removed. I and other officers assumed during that time that the substance was sap from the surrounding trees. Now Cal/OSHA indicates this substance to be PCB.

I respectfully report that during that period I came into prolonged and continuous contact with PCB (form SFPD - 348 attached). Since all personnel assigned to Park Station since January 1978 also came into contact with this dangerous substance, as Employee Representative of the Station, I request that a copy of this report and the Cal/OSHA report be placed in the personnel folders of every officer assigned to this station since January 1978. I further request that a copy of this report and the Cal/OSHA report be maintained at the department's legal office. My reason for these requests is to comply with departmental policy of documenting on the job exposure and contact with health hazards.

This memo was prepared in collaboration with Sgt. Mike Hebel, the S.F.P.O.A. Secretary and Welfare Officer. Upon his advice, I also request that all members affected be notified of the Cal/OSHA conclusions by way of Departmental Information Bulletin and publication in the POLICEMAN newspaper.

Michael Gannon
Park Station

Dear Mr. Gannon:

In response to an anonymous employee complaint, the Division conducted a compliance inspection of the subject location. In the course of the inspection, you were identified as the station representative to the Police Officers' Association.

As a result, copies of the documents issued as a result of the inspection are being enclosed for your information. As the documents explain, PCBs were found to be present in the station parking lot; however, the potential for employee exposure could not be adequately determined to document any violations of Cal/OSHA standards.

If you have any questions, please contact the Division office.

Sincerely,
John M. McGuire, Industrial Hygienist
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ED CASAZZA

GOODBYE TO THE GOOD GUY OF SIXTH STREET

"He was not a soft cop. He was a polite guy, very caring, but he could take care of himself. He demanded respect and people gave it to him. When he was off duty, everyone missed him."

By Ira Kamin



Ed Casazza is sitting at a testimonial table. Everyone wants him to sing, because they have heard him do that around the lockers for the last thirty-five years, and they want just one more song, baritone, before he goes the way of the others who sit with him — to retirement.

This is a dinner at the Italian-American athletic club, on Stockton, honoring retiring San Francisco policemen Artie Adams, Nick Marota, Merritt McKeivitt, Pres Nolan and "The Big One," Eddie Casazza.

Of course, all the cops at the dinner get a little drunk or sentimental or both, and there are even some barkeeps and shopkeepers from Sixth Street here — Sixth Street was Casazza's beat — all eating cold cuts and pasta, and beef and beans, and ice cream.

Casazza, born in San Francisco, one of ten children, doesn't look tough. He has thin gray hair and walks slowly, as you might expect a sixty-five-year-old man to walk. His whole body is shy, the way it turns away from the person talking to him, the shoulders and the head, giving an angle of deference.

The first thing Casazza says upon rising at the table is, "I wanna thank you very much for being here this evening." He is wearing a dark suit, a white shirt and a striped tie. As soon as he opens his mouth, he gets heckled. He's easy to heckle. Jimmy Durante, someone calls him. He looks more like a song-and-dance man than a cop.

"Behave yourself," Casazza shouts back. "Behave yourself, junior, and you'll be a senior." Because that is the thing about this testimonial dinner. The young cops this October night are losing a good one in Casazza, and they know it. One young inspector sums it up this way:

"We're all sitting here and everyone's happy to be here. But it's an end of an era. It's our loss. Thank God we had these kind of men to live up to. It's a sad moment tonight. A loss for the San Francisco police department and the city of San Francisco."

Then a Sixth Street bartender attempts to bring the crowd back to reality: "I came here to eat your roast beef, Ed. You going to sing?"

So, Ed Casazza sings, a piece from the *Barber of Seville*, in a deep, choked baritone. The singer sings and the cops are happy. They break off in clusters and talk about sickness and accidents and cars and families, usual after-dinner talk, and one by one they line up to shake Casazza's hand.

"Take a picture of Eddie and me," they say.

Casazza blushes and drops his head and the bulbs flash.

Up and down Sixth Street, amidst the game rooms and sleaze, amidst the poverty and pensioners, the stench of old hotels and the nickel and dime desolation, between the barkeeps and losers, in alleys and doorways, they sing Casazza's

praises.

Eddie, yeah, they remember Eddie. They wish he were back. Fred Rautekranz, tending bar at Poppy's on Sixth — a polka on the juke box — calls Casazza a good patrolman and a good person. He's seen the patrolman on the beat for thirty years. "Eddie was well respected up and down the street. Nobody bothered him. Everyone liked him."

Then one of the drinking customers blinks his mid-morning Monday eyes and says he knew Casazza, too. "An Eyetalian fella. He never did take me in. Never did nothin' to hurt nobody. He helped everyone on the street."

A good fella, a good cop... Always friendly... Here a long time... Knew the area... Knew the street... Didn't hassle nobody... Everybody liked him... He respected the people and they respected him... This is what you hear from the merchants and the winos, the hotel clerks and the restaurateurs.

