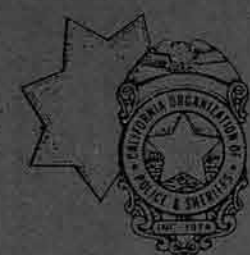


# the San Francisco POLICEMAN

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

VOL. 13

SAN FRANCISCO, MARCH 1982

NO. 3

## NEW MEDICAL TREATMENT FACILITY

by Mike Hebel, Secretary

On February 22, 1982 the City and County Retirement System's treatment facility, the Franciscan Treatment Room, moved from the third floor of the St. Francis Hospital to the lower level of this hospital.

The treatment room is now located in the lower level of the Pierotti Pavilion whose entrance is at the southwest corner of Hyde and Bush Streets.

### Inspection

On Thursday, February 25, 1982 I inspected this new facility. I entered through the Pavilion's Hyde Street entrance and walked into a well-lighted and newly furnished large reception room. I walked directly to the reception counter (counter on left side is for general public; counter on right side is for injured city employees). There were two persons behind the counter whose function it is to begin the registration process (forms and other necessary paper work).

I then walked about 20 steps to an elevator which went down one flight to the medical treatment area. Forms completed upstairs would be handed to a receptionist and a smaller waiting room is available pending an interview with the treating physician.

This second waiting room is also well-lighted and furnished. In it I found city employees awaiting non-emergency medical care along with ambulatory outpatients on the Hospital's Clinicare program. The

waiting room did not appear crowded nor did the Clinicare patients seem distinguishable from the city employees.

In general, I found the new facility to be modern, convenient, and cheerful. It was well furnished and decorated.

### Treating Doctors

Dr. Joseph Malia, M.D., a general practitioner, was present along with his recently hired associate Dr. Bert Halter, M.D., retired chief of general surgery at the St. Francis Hospital. Dr. Malia has been long held in high respect by city employees for his medical services.

The x-ray facility remains on the first floor. Meaning that city employees will have to go up one flight instead of down two flights (when the treatment room was on the third floor) for this service.

### Why the Change?

Speculation and rumors are being circulated that this change is part of the City's overall strategy to reduce its compensation/medical care costs through reducing both medical care expenses and work days lost on disability leave. The truth of these charges remain for the future.

The Franciscan Treatment room served city

employees well for nearly 10 years. The City has met its obligation to provide occupationally injured city employees with the highest quality of care available.

Daniel Mattrocce, general manager of the Retirement System, in an informational bulletin dated February 9, 1982 stated that this new facility will decrease the time necessary for a city employee to receive medical care.

Medical services in the new Franciscan Treatment Room will be available from 8 a.m. to 6 p.m. (these are longer hours). The emergency room in the St. Francis Hospital will continue to be available at all other times.

### Close Monitoring

The Police Association, a leading battler in the move from San Francisco General Hospital to the St. Francis Hospital, will closely watch and monitor the new treatment facility to insure quality and efficient care of injured police officers.

Desiring to insure that injured officers are not prematurely returned to work without adequate convalescence from injury, the return to work practices will be reviewed periodically.

The Retirement Board and its general manager have been responsive to city employee needs for safe, efficient, and quality medical care. Should problems develop with this new facility, they will be promptly brought to the Retirement Board for correction.

## FEDERAL LITIGATION REPORT

by Theodore A. Schlink III  
Chairman, Federal Litigation Committee

Lt. Roger Maloney and Lt. Wm. C. Scheffler have filed a protest regarding the scoring of the past Captains' examination, which, in my opinion, will not effect those anticipated future appointments from the established Captains' list. I would like to comment more concerning their protest, however, a full hearing of the matter will be conducted soon by the Civil Service Commission. Lt. Maloney and Lt. Scheffler are being represented by Mr. Ralph Saltsman, our POA labor attorney.

Since my article appeared in last month's paper, I have been swamped with questions regarding the type of examination that will be used for the Lieutenants' examination. At this point and time I am not quite sure what type of exam will be employed, however, I think that due to the expedient nature of the exam, we may see another Assessment Center conducted.

Contrary to popular belief, an Assessment Center may test more than 36 candidates for any one position. Last year I attended a week long seminar on behalf of the P.O.A., where it was learned that the Army, who is a pioneer in the Assessment Center field, continually tests large pools of persons for advancement. A representative from the United States State Department, advised me that he had personally supervised the Assessment Center testing of over 10,000 employees nationwide for advancement within his department.

The advantage of an Assessment Center is that there is no known adverse impact upon minorities and women. What this means is that there will be no

lengthly delays after the administration of the exam with regards to discrimination or adverse impact. This one aspect appears to be of a substantial benefit to those taking the exam, because delays in appointment are eliminated on the above stated grounds, and timely appointments are allowed to proceed.

Secondly, due to the acceleration of the Lieutenants' exam, the testing unit would be hard pressed to develop a customary or typical written examination that would pass the approval of the parties to the Consent Decree, or the Federal Court. If a written exam were to be used, litigation would surely follow on the issue of adverse impact, as was the case a few year ago, prior to the signing of the Consent Decree.

It is too early to speculate as to the method of examination for the rank of Lieutenant, however, if an Assessment Center is used, we intend to contract with a specialist in the field to conduct seminars on the methodology of participating in an Assessment Center.

In closing this article, I would encourage each and every Sergeant who plans to participate in the Lieutenants' exam to study any and all materials that are relevant to managerial supervision. Books of this nature are readily available at local libraries, as well as professional book stores. PLEASE READ THE ORDER OF THE COURT DATED December 8, 1981.

COMPLETE ORDER PRINTED ON BACK PAGE

## IS CHANGE THE ANSWER?

At 4 p.m. today, March 16, 1982, the Board may vote to put this newspaper in the hands of a third party. The stated premise is to make some money for the POA. If we needed the money, I probably would endorse the idea, but I would resist putting control of our newspaper in an outsider's hands.

The POA is very solvent and the needed extra income is a subterfuge. I contend that certain people want to suppress articles which are critical of the POA's political contributions or lack of progress in the benefits area.