And this is how Casazza puts it: "I felt sorry for the drunks. They're not criminals. I kind of helped them if possible. There are a lot of intelligent people on Sixth Street, but they had problems they couldn't resolve. So they would keep drinking. There were engineers and attorneys and doctors. All with problems, financial problems, domestic problems, drinking problems, unemployment problems."

Jack Stevenson, who has run Stevie's Loans for the past thirty-five years,

stands behind his pawn shop cage one Monday after Casazza's retirement and says, "Dopeheads, winos, junkheads, he got their respect and he respected everyone. No matter who they were. He didn't look down on them. Everyone's human. You have to feel sorry for these people. What are they going to do? Sit in their rooms with their bed bugs. They have no jobs, no hope, they just get together and bullshit with each other."

Casazza knew that too. They're just people with problems. Casazza was a cop with understanding. There are stories on the street about his generosity. When one street girl died, Casazza went into his pocket to help pay for the funeral. He gave money to people who needed food, to men and women with broken spirits and bruises all over their eyes.

Tom McKnight has run Ideal Liquors for the last fifteen years. As he looks out of his window onto Sixth Street, he sees all the drinking and all the purse snatching, all the lonely squares of men framed in their hotel windows. He says he sort of grew up with Casazza. The last of a dying breed, he calls him.

"He was not a soft cop. He was a polite guy, very caring, but he could take care of himself. I've seen him walk the old-timers home. I've seen him stop beefs that could have got out of hand. He would settle them right there on the street, instead of busting people. He saved taxpayers' money. I've seen him

ANOTHER ERA PASSES

by Paul Chignell, Vice President

The accompanying article by Ira Kamin of the San Francisco Chronicle/Examiner just about says it all in capsulizing the character of thirty-three year veteran Ed Casazza.

As one gets older, it seems eras pass more frequently but the Casazza story is truly the end of a major era in the history of Southern Station.

None of the old-timers are left at Company "B", at least no traditional beat officer

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[Photography: Marilyn Garry-Mulkeen]

arrest muggers and robbers. He demanded respect and people gave it to him. Whenever he was off duty, everyone missed him."

The street, McKnight says, is getting worse. Crimes are tending to become more violent. McKnight calls it a sign of the times.

"Two weeks ago, my night man shot and killed someone who physically attacked him... but this area is no worse than other areas. I'd rather own a market here than on Nob Hill. They're honest people here. I couldn't handle snobbish people."

Casazza has the same empathy for the street people. That's why he was able to work Skid Rows for thirty-three years and earn their respect. That's why he's missed today. He was a sweet constant in a rage of transiency. He worked the waterfront when it was a busy port and when it was nothing but burnt-out piers, no ships coming in. He worked Third Street when it was a series of flophouses. He worked the streets before there were detoxification and rehabilitation centers. He has seen people crumble and he has seen them straighten out.

Perhaps Casazza has a natural ability — good common sense, he would call it — to keep the desolate streets in perspective. "I'm kind of a loner, I don't mix too much," he says. So he has nurtured a kind of reverent private vision of mankind at its lowest, most disheartened. He knows, too, the visions of the disconsolate.

One day he was walking down Sixth Street and a hotel clerk came running out saying a man on the fourth floor was up there breaking furniture. Casazza went up. The guy was going through the DTs, hearing voices that insisted he jump out the window.

"Well, I had a few pounds on him," Casazza recalls. "We struggled and I handcuffed him to the bed and called an ambulance. I kind of liked the guy. A week later I ran into him in the street and asked him about the scuffle. He didn't remember a thing."

You see a lot of delirium tremors on Sixth Street, Casazza says. You take them to Central Emergency and give them a couple of jolts of paraldehyde.

There were others who were more difficult to subdue: "There were three fellas in a bar. I was working the midnight watch. And I walked into this bar on Third and Folsom. These three

fellas just got out of jail and they decided they were going to dump the next cop they saw. It was about one-thirty in the morning. I greeted the bartender and they came after me. I was in pretty good shape and I dumped them. Locked them up."

The instrument that came in handy that night was a twelve-inch stick that cops used before the thirty-six-inch sticks became regulation. The stick was one of the mementos Casazza gave away before he retired his badge.

A month later, Eddie Casazza sits in his living room adjusting to retirement. He is wearing a tweed sportcoat and print shirt and his blue eyes are clear and attentive. Outside, it is gray and damp and the big tree in the park out front cuts his living room window in half.

Casazza has lived in this Mission District house for thirty years and he's driven the aquamarine 1956 Pontiac parked out front for the last twenty-five years. There are stories about the car and there are stories about the house and there are stories about the bachelorhood of Eddie Casazza.

He never married, but once he came close. It was during the Vietnam war. A long time ago, Casazza says. He met a woman who had moved here from Pennsylvania. She had received a telegram that said her husband had been killed in action. A few years later she received another telegram: It said her husband was a prisoner of war. In between telegrams, she and Eddie Casazza got close to each other.

"He turned up toward the end of the war," Casazza says. "He arrived in San Francisco. When he went into the service he was a big husky guy, 200 pounds. When he came back, he weighed 95 pounds. I don't blame her. What the heck, I took her and him out for dinner to Alfred's, on Broadway, for a big steak dinner. They went back to Pennsylvania and I lost contact. It's just the way the ball bounces."

An hour ago he was sitting in his car reading the paper. He and the car are enjoying the retirement. They go on little trips, to the Russian River, Monterey, they go see old friends. Casazza misses the friends from work. He has many of them. And many memories of them. Some of the memories are so clear they are friezes in his mind. Like May 13, 1948, six a.m.



Retiring officer Ed Casazza (left) shakes hands with Chief Murphy.

Casazza had been on the force five months. He was working the midnight watch out in Ingleside. He and two other officers, James Erickson and Jerry Fowlie, were ambushed while responding to a call. Fowlie and Erickson were hit with .45 bullets; Fowlie was shot through the jugular.

"How come I didn't get shot? I don't know," Casazza says. "I've asked myself that question many times. I guess the bullet made for me never had my name on it."

The man upstairs, Casazza says, he's the one who pulled those cops through.

James Erickson died of a heart attack several years after that incident, while driving his car on a pleasure trip to the Russian River. But Fowlie was at Casazza's retirement dinner, cheering and razzing his old pal.

Casazza is easy to razz. And when he was transferred to the Southern Station thirty-three years ago, the real teasing began. Eddie Casazza has this ease about him, and a kind of bigness; so when the locker room kidding began, Casazza took it with a smile.

There was the "I Like Casazza" campaign, started by some cops at Southern. They plastered the Hall of Justice with "I Like Casazza" stickers. They put them on car bumpers and on urinals. It got so bad that then chief of

police Don Scott thought Casazza was running for office. And when the Pontiac was two weeks old, in 1956, the practical jokers, one midnight watch, wrapped a toilet bowl around the bumper with toilet paper.

With all the joking and jesting and laughing in the face of cop danger, there was still the job to be done. And Casazza's festering beat, South of Market, would turn cops with less compassion into stone misanthropes.

If Casazza had his way, he would have stayed on the force. "If there was no maximum age limit, I would have stayed on. I'm still in pretty good shape. I might not look it..."

He would have stayed on, he says, even though the laws have made things so complicated "you need to carry a little book to make sure it's a lawful arrest." He would have stayed on even though the holiday season brings out more strong arms — people trying to get something for nothing. He would have stayed on, he says, because he enjoyed his work.

The good guy of Sixth Street, everyone called him. He sits in his living room, legs crossed, head tilted, talking to his guests. He serves them a shot and a short. Retirement for him, he says, is not as hard as it may be for others. He has his friends to visit and his car and his memories — those are his beats now — and his eyes light up, bittersweet, as his black cop shoes hit the carpet and take him on his new patrols. □

is left at the station that deals with drunks and an endless stream of questions from visitors to the Hall of Justice.

To most of us Ed Casazza was an old-timer, but we could never match the old-timers knock for straightening out a beef or dealing with a recalcitrant citizen.

I knew Ed Casazza of the Southern. He never said a bad word about anyone in my presence. He always flashed a smile and said hello. He worked every day, never called in sick and was a credit to the SFPD.

God bless Ed Casazza and the type of officer he represents. We'll certainly miss him.

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Study Finds Distrust Within LAPD Ranks

Slighting of Staffers' 'Human Needs' Cited in Internal Report Based on Poll of Brass

by Joel Sappell, LA Times Staff Writer

Courtesy of Dan O'Connell

Los Angeles Police Department brass are so hung up on procedures and technology that they ignore the "human needs" of their subordinates, who have become deeply distrustful of their bosses and alienated from the force, according to an internal police study.

"Department employees," the study states, "are saying that the human needs such as support, opportunity for development, forgiveness, trust, communication, openness and honesty, all seem to come second to procedures, goals, results, a good image, systems and technology."

What is remarkable about those observations is that they come from management itself. Scores of police officials, from captains to deputy chiefs, completed surveys and consented to personal interviews for the 28-page report prepared last summer by Cmdr. John Konstanturos, the department's human relations specialist.

Not a 'Happy Family'

The report thus provides rare insight into what police department officials think they are doing wrong — and why the department is not the "happy family" Police Chief Daryl F. Gates says he wants.

Even Gates' leadership came under fire from the brass, who cooperated in Konstanturos' study with a guarantee of anonymity.

To demonstrate his commitment to improving work conditions, Gates said in an interview, he ordered the study distributed throughout the department and emphasized in a letter to all personnel that he is working on ways to bring field officers into department decision making.

He said he wants to make the department "a place where everybody likes to come to work."

According to the report, recently obtained by The Times, that is not the case now.

"There is a deep distrust between the working level and the brass," one police official was quoted as saying in the survey.

"We carry on in an atmosphere where we do very little for our employees," said another, "but do a great deal to them."

"None of us listen or know how to listen very well," another officer said of his management colleagues.