Depending on how the Board meeting goes today, it may be necessary to circulate a petition to keep the newspaper as is. All expenses necessary to publish this newspaper once a month are covered by our present advertising and have been for over three years.

Gale W. Wright, Editor

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# WIDOWS & ORPHANS

The February meeting was called to order by President Bernard Becker at 2:05 p.m., Wednesday, February 17, 1982 in the Traffic Bureau Assembly Room, Hall of Justice. Trustees excused — Hurley, vacation; Kemmitt, court. All other officers and trustees present.

The Secretary reported the following donations: **Reuben K. Metson** — through contact with Vice President W. Hardeman; **Anonymous** — making another appearance with us; **Veteran Police Association** — in memory of James Johnson, retired inspector.

After a motion and second, the following were approved for membership: **Nichols M. Allen, Robert L. Armanino, Larry Barbieri, Kurt J. Bruneman, Felix Bilbao, James Calónico, Robert Castillo, Linda Sue Chen, Don Ciardella, Richard G. Daniels, Michael Favetti, Michael Fernandez, Lewis G. Fong, James P. Kelly, Michael I. Koltzoff, Mitchell F. Lang, Joseph Nannery, Brian Ogawa, Denis O'Leary, Stephen J. Ravella, Brian J. Perry, Anne M. Razon, Stephen Roche, Jeffery Roth, Edward Santos.**

Treasurer Parenti reported the following deaths:

**JAMES JOHNSON** — Born in San Francisco in 1890, he entered the department in 1918 at age 27. After working at various district stations for five years, Jim was assigned to the Bureau of Inspectors, being appointed a Detective Sergeant in 1925. He won the civil service rank of Corporal in 1926, Sergeant in 1932. Becoming a full Inspector in the Bureau, he was assigned to the Burglary Detail, eventually commanding that Detail until his retirement for service in 1955 at age 65. Jim was 91 at the time of his death.

**HUGH O'CONNOR** — Born in 1913 in the City, he became a S.F. police officer in 1941 at the age of 28. After the Academy, Bucky worked Potrero three years, Central 12 years, before attaining the rank of Sergeant in 1956 and being transferred to Ingleside. Spent time at Park and Taraval before his retirement for service in 1976 at age 62. In 1946 he received a Captain's Commendation for the arrest of a barricaded burglar, a 2nd Grade for the arrest of two holdup men, a 2nd Grade in 1949 for saving lives in a burning building. Bucky was 68 at the time of his death.

**WILLIAM PFISTER** — Another San Franciscan born in 1932. At the age of 28 he became a member of this department. After serving his time at the Academy, Bill was transferred to the Traffic Bureau, serving in the Accident Prevention cars. He worked in the A.I.B. until forced to take sick leave due to his health, never returning to the department. In 1965 Bill was given a Captain's Commendation for the arrest of two suspects after the burglary of a super market. Bill was a young 49 when he passed away.

**FRANK SULLIVAN** — Still another San Franciscan, born in 1902 who entered the Department in 1927 at age 25. Frank was assigned to the Traffic Bureau where he worked for the next 30 years on the Solos and 3-wheelers. He was assigned to the Warrant Bureau, working there for several years before given the thankless job of trying to straighten out policemen with alcoholic problems. Frank was on this Detail when he retired for service in 1967. He was 79 years old at his death.

Trustees Report: In the absence of Senior Trustee M. Hurley, Trustee F. Jordan reported the purchase of 1,000 shares of Collegan and the sale of 250 shares of United Financial Corp., recommended by Hibernia Bank and approved by Trustees. Trustees will also meet with Hibernia Bank on March 12, 1982 at 6 p.m. at the Bank Building, 290 Sutter.

Good of the Association: Members advised that next meeting will be Wednesday, March 24, 1982 at 2:00 p.m. in the Traffic Bureau Assembly Room.

There being no further business to come before the membership, the meeting was adjourned at 2:50 p.m.

Fraternally,  
Bob McKee, Secretary



SAN FRANCISCO

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## Does the Bible allow for the theory of evolution?

Permission to print: Here's Life Publishers, Inc., San Bernardino, CA 92414 by McDowell and Stewart, Answers to Tough Questions.

This is one of our most often asked questions, and it comes in various forms, such as, "Can a person be a Christian and believe in evolution?" or "Hasn't science proven the theory of evolution, thus contradicting the Genesis account of creation?"

To answer this, we must first understand what we mean by the term evolution. If it is defined as simply "change" — as the development of an infant to an adult or a change within a kind, such as dog or cat — then this would pose no problem. This evolution, or developmental change within certain kinds, is completely consistent with Holy Scripture.

The problem is that the prevailing theory of evolution goes far beyond this. The theory states basically that complex elements have developed from simpler elements, and living organisms have sprung from non-living chemicals, by a chance association.

The theory of evolution is less of a scientific theory and more of a philosophy about the origin of life and the meaning of man.

The theory of evolution is contradictory to the biblical narrative of creation. The Genesis account records 10 different times how God created plants and animals after their kind with no crossing of the kinds. Man was fully man at his creation, as was woman, with no long gradual period of development.

The idea of natural selection, or survival of the fittest, is at odds with the biblical teaching that all things were created good (Genesis 1:31). The Scriptures teach that everything was originally created perfect, and death and decay occurred when sin entered into the universe. This is opposed to the evolutionary concept of everything getting better.

Evolution not only contradicts the Bible, but it also contradicts some basic laws of science. For example, the second law of thermodynamics implies that left to itself, everything tends to become less ordered, not more ordered or "complex."

This rule is an observation of the obvious: things grow old, run down and eventually die or decay. They lose their structure. The theory of evolution says that things develop their complexity and structure. This is not the case.

Evolution also says that changes or mutations are beneficial, while nature shows almost all variations are harmful. The theory contradicts observable phenomena.

Neither the theory of evolution nor the theory of special creation can be proven scientifically; that is, they cannot be repeated in a laboratory environment. Special creation happened once in the past, and evolution is too slow to observe.