"We are not open," admitted one. "I don't know if there is a 'siege mentality' or not, but we are not open to good communication from inside or outside."

Another police official greed: "There is very little room for healthy disagreement" in the police department.

The police department's emphasis on systems, procedures and technology appears to be institutionally entrenched, the report indicated.

"In grading essays for the captain's exam," one officer said, "I was disappointed in the enormous imbalance of emphasis on systems and things at the ex-

pense of people and relationships. This was seen in the grading criteria, and in the essays submitted by lieutenants."

Another officer said, "Our training has produced managers and supervisors who are too mechanical — system and task oriented — rather than people oriented. As a result, our people want a shopping list and guidelines rather than a problem or a challenge."

"If you don't know how to manage people well, then you adopt a management philosophy which relates to things."

Although Gates said the department will make efforts to correct those problems through a new human resources development program, he also said, "This isn't an organization that is going to be a democracy."

But while that implies there is strong leadership in the department, some command and staff level officers apparently disagree.

"There appears to exist a lack of solid direction and leadership," one member of the brass said.

In response to such statements, Gates said that frustrations are running so high in the department that critics "center their comments on the frustrations, rather than stop and think about what has transpired in the last four years" while he has been in charge.

Gates also blamed "external" factors — an "unsupportive" mayor, five consecutive years of City Council budget cutbacks, critical media coverage and a troublesome police union — for the "disintegration of the family attitude in the department."

Gates said the politicians have not let him exercise his leadership of the force. Instead, "I've got so many people that want to run this police department, and they've all got their ideas about how it ought to be done. That's nonsense."

Gates and Konstanturos also tried to soothe the report's sting by noting that management studies of any large corporation would produce similarly critical findings.

"Once the officers have greater participation," Gates said, "they're going to recognize that some of their concerns, some of their beliefs, are erroneous. I'm convinced they will."

Deadline for articles to be submitted is the first Wednesday of each month. No exceptions.

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For additional information
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POLICE ACTIVITIES LEAGUE

by Herbert P. Lee
Director of Activities



BOXING

The PAL Boxing Program is currently in progress. Workouts at the National Guard Armory (14th and Mission Sts.) are scheduled daily from 4 to 7 p.m. Anyone between the ages of 10 and 21 are invited to join the program. Participants must be accredited members of the American Boxing Federation of the Pacific Amateur Athletic Union. Dues are \$10.00 per year. There are no costs in the PAL Boxing Program. All equipment, gloves, headgear, uniforms and use of gym facilities are free.

JUDO

PAL Judo Commissioner Off. Joe Mollo (Academy) has announced that signups for the Judo Program are now being taken. Any youngster between the ages of 10 to 18 years of age interested in joining simply report to the police academy located at 2055 Silver Avenue on the first Saturday of each month at 11 a.m. No signups will be accepted at any other time. The Judo Program is open to both girls and boys.

BASEBALL CLINIC

PAL Baseball Clinic Director Jim Griffin reports that he is taking signups for his beginners baseball clinic which is held every Saturday at Balboa Park, San Jose and Ocean Avenue (next to Ingleside Station) at 9 to 11 a.m. Boys and girls from 8 to 15 years of age interested in learning the fundamentals of baseball to include learning how to throw, bat, catch, and strategy are to report at the above date and time. There is no fee. All baseball equipment, t-shirts, etc. are supplied by the PAL.

BASKETBALL

PAL Basketball Commissioner Sgt. Tom Bruton (Auto) announces the final standings of the Basketball League. Over 80 boys and girls basketball teams representing 700 participants were involved in the league.

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8th grade girls PAL Hilltoppers

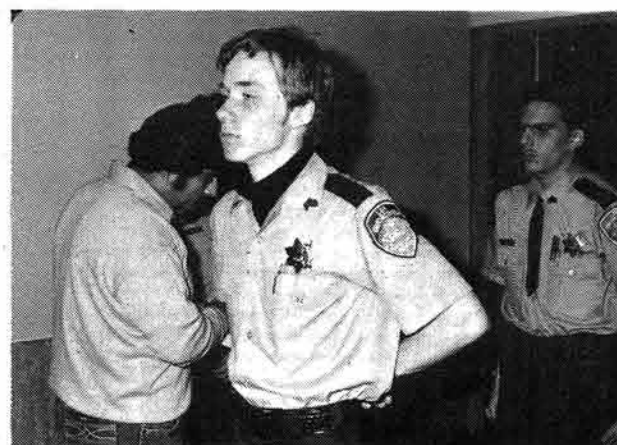
Congratulations to all the Champions. Each team member has received a PAL trophy for their effort. In addition, the PAL 8th grade boys Warriors and the PAL 8th grade girls Hilltoppers, have been chosen to represent San Francisco PAL in the upcoming CAL PAL Basketball Tournament to be held this year at San Jose in March. Congratulations to head coach Donna Shields of the Hilltoppers and Glen Mayfield of the PAL Warriors at Portola Park. Also congrats and a thank you to Sgt. Tom Bruton (Auto), our Basketball Commissioner, who did such a great job in coordinating the league.

RUGBY

PAL Rugby Commissioner Off. Dale Allen (Dog Unit) reports he has a few more openings for boys 14 through 18 who may be interested in playing rugby. For signups, call PAL Headquarters, 567-3215.

RIFLE

The PAL has been sponsoring a rifle program for the past 10 years. The program meets every Friday night at the Fort Scott Indoor Range located in the Presidio of San Francisco at 6 p.m. Anyone between the ages of 14 and 18 interested are asked to call PAL headquarters (567-3215). PAL Rifle Commissioner Sgt. Tom Morris SFPD Ret., states he and his staff of volunteers are available. .22cal. rifles are used. There is no cost to the youngsters. All equipment is provided by the PAL free.



PAL Assistant Director of Law Enforcement Ernie Galaviz conducting a recent Law Enforcement Cadet Inspection at the Hall of Justice. Cadet Sgt. Richard Harding is in the foreground. Cadet Sgt. Gary Paul, is to the right.

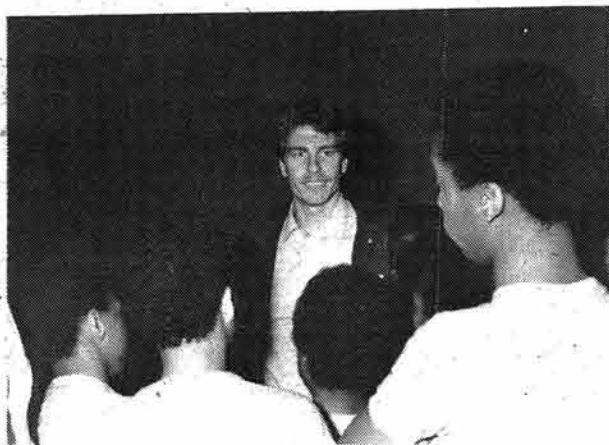
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PAL Basketball Commissioner Sgt. Tom Bruton (Auto) giving words of encouragement to a PAL Basketball team.

CAL PAL

The California Police Activities League has announced its 11th Annual CAL PAL training seminar to be held on February 19th and 20th, 1982 at the Holiday Inn in Santa Cruz. The two day seminar will feature various workshops of different sports and activities and fundraisers. In addition, many vendors will be displaying their wares and will be available for questions. Representatives from many PAL organizations within the CAL PAL have already confirmed their reservations. The theme for this year is PAL — Alternative to Youth Crime in the 1980's.

PEE WEE BASEBALL

Signups for PAL Pee Wee Baseball will be taken according to Mrs. Thelma Williams, Pee Wee Baseball Director. Simply call PAL Headquarters (567-3215). All youngsters between the ages of 7 through 10 are eligible. All equipment, caps and t-shirts are provided free of charge.

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The costs involved: many hours away from families (each car requires approximately 160 to 200 hours to complete), personal cash outlays, numerous cuts, bruised shins and scuffed knuckles as well as frustrations resulting from trying to get old cars to drive and look like serious competitive vehicles.

The team members are not masocists or insane; we feel the costs are far outweighed by the thrill of competition against fellow cops, CHP and firefighters, the success in winning, and the good times generated with the support of families and friends.

The prime purpose of this article, however, is not to give a tally of the season or to pat the team on the back. Rather, to let the readers of THE POLICEMAN know that we could not have competed without the unstinting support of numerous police and non-law enforcement persons, groups and private businesses. To the below listed, our deepest thanks and regards (in alphabetical order):

Showdown With LAPD

1982 CENTURION SCHEDULE SET

by Don Carlson

The San Francisco Centurion football team moves into its third year of operation with a three-game schedule that may prove even more difficult than last year's schedule.

The three teams the Centurions will meet are first-time opponents, the result of the Centurion team's philosophy of attempting to play as many different law enforcement teams as possible over the years. And while a clash with Oakland is not on tap for 1982, the addition of LAPD as an opponent will certainly satisfy those fans who may have thought the Cenmturions would never face a team as formidable as Oakland.

The Centurions will open the 1982 season with an "away" game against the San Jose Police on Saturday, February 20, at San Jose's PAL Stadium. The San Jose team, though drawn from a much smaller department, has outstanding individual talent, typified by QB Jim Tomaino, and should not be taken lightly. San Jose has given Oakland all the problems the East Bayers could handle in games over the last two years. This game should provide an excellent test for the Centurions following last year's two win, one loss season.

On Sunday, March 7, the Centurions open their home season against a team of Monterey County law enforcement officers. This group, a composit team of Monterey County sheriffs and police officers from places like Salinas, will trek north to face the Centurions at Kezar Stadium. This team is an unknown entity to the Centurions, and could be the "sleeper" on the schedule.

For their final game, the Centurions will initiate a rivalry with the-Los Angeles Police Department which should be the highlight of the 1982 reason. This 1982 "Centurion Charity Bowl", to be played on Saturday, March 20, at Kezar, will primarily benefit the developmental and competitive athletic programs of the San Francisco Special Olympics.