Both theories are faith assumptions, and on the basis of the evidence one must choose one or the other. The Christian should not be embarrassed for believing the Genesis account of creation, since it not only fits better with observable facts but also was the view of the God-Man Jesus Christ (Matthew 19:1-6).



## POLICE POST #456 NEWS

I hate to start off a column on a negative note, but watching veterans' benefits erode little by little, makes me a bit apprehensive. This has been going on for several years now and pretty soon we will have nothing to show for our military service except memories. There are two schools of thought regarding this. One is politics and the other is abuse of the privilege. As this column does not involve itself in politics, and does not ever intend to, I must submit that there have been abuses somewhere along the line.

In the last California Legionnaire there was an item regarding some Veterans' Administration employees having to reimburse the VA for care which they received. If they were able to get hospitalization on the basis that they were employees and not veterans, this certainly is an abuse and merits investigation. This, along with service or non-service connected illnesses or disabilities should be judged individually and on the merits of the specific case involved.

Oh well, as an old Yiddish proverb said, "If everyone pulled in the same direction, the world would keel over." Till next issue, keep smiling, and may God hold you in the palm of his hand —

Your Scribe,  
John A. Russell



### MARINE CORPS LEAGUE

#### ATTENTION FORMER MARINES:

All former Marines are invited to attend a meeting of the Marine Corps League. It is an organization dedicated to former Marines to perpetuate the esprit d'corps of the United States Marine Corps.

Meetings are held the third Monday of each month usually at the Marines Memorial Club, Sutter and Mason Streets, 10th Floor, Regimental Room, 7:15 p.m.

Come early to the Skyroom for a brief social time.

the San Francisco  
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- 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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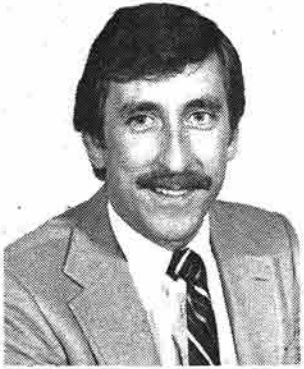
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# PRESIDENT'S REPORT



by BOB BARRY

## FIREFIGHTERS KILL COLLECTIVE BARGAINING LEGISLATION

In what can only be described as a shocking, self-serving interest vote, the membership of Firefighters Local 798 overwhelmingly voted to withdraw the POA-Firefighter sponsored collective bargaining legislation that was destined to be placed on the June 1982 ballot.

The proposed charter amendment, introduced by Supervisor Dolson for the second time in two years and supported by a majority of the Board of Supervisors was scheduled for hearing at the Board of Supervisors on February 22nd, the last day charter amendments can be considered for submission to the voters. The issue was never debated.

Just two weeks prior to that hearing, a joint POA-Firefighter committee met to put the final touches on the legislation and firm up our political support with the supervisors. There was little appearance at that meeting of any substantial opposition from the firefighter board members, although not all were in agreement with the issue.

There were however, some concerns generated by retired firefighters and police that the adoption of this amendment would effectively deny our veteran officers their annual COLA increases — the premise being that the POA and Firefighters would bargain a certain portion of future salary increases for other important economic benefits such as dental, medical, differential pay and other related benefits and that retired officers would lose salary.

Although the concerns that our veteran officers had were valid, because that is exactly what collective bargaining is all about, our legislation could very well have been amended to provide the necessary protection for our veteran officers. It is not now, never has been and hopefully never would be our position to shed our concerns for the economic survival of our veteran officers.

But because of this concern, the panic set in quickly and the firefighters opted for the second time in four months to place the question of whether or not to support collective bargaining before the entire membership even though their prior vote supported the legislation and their recent survey indicated that 98% of the members surveyed wanted collective bargaining on the ballot.

During the course of the firefighters voting period, individuals lacking the gumption and/or the guts to identify themselves, surreptitiously distributed totally false and misleading written material to the fire houses arguing against the submission of the collective bargaining legislation. The goals were clear — generate fear that the firefighters would lose everything (under the present state there's not much to lose) and gather enough support to remove the firefighters from the amendment which would effectively knock the police out of the box as well.

Although not proveable, all indicators lead us to believe that high fire department officials, both active and retired were directly involved in the distribution of the material. The arguments against the legislation were as follows:

- Loss of parity with the police as the firefighter salary is based on the police formula.
- Loss of the existing pay formula that has worked "well" for the past "few" years. They forgot to mention the first three years.
- Arbitration would have a negative affect in changing firefighter hours.

Needless to say, the scare tactics that were utilized generated enough concern amongst the firefighters that the "hours and parity" issues far outweighed the foresight of gaining future essential benefits that we have long been denied.

Although the self-interest in this issue is quite clear, it will nevertheless remain a mystery as to why, after so many years of fighting for equality, the firefighters would listen to such specious arguments and vote against the submission of such a progressive piece of legislation — legislation that the mayor of San Francisco termed "dangerous" for San Francisco. Such comments alone should be enough to turn on a few lights and enlighten even the most ill-informed.

Although some may be satisfied with the status quo, the time will soon come when the hours will change without the benefit of negotiation, the salary formula will again turn around to benefit the city and not the workers and other critical benefits will be eliminated. Then and only then will the hue and cry come from those houses that there must be some protection embodied in law and contract. I hope you are right, firefighters, but several years from now I firmly believe that some deep reflection on this issue will show that a tragic mistake was made.

## Novatan drops bid for Democratic Assembly race

Reprinted Independent Journal

Harry D. Moore of Novato, who filed preliminary papers to run for the state Assembly, has withdrawn and endorsed the only other candidate for the Democratic nomination, Paul Chignell of San Anselmo.