There has been a 25% turnover in personnel on the Centurions since last season. Though the need to have fifteen to twenty new players learn the system could be viewed as a disadvantage, the majority of these new players are younger than the players they've replaced, a factor which should be an advantage in the long run.

In next month's issue of "The POLICEMAN", readers and fans will find a "pull out" program for the San Jose game in the center section of the paper. Not only will you find team rosters, but also articles like those detailing sketches of the Centurion coaching staff which has been enlarged to eight members this season.

For ticket information for any of this season's games, or for an application to become a Centurion Associate member, phone 641-8827 between 9 a.m. and 4 p.m., or use the convenient coupons in this month's issue. Become a part of the Centurion family and a part of the phenomenon of law enforcement football.

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The above 21 mentioned parties are from varied businesses, professions and diversified backgrounds. This can be an example to all policemen that there are still segments of this crazy city that will still support their police both on and off duty.

From the members of the SFPD Demolition Derby Team, Sgts. Bill Mott, Ed Pryal, Officer Gary Wise and Mr. Ken Manley, thanks to all and best wishes for a healthy, happy New Year.

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SPORTS

RUNNING THROUGH MY MIND

by Walt Garry

Dateline: Tahiti, continued from December 1981 issue.

I sat by the side of the road, the pain in my leg turning to numbness. I could feel a small trickle of blood running down my thigh from the scrapes on my hip. A young man asked me in French what happened. His T-shirt announced that he was one of the dozen or so French Paratroopers from the local army base that had entered the race and later to go on and place in the top third of the finishers. I pointed to the ditch. He shook his head, helped me up and we moved to the starting line.

The first couple of miles we ran in the dark. The road was uneven so we had to be watchful of every stride.

The first light of dawn revealed that we had the ocean on our left and on the right were mountains rising hundreds of feet into the misty rain clouds. From the high water mark to the base of these lush green mountains, at times was only a hundred yards.

In later miles the corridor widened and we would be sharing the roadway with natives returning from the food store with the morning breakfast, long thin loaves of Tahitian French bread. This was the same delicious variety that we would be stuffing ourselves with during the following days.

We arrived at the first aid station. It was well-stocked, as were all the succeeding stands. We were offered the usual water, and EKG, as well as oranges, sugar cubes, raisins, gum, grapefruit and prunes . . . yes, prunes.

The early miles were pasted with the usual chatter. The "hot dogs" had moved on ahead and those of us at the back of the pack were making the most of our early morning sightseeing tour.

The traffic started to increase, adding another element to the race. The diesel fumes from the ever-present "Le Truck" was not helping the air we were breathing. The people on this Island are crazy about motorcycles. Everyone has some form of two wheel transportation. It is not that they are bad drivers, they can't judge distances. So, you just tightened up as you heard one approaching from the rear.

It was about 10 or 12 miles into the race when I started to feel the heat and began to slow down. MORGAN was doing great and kept up his pace. With so few entrants, we all were strung out along the course,

with as much as a mile or two separating runners. The on-lookers did just that, looked on, showing little or no expression as we ran by and only responding when we waved to them. At which time they called out something in Tahitian, which we later learned meant "hurry up".

At mile 18, I approached the first of the three rolled hills prior to entering Papeete. One of the Marin County runners later named this bit of Tahitian geography, the "Triple Bypass". As I started up the first hill I overtook a runner who was limping. I asked what the problem was and he answered in French, pointing to his calf. I made out the word cramp. I asked if he was a Legionnaire. He responded no, that he was a gendarme. Extending his arms forward and rotating his wrists, he let out a loud VOOM. He was a solo. Pointing to the SFPD on my shirt, I introduced myself as an American "gendarme". My sign language broke down trying to convey what my job was, but we exchanged backslaps and foreign but encouraging words, before I moved on. My new running acquaintance must have put the word out because for the rest of the race, from time to time, motor officers in their starched khaki uniforms and full bell helmets, would glide up on very quiet BMW's and give me a thumbs up sign or drop off a wet sponge so that I could keep my head from blowing up.

Coming off the hills, the course took us along the waterfront which was lined on one side with yachts from all over the world, and on the other side with expensive shops and restaurants. About this time I was proceeding at a slow, staggering walk.

Twice, ambulance crews tried to pull me off the course and into their wagon. I refused, babbling something about coming this far to run a race, and I was not going to be listed as a "D.N.F." (Did Not Finish). I don't remember the last few miles. It wasn't until I was entering the stadium and my head cleared momentarily, that I heard the roar of the crowd and a voice announcing . . . WALTER GARRY, UNITED STATES OF AMERICA.

After crossing the finish line things clouded up again. When my head cleared, I was laying in a local hospital trying to convince a French speaking nurse that I was all right and did not have to spend the night in her somewhat primitive medical facility. A short time later, with the aid of a couple of friendly Tahitians I had just met, I made good my escape, clad only in a pair of running shorts. I suppose that I am listed in the local teletypes as a "walk-out", but I didn't travel all that distance to hang around a native dispensary.