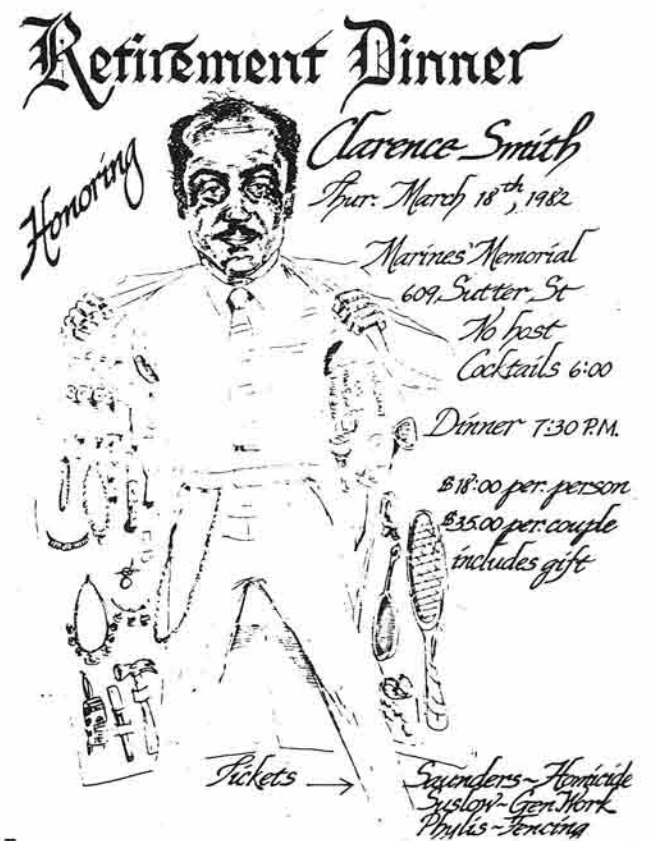
The incumbent, Republican Bill Filante of Greenbrae, also is uncontested for his party's nomination in the June primary. As a result, Chignell and Filante automatically will face one another on the November general election ballot.

Moore told the Independent Journal he had filed his declaration of intention to run because he did not know who else was running.

Moore, who ran for the Assembly in 1974, said he filed "so we would not be going with an unknown candidate." However, after meeting Chignell, Moore said he was "impressed with his vitality, education and desire" for the office.

"I felt that really two Democratic candidates should not be fighting it out," Moore said. "We have a tough enough problem facing the incumbent."

"He (Chignell) has the backing. I have the name. Too bad we can't put it together, but practical reality calls for my withdrawal and throwing my support to him."



## Democratic challenger calls Filante 'ineffective'

Reprinted Independent Journal

Paul C. Chignell of San Anselmo, the only candidate for the Democratic nomination for Assembly, said that the Republican incumbent, Bill Filante of Greenbrae, "is one of the least effective legislators in the Assembly."

Chignell said that Filante, who is uncontested for his party's nomination for a third two-year term, has lost most of his key bills "because he cannot get along with leadership of the Assembly."

"A Democrat working with the Democratic majorities in both houses can better serve the public," Chignell said.

But in an interview, Chignell also acknowledged that he faces an uphill fight against Filante. Party registration in the district, which covers Marin and Southern Sonoma, is 48 percent Democratic and 34 percent Republican — a narrow margin that makes it "very difficult for a Democrat to get elected," he said.

Noting his previous work for other candidates, Chignell said he also was running "because I want to move forward in public life."

Chignell, a sergeant in the San Francisco Police Department and instructor in labor relations in the department's police academy, termed himself "a moderate with traditionally progressive Democratic views."

He also said that his image as a law enforcement officer "will translate into a tough race for Mr. Filante."

He noted that his wife, Mary E. Pougiales, is a deputy district attorney for Marin County.

Chignell, 33, making his first run for public office, said the race will cost at least \$250,000. He said he has raised \$35,000 since late October.

He said he also has "the wholehearted support" of Anne Charles, who ran against Filante two years ago.

Chignell, who disarmed and hooked former San Francisco Supervisor Dan White after the murder of Mayor George Moscone and Supervisor Harvey Milk, disputed statement in some gay publications that Chignell had worked with White when White was a policeman and that he was a character witness for White during White's murder trial.

Chignell said he testified for the prosecution and that he was "extremely upset" with the sentence that will allow White's release in 1984.

"I just happened to be in the station at the time when he walked in," Chignell said of White's surrender.

Chignell has lived in Marin since 1973 and has been a police officer in San Francisco since 1969.

He served as legislative coordinator for the California Organization of Police and Sheriffs, a 10,000 member organization, from 1975 to 1981, and has worked on the campaigns of Sen. Milton Marks, R-San Francisco, Sen. Barry Keene, D-Elk, and Mrs. Charles.

Chignell is vice president of the San Francisco Police Officers Association, which has about 400 members in Marin.

He has won the police department's Silver Medal of Valor twice. The medal is the second highest award by the department.

Chignell attended the University of San Francisco and got his bachelor's degree in justice administration from Golden Gate University.

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# AROUND THE DEPARTMENT

by Al Casciato

... Officer Ed Callejas and his four-footed partner, Zoran, were recently patrolling the financial district when they came upon two tourists who had just been mugged. The tourists told Ed that one of the group of 7-10 males had mentioned something about Oakland during the attack. Ed immediately headed towards the East Bay terminal. Enroute he spotted a group of 15 males, some of which matched the descriptions given him. Ed says that at this point he thought "How the --- do I stop them all? They'll all be scattered by the time help arrives." But being a quick thinker, Ed solved the problem. How? Well, he exited his patrol car with Zoran and calmly stated to the group in a commanding voice "Freeze, the first one to run is the dog's dinner." To which Zorn added a few arfs for effect. Ed says that he then experienced the longest 20 seconds of his life waiting for the backup units to arrive. Shortly afterwards, the tourists arrived and positively identified 7 of the 15 as being the strongarmed robbers. Just a small example of how valuable our little four footed officers are...