The rest of our stay in paradise was uneventful. Just sightseeing, snorkling and a great deal of just kicking back.

Congratulations to MORGAN PETERSON on finishing this, his first, marathon. He did it in 4:20. He earned his T-shirt finishing that race.

The Oakland Half and Full Marathon on December 6th had over 6,000 people turn out for both events. Running the full were JEFF BROSCHE, Homicide, 3:30 and TOM O'CONNELL, Solos, 3:25. Congratulations to RICH CARNES, Narcotics, finishing his first 26 miler. I saw him about half way along. He looked strong and was keeping a good pace.

In the thirteen mile event the finishers went as follows: WALTER GARRY, FTO, 1:35, MORGAN PETERSON, 1:36, LOU BROMFIELD, Co. E, 1:40 and MARTY WALSH, Oper S, 1:50.

The 146th Recruit Class, under the coaching of TONY RIBERA, entered a team in the Christmas Relays held at Lake Merced. STEPHEN LURATI circled the lake in 29:17, WILLIAM MC INTOSS, 31:58, JOHN MAMBRETTI, 30:08, LIAM FROST, 32:21, and RICH JANESE in 33:56.

I received over thirty five responses to my questionnaire about forming a running club. I will be contacting those interested, with more information. Don't forget the Magnificent 7, Tilden Park Run, Feb. 27. I have entry forms.

BUREAU PULLS UPSET: TAC CAPTURES LEAD

by Bob Puts

The Bureau of Inspectors celebrated the Christmas holidays with two upset victories (69-58 over Central and 61-54 win over CHP) and a near third upset, as Park Station turned back the Bureau 76-72 in overtime. In the victory over Central Station, Don Carlson (23 pts.) and Bruce Loren (15 pts.) led the scoring strike, while Gary Lemos and Coach Bob Huegle cleared the boards. In the victory over CHP, a tight defense and balanced scoring attack led by Rich Leon (12 pts.) was needed to knock the CHP out of first place.

TAC moved into sole possession of first place, but not without some tense moments. Jerry Williams, who is filling in for the injured Don Clyburn, provided the needed ball-control as TAC defeated Narcotics 60-52. Joe Dutto led the losers with 16 points. TAC also went down to the wire in their victory over Park 68-67. TAC had to rely on a 28 point performance by Dale Allen and 19 points by Jerry Donovan. Rene Mariluch (25 pts.) and Mark Porto (18 pts.) led the way for the losers.

Elsewhere in the P.O.A. Basketball League, we have the Airport Police defeating Central Station in a wild overtime victory 94-91. Jerry Calgaro's season high of 37 points and Tony Rodriguez's 27 points were not enough, as the Central Station team missed 13 free throws. Fred Spencer (29 pts.), Rich Agaro (24 pts.), and Andy Frachia (16 pts.) combined for 69 points for the victors. In the era of high scorers, we should highlight the Northern vs. Southern/Richmond game, where three players combined for a total of 110 points. In this see-saw battle, Northern triumphed behind Mark Bruneman (42 pts.) and Ben Vigil (24 pts.). Ed Chow of Southern/Richmond had the game high of 46 points in a losing cause.

The league is now winding down to the final three weeks, and there are still ten teams with a chance for one of the seven playoff spots. Five of these teams (TAC, E, H, A, A MID) have guaranteed themselves a playoff spot, but the shuffling for positions begin.

STANDINGS	W	L
TAC	8	1
Northern	6	2
Ingleside	6	3
Central	6	3
Central (MID)	6	3
C.H.P.	5	4
Narcotics	5	4
Airport P.D.	4	5
Park	4	5
Mission	3	6
Southern/Rich.	3	7
Inspectors	2	8
Southeast	1	8

TOP 14 SCORERS	(G)	(Pts.)	(Avg.)
Chow (B/G)	5	177	35.4
Gotchet (Narc)	5	127	25.4
Vigil (E)	7	173	24.7
Calgaro (A)	7	166	23.7
Langford (H)	5	117	23.5
Mariluch (F)	9	189	21
Collard (CHP)	6	125	20.8
Delganes (Am)	9	183	20.7
Scott (Air)	8	164	20.5
Spencer (Air)	7	135	19.2
Mahoney (H)	9	167	18.5
Schmolke (H)	9	156	17.3
Komarchuk (C)	8	139	17.3
Venters (Am)	9	154	17.1

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continued from page 1

duty". Application for the benefit must be made within one year from the date of death.

Mrs. Russell contended that her husband's death in a commuting accident "in the line of duty". She argued that the standard for determining whether a death occurred in the line of duty is the same as the standard for determining whether an injury is job related under workers' compensation law and that under workers' compensation law Russell's death was an exception to the ordinary rule against compensating for injuries sustained while commuting. LEAA contended that the standard for determining whether a death occurred in the line of duty is more rigorous than the workers' compensation job relatedness standard.

This federal Court of Appeals held that LEAA and the courts should look to the general workers' compensation law as a guide to the development of a federal law and interpret the Benefits Act job relatedness test consistently with workers' compensation doctrines. It concluded that Sgt. Russell's accident and death are compensable since he was required to use his own car at work and was required to drive home at a particularly dangerous time (late Saturday night). This job related activity was "in the line of duty".

Stress Related Deaths

While this Court expanded the \$50,000 death benefit to death from injury sustained in the course of employment as a result of an accident or a criminal act, the Court specifically left for another day the issue as to whether survivors of officers who die from job related diseases and stress induced infirmities are entitled to the \$50,000 benefit; specifically whether survivors of officers who die of job related heart trouble are covered.

Since LEAA has, in its litigative, stated that stress induced, job-related heart trouble deaths were not "in the line of duty" and therefore not covered by the Act, claims have not been filed. With this prestigious Court's expansion of coverage using general workers' compensation law, one can now be optimistic that heart trouble will also be covered.

PROMOTIONS

continued from page 1

why, as a sergeant, should I complain about the loss of these positions???)

2. Do you think that the city — the administration of the department — the mayor's office could possibly benefit from divisiveness within the Association? (Clue: If the answer to #1 is "yes, the city benefits by slowing down exams and promotions", could division within the Association, e.g., in-fighting over the scheduling or sequence of exams, contribute to this slow-down? Extra Clue: Go back to paragraphs 1, 2 and 3 of this article.)

3. Do you think it is possible that the lack of judicious but assertive leadership could contribute to the problems addressed in Questions #1 and #2. (If you don't think this could possibly happen, you probably don't want to read any further.)

Meanwhile, as too few members realize, doing nothing with such issues as the Consent Decree and the Federal Litigation Committee is indeed doing something — something detrimental, just like waiting until you transport a suspect to the booking counter before searching for weapons; you may find something you were looking for, but not in the manner you had hoped. Lacking aggressive confrontation of the issues and the energy to take the effort to get out to the membership, and to debate the pros and cons, and make those hard decisions, the problems stagnate.

Periodically, an internal group, such as described by Mike Hebel, discovers, as some did with the recent Peckham order, that developing events may not be to their advantage, and they protest, which, in turn, leads to other discoveries, protests, and dissension from other internal groups within the Association, none of which are ever seriously addressed by the leaders of this organization until the problem reaches crisis levels. But by then, the damage is done, and the divisive attitudes are ingrained into the membership for years to come; years which, I might add, allow a former Association president or vice-president to be long gone and free of accountability. It is this type of leadership that has thus

led many members of the Board of Directors to characterize the Association as a "rudderless ship", at least as it applies to the Federal Litigation issue.

As if this were not enough, the whole tragedy is further compounded by the fact that the Consent Decree — for the first time in department history — laid the foundation for exactly what Mike Hebel advocated last month (and what we, who were resoundingly ignored in the last election, also advocated): regularly and frequently scheduled exams. The P.O.A.'s primary representatives in the design of the Decree (Jack Ballentine and Al Casciato) insured that such was the spirit of the Decree with that very objective of frequent examination in mind; the goals of the decree were based upon the numbers of new officers and the necessity of promotional exams and subsequent appointments which they proposed and argued to be in the best interests of the department, the requirements of Affirmative Action, and of the members of the Association. But, to the surprise of many and to the misfortune of us all, the leadership of the Association changed; not that change wasn't sorely needed, but as to the issues of Federal Litigation, they had to take a backseat to "improving image" and developing personal political contacts. And, as reward for daring to oppose the President and Vice President, Ballentine and Casciato found themselves bounced off the Federal Litigation Committee. Now, that Committee, as a showcase of Association leadership, flounders, without talented leadership, imagination or direction.

But, I am reminded that this is the leadership which received the clear mandate of the membership in January of last year; the leadership we have is exactly the leadership the majority of us wants.

Judge Peckham points out in his first footnote, on page 3 of the proposed order of December 8, 1981, that the Consent Decree, in Section 12(f) states: "Any unresolved disputes between the Auditor and said Parties shall be submitted . . . to the Court for resolution."

In other words, we had our chance.

★ POSSIBLE PURCHASE OF PRIOR MILITARY TIME

The SFPOA recently sent a letter to all members asking them if they had any prior military service. If the answer is yes, you should by return mail, list the dates involved, the branch of service and send a copy of your separation papers to document the military time.

The POA office has received scores of telephone calls asking why the letter was sent in the first place. I quote directly from the Firefighters' Mainline newspaper, "... there is a possibility that since the City has attempted (unsuccessfully) to 'buy our members out' by offering monies in a lump sum and then place our members under a new retirement plan (1976) there may be an opportunity to accomplish our initial goal by allowing our members to purchase

previous military service, which would in turn bring quicker retirements which would result in new hires under the new system. In essence, another form of

buy-out."

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by Gale Wright

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