... Mike Pera and John Hennessey of the Public Affairs Office are trying to get out to the press stories of the good work that police officers perform daily. It's all too often that only negative stories get printed; but the reason for that is that the newspaper reporters can't write stories about what they don't know. So, if you have a story about something positive, Mike and John would appreciate your getting them the info ASAP at the Public Affairs Office or calling Ext. 1651. Platoon commanders should take special note as you are the ones that really see the day-to-day work. Let's not be afraid to get our stories out...

... A request has been made by the members of Park and Southern Stations that all of us remember in our prayers the passing of Lil' Kevin Daniel Sheridan after only a few days of life. Kevin's mother, Dana, is the company clerk of Southern Station and grandmother Faye Christensen is the company clerk of Park Station.

... John Fullwood of the Academy staff is one of those racquetball and handball fanatics. In fact, he spends so much time at the Family Fitness Centers at Serramonte and Peninsula that he's negotiated a special price for his fellow officers and family members. Details available M-F 0800-1700 at the Report Writing Room of the Academy...

... Diaper Duty for Inspector Carl Klotz of the Homicide Detail now that wife Christine has delivered lil' (maybe not so little) Brian Michael, 9 lbs. 1 1/2 oz. Bob Lazzaretto, Record Room, and wife Patricia have another lil' Genovese in the home, Teresa Anne, 6 lbs, 12 oz. And last but not least, Michael and Vivian Kenney, Co. E, welcomed little Carrie, 5 lbs. 13 oz. Congrats to all...

... Meet your new doctor troops. The new city employees Treatment Room will be open soon and in charge of staff will be a Dr. Halter who has been hired to specifically reduce the amount of disability days used by city employees. By the way, a preliminary investigation is being conducted by the P.O.A. regarding possible medical improprieties by city health staffs over the last 10 years. If you have a specific documented complaint re: an entrance physical or on-duty treatment and wish to be interviewed, send a note to the P.O.A. in care of this column and the investigator will contact you...

... During the recent Chinese New Year celebrations, Sgt. Fred Lau was acting as a community host at a large dinner for some out-of-town visitors. One of the visitors was to say the least, a wise guy. During the dinner the wise one barked as an entree was brought to the table "What are these? Pigeons or Chihuahuas?" As all ears awaited a response, Fred replied "Both, Sir, I recommend the Chihuahua; just look for the dog tags"...

... Sgt. Bob Pardini of Taraval Station reports that Neil Swendsen and Victor Tsang, while transporting a prisoner to the station, on-viewed a large disturbance at the 7-11 Market located at 32nd and Taraval. At that location the officers were set upon by 15-20 locals who tried to take their guns and "poke their eyes out". An unknown citizen, observing the incident, entered their

squad car and used the radio to call for help. The officers had already called for help. But then at 2 o'clock in the morning, help comes from a long way in the nice, safe and easy Sunset District. Just ask any officer who deals with the clientele out and they will tell you that we don't need many officers out there...

... Captain Richard Trueb of the Legal Office agrees with me that, even though the city attorney does not believe the Police Bill of Rights applies to charter cities, the bill will probably be on all of the future promotional exams. I've posted the Bill on most HQ Company bulletin boards and the Editor has promised a printing in the paper in order for all to have an individual copy...

... Most of the new officers are a little surprised to encounter a Harbor Police officer at Co. A or B. Ever since their station and department was disbanded, the remaining handfull of Harbor officers have bounced around like men without a country, a perfect example of administrative neglect for a group that has no voice.

... Mark your calendars. The Annual St. Patty's Day Lunch at the Police Athletic Club, Hunter's Point, has been scheduled for March 20th at 1:00 p.m. Lunch is \$10.00 and drinks, two for \$1.00. Tickets available through Mark Hurley, Muni and Animal Control Office, 922-9120...

... Discussions are currently being held by the Board of Directors on whether or not the publishing of this newspaper should be contracted out to a publishing agency. It is my belief that OUR newspaper should be written, printed, operated by our members and our members only. This is our only voice that we control that reaches a large audience. It is important that we not give this up. Please, if you agree with me, contact your unit representatives and urge them to not let our newspaper be contracted out to a company that has no feelings as to who we are, what we are or what we're about...

# IN MY OPINION

by Ed Collins, Police Academy

On Sixth Street several years ago there lived an old guy who Dave Ell and I nicknamed "Hammon Eggs". He was a man, every day of sixty years, who did heroin as often as possible and who, from all appearances, wasn't long for this world.

Somewhere above his toothless smile and oft broken nose, Hammon Eggs possessed a mind as clear and sharp as a marshmallow. This, however, did not preclude an occasional utterance of sheerly brilliant observation.

There was, for instance, the morning Dave and I walked into Steve's Cafe at Sixth and Natoma and saw Hammon suffering an apparent seizure on the floor. He was thrashing about violently in a plate of ham, hashbrowns and scrambled eggs which had just been purchased by another gentleman seated at the counter. In spite of his commotions, it was all too obvious that he was actually eating the purloined meal.

When at last he sat up, his hair was covered with yellow bits of scrambled eggs and his face shined with grease. He wore an idiotic but contented smile which in no way implied that the deception had affected his conscience.

In order to save the poor man from being lynched, Dave and I led him out of the cafe to the sidewalk where the cool fresh air improved his health immensely. Like all people after an elegant repose, he became quite talkative.

"How much you officers making? Fifteen, twenty thousand? With interest rates the way they is, I just don't know how you officers get by. I swear I don't. And that Chief of yours, he won't let you steal."

As I said, on occasion he was capable of sheer brilliance.

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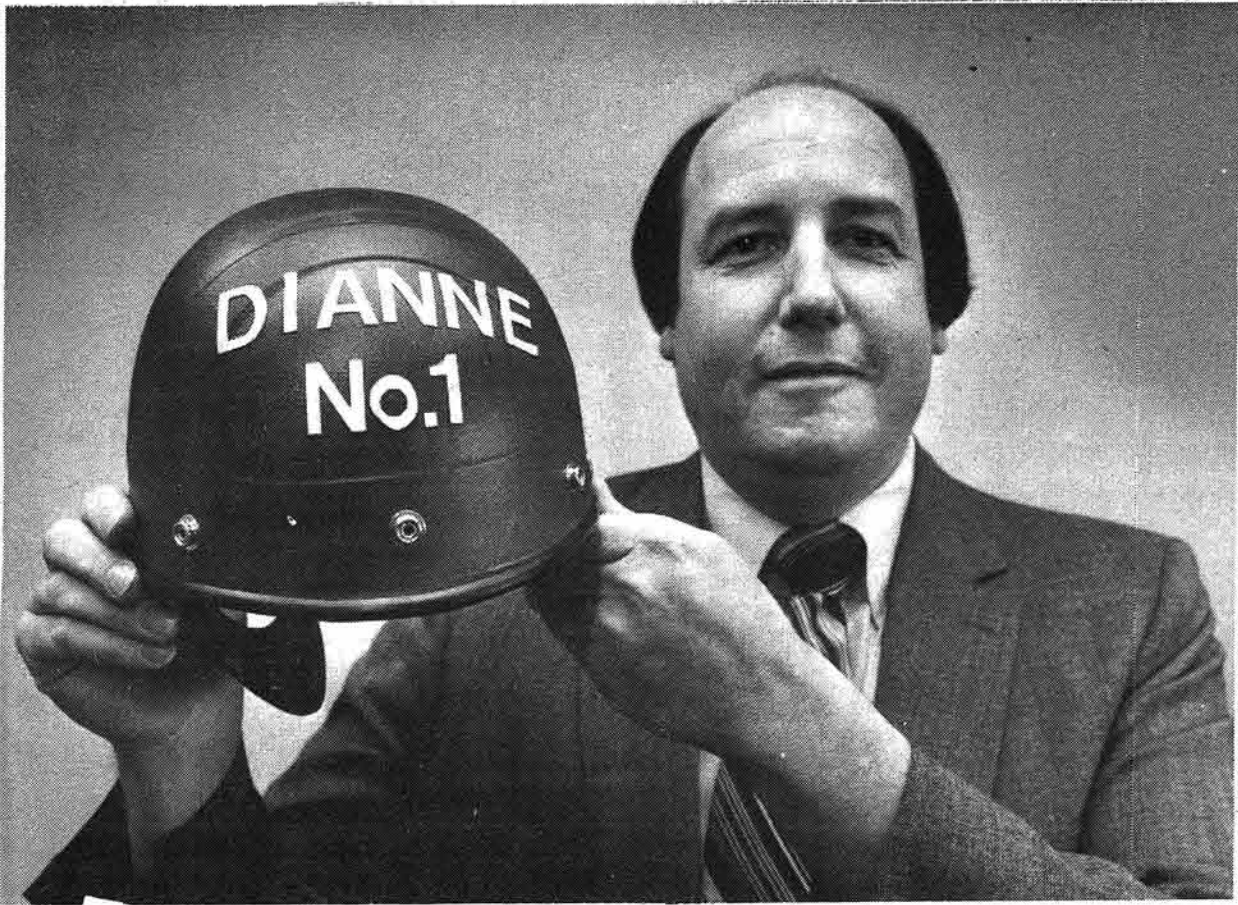
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Sgt. Jack Ballentine displays his 'prototype' police riot helmet for Mayor Feinstein's perusal

## A riot helmet of the mayor's very own

San Francisco Police Sgt. Jack Ballentine has a present for Mayor Feinstein. A riot helmet, all properly named and numbered ("Dianne — No. 1"), was passed to Police Commission Secretary Lt. Willie Frazier yesterday for submission to the commission as a "prototype" for the numbered helmets being proposed for San Francisco police.

Some police officers have been criticized for removing their stars in crowd-control situations, and a Police Commission report recommends that all riot helmets carry the officers star number.

Ballentine, whose normal assignment is heading the department's psychiatric unit, said he was passing on the helmet in "an attempt to put the whole thing (criticism of police action during the post-Super Bowl celebration) in perspective."

"The only time we come clean in a riot is when we take more casualties than the crowds," he said.

"Dianne thought that a party would be good politics. She thought that it might get her some free publicity. And then when it turned into a mess she decided to blame us for the mistake."

"The next time she decides to invite 500,000 of her friends in for a party, maybe she ought to invoke mutual aid from the neighboring counties. And maybe, if we're so poorly trained in crowd control, we should refuse to control any more crowds until we're properly trained."

Ballentine said the helmet wasn't a permanent gift, only a prototype. Actually, he said, it was his own.

And, considering Feinstein's possible reaction, he said, "I might need it back."

## TAX BREAK

It is an unlikely time to give anyone a tax break, but the Assembly has passed AB 55, a bill which gives foreign owned multinational corporations a \$25 million tax break. AB 55 repeals the "unitary method" of apportioning taxable profits earned by foreign owned multinational corporations in California.

### What is the

### Unitary Method?

The unitary method is the tool the California Franchise Tax Board uses to determine what part of a multistate or multinational

corporation's profits can be attributed to their California subsidiaries. The unitary method acknowledges that California based subsidiaries of multi-national corporations are inseparable from the complicated structure of the whole corporation. Therefore, a system is needed to figure out what amount of the multinational profits are made in this state. This method differs from the "arms length" method which treats each subsidiary as a completely separate entity when assessing taxable income. Use of the arms length or separate accounting method allows these large corporations to shift profits out of state or use

creative bookkeeping to hide taxable profits.

A report released in September, 1981, by the U.S. General Accounting Office showed that the IRS is able to successfully use the arms length method only 3% of the time, because multinational's books are too complicated to ferret out the true taxable income. If the IRS is only successful 3% of the time, how successful can our smaller FTB be in using the arms length method?

While multinationals claims the unitary method discourages their locating in California, in 1978 there were 96 new foreign investments made in California And in 1979 there were 138 new foreign investments. This is well

above the average number of new foreign investments made in the rest of the U.S., even though the unitary method was being used in California.

The repeal of the unitary method for multinationals only creates a situation where the foreign owned corporations have a competitive edge over U.S. owned multistate and multinationals.

Write your state senator and urge him/her to oppose AB 55 and prevent this unwarranted multinational tax break. After all, it is California's 24 million consumers, educated work force, well maintained local infrastructure (sewers, roads, public services), and easy access to both U.S. and international markets that attract business investments.

## PASSING THOUGHTS ON BANNING HANDGUNS

by W. R. Leet

At first I thought, O.K. let's try it. Nothing else we have tried seems to work. If handguns were to be banned, handgun crimes should go down. If those breaking this seemingly cold cut law got jail time, then it might be a good thing.

But then these thoughts popped into my mind.

Laws are supposed to be for the good of all the people. So how come the mayor and some of the supervisors are pushing their own thoughts on how to stop the criminal. We can't even use the "use a gun, go to jail" law without running into legal brickwalls.

This misdemeanor law will be largely unenforceable.

The silent majority will have another law passed for them. Just look at some of the "law" and rulings passed down from the state and federal courts after mandates of the voters to the opposite.

A person's utopian thoughts should not be pressed onto the people because of their personal thoughts and/or political growth plans. We would all like to live in a utopia but know it won't be in this world.

Then the statistics of handguns having a part in whatever percentage of deaths. Self-inflicted or not. I am sure the automobile has as much or even a higher percentage and we have never even come to the idea of "outlawing" them.

I then thought, this "law" will make every law abiding citizen in this city, who has a handgun for whatever reason, automatically a criminal. If after the moratorium runs out, and they were unable to sell, for a fair price, they will be in violation. Who is going to buy a criminal's handgun then?

By making it "illegal" the city fathers will not have to compensate anyone. Or will they? This could be a long court case.

We (the courts) cannot even put the criminals away now ("no room"). Maybe the mayor and supes want to put the law abiding citizen away. Could it be this is their plan to keep us all safe?

Finally it all comes down to the "tail wagging the dog". When are our elected lawmakers going to wake up and join the masses and do their job head-on instead of approaching from the rear.

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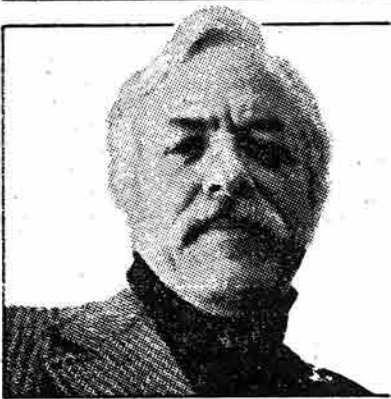


Wed., Mar. 3, 1982 \* S.F. EXAMINER

B3

Courtesy of Bob Geary

## Dick Nolan/Handgun ban, redux



The proposal to ban handguns is a splendid idea. So was the decision of the council of mice that somebody ought to bell the cat.

The obvious problem is enforcement. Even Hitler's Gestapo couldn't manage it, so what do you want from our perspiring police force?

Putting an ordinance on the books is easy. The San Francisco supervisors write dozens of them into law every Monday without even breathing hard. That a handgun ban is most likely unconstitutional would scarcely give them pause.

But when the talk turns to enforcement, all the hard language turns to meringue. Although what the mayor has in mind is making possession of a handgun a criminal offense, it's generally admitted that compliance has to be mostly voluntary.

This could lead a logical person to ask why an ordinance is said to be needed. Why not a simple appeal? The end effect is the same. In one case not very much, and in the other, very little.

However we are not dealing

with logic, but with drama. San Francisco, like other big cities, has been unable to cope with the rise of violence. Citizens grow surly, and demand some form of action. One way to pacify them is to seem to be doing something about the problem, and what's easier than passing a righteous ordinance?

Nobody pretends for a moment that the criminally inclined are expected to come forward and surrender their weapons. Not even politicians try to run that one past the constituency. But it's said that nice people will comply, and thus insure that they won't hurt themselves with guns, or in a burst of anger some day shoot somebody, or have their guns stolen to become part of the criminal armory.

And that's about the way these measures work, to the extent that they work at all. Those who comply are the good guys. Some curious statistics tend to bear this out.

A paper published in Annals of the American Academy of Political and Social Sciences noted one apparent effect of the "tough" gun control ordinance enacted in the District of Columbia. Self-defense killings of felons by citizens dropped off sharply.

Don B. Kates Jr., the San Francisco lawyer-criminologist who has made as much study of the subject as anybody anywhere, reports that for comparison ordinary citizens in Chicago and Cleveland kill three times as many criminals as the police do, according to the annual compilations. For every criminal killed in an encounter with an armed citizen, 15 to 20 are wounded, driven off, or captured and held for the cops.

The grim conclusion from the data is that one important effect of a strict gun control measure is to make life a lot safer for the felon. The happier inference is that while we may be badly off in San Francisco, the streets here are not yet as violent as those in Chicago and Cleveland.

Voluntary compliance aside, how is a gun law to be enforced?

There's the idea of having a flying squad of police make raids, like the Gestapo, in which streets would be blocked off, metal detectors would be set up, and the trapped citizens would be marched through the detectors.

Other politicians have urged a bounty program, in which citizens would inform on each other for a prize.

More radical proponents have gone so far as to urge suspension of constitutional protection against illegal search and seizure. Let the cops raid when and where they will, is the plea, because the end justifies the means.

So far as the police are concerned, all this talk is a mere embarrassment. They have more than enough to do as it is, without chasing around trying to disarm householders. In New York it is admitted that crime is totally out of control. Other cities, including ours, are getting there.

That's what makes all this bokey about gun bans dangerous, as well as absurd. It doesn't address the problem. Worse, it would — if the cops took it seriously — stretch the thin blue line just that much thinner.

## Cops' shootout with rifle group stalls bullet bill

SACRAMENTO (AP) — Legislation to outlaw Teflon-coated, armor-piercing bullets is stalled amid a clash between police groups and the National Rifle Association.

The bullets can pierce several bulletproof vests.

The clash occurred yesterday at a hearing of the Assembly Ways and Means Committee. The bill was so heavily amended that a new printing was ordered, delaying a vote for two weeks.

The police groups want "knowing possession" of the bullets to be at least a misdemeanor. But the NRA says that would hurt "average, law-abiding" collectors who like to hunt.

Assemblyman Tom Bane, D-Nuys, introduced his AB2392 last month after a television program on the "killer bullets."

Two similar bills, SB1320 by Sen. Ed Davis, R-Chatsworth, and SB1342 by Sen. Dan Boatwright, D-Concord, are before the Senate Finance Committee.

The bullets were invented 10 years ago by the manufacturer of bulletproof vests, who then invented a vest that his new bullet could not pierce.

Bane said the only reason the bullet was invented was so the manufacturer could sell his new vest. But police officers don't like the cumbersome vest because it is "like driving down the street with a tank."

"I think this kind of bullet, which has no useful purpose in the world that I can think of, should not be manufactured, unless the military wants it," Bane said.

His bill, after amendments, would make it a felony to manufacture, sell or possess for sale "handgun ammunition designed primarily to penetrate metal or armor." The kind of metal or armor would be defined by the attorney general.

The bill originally would have made possession a felony. Bane changed that to a misdemeanor.

Representatives of police, sheriffs, the highway patrol, the attorney general and Los Angeles law enforcement, said they wanted possession of the bullets to be a crime.

But Richard Cox of the NRA said making "mere possession" a crime would hurt "thousands of Californians who have millions of these in collections."

Assemblyman Art Agnos, D-San Francisco, inquired, "What would an average, law-abiding citizen want with a bullet that can kill someone through a bulletproof vest? Do they feel it? Do they fondle it? What is the excitement of having such a bullet in your collection?"

Cox replied that many collectors have bought such bullets cheaply as military surplus and use them for hunting and target practice.

"What are you hunting that has a metal coating on it?" asked Chairman John Vasconcellos, D-San Jose.

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

## Intoxicated man sues cop for not arresting him

S.F. Sunday Examiner & Chronicle

ASPEN, Colo (AP) — A man is suing the city of Aspen for \$125,000 contending a policeman had a duty to arrest him rather than allow him to drive while intoxicated.

The lawsuit filed recently by John Rawlings in Pitkin County Court asks compensation for mental anguish and bodily injury that resulted from an accident last year in which a passenger in Rawlings' truck was killed.

The passenger, Ephraim Saunders, drowned when Rawlings' truck went out of control going around a curve and rolled into the Roaring Fork River about one mile east of Aspen, officials said.

Just 10 minutes before the accident, Officer Ed Stegall told Rawlings he could not sleep in his camper within city limits, according to court records.

Stegall testified in a hearing that he noted a slight odor of alcohol on Rawlings' breath.

Colorado law states, "When any person is intoxicated or incapacitated by alcohol and clearly dangerous to the health and safety of himself or others, such person shall be taken into custody by law enforcement authorities," the suit notes.

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# WARRANTS FOR ARREST OF POLICE OFFICERS (Body Attachments)

by Duane Collins, Tactical Division

On Thursday, February 18, 1982, there was a Board of Directors meeting. During the meeting it was mentioned that some judges were upset about police officers ignoring subpoenas. These judges wanted it known that they were prepared to start issuing body attachments for these officers. I told my men during lineup the following day about it and asked to be kept informed if there were any problems. About two hours later, I was told by two officers they had body attachments sworn out against them for non-appearance the day before.

I contacted the Warrant Bureau and they confirmed there had been body attachments sworn out for four officers. I also asked the Court Liaison what the procedure was for a defense subpoena. I learned there were three ways defense subpoenas could be served: through Court Liaison, through the Legal Office or directly to the officer.

Court Liaison had no record of receiving any of the subpoenas. I then contacted the Legal Office. They had no record of the subpoenas either. I then checked the

Tactical Division Subpoena Book which showed one officer had been served and the other had not. I met with both officers. The officer who had been served, had been in our office during the day on telephone standby and the defense attorney's office had been notified. The second officer had not been served, but now found himself with a warrant for his arrest (body attachment).

I went to the Court Recorder and requested transcripts of the previous day's proceedings. I immediately contacted Stephen Bley, our attorney, so that he could prevent these officers from being arrested. Our attorney spoke to the judge and the judge agreed to hold off execution of the body attachments until the 25th of February providing the officers agreed to be there at 9:00 in the morning.

So for the next week, the body attachments sat in the Warrant Bureau awaiting the judge's orders to be filed or recalled. The transcripts arrived the same day the officers were due back in court. When I read the transcripts I found a defense attorney on a fishing ex-

pedition, subpoenaing every officer who had anything to do with the case no matter how remotely involved. Even the judge points this out to her (defense attorney). She also states on the record that she did deliver the subpoenas to the Court Liaison Office.

I then checked the court docket and looked at the original subpoenas. They show they were delivered to Court Liaison on February 11th. There was no proof of service recorded anywhere. When I returned to Court Liaison, I again searched their records to see if there were any records of the subpoenas being received. Again, nothing. By then, it was becoming clear we needed better control and more accountability of subpoenas in the Court Liaison office.

I heard horror stories about abuses by every agency who deals with the Court Liaison Office. I could go on and on but there is something very wrong with a system that OR's the crooks and locks up the COPS. The P.O.A. is currently meeting with the Chief. I'll have more when the dust settles.

## PSYCHOTHERAPY AND LAW ENFORCEMENT: Issues and Techniques

April 23, 24, 1982

Historically, law enforcement agencies have had little access to mental health professionals experienced in treating police officers or knowledgeable about specific subcultural aspects of the law enforcement field. As barriers to seeking mental health treatment are lowering within law enforcement, an increasing need has developed among mental health practitioners to gain an understanding of specific techniques that are effective in treating law enforcement officers.

A faculty of experts has been assembled to explore the various subcultural aspects of the law enforcement field. Through in-depth presentations followed by discussions, they will focus on the development and manifestations of mental health problems unique to this field as well as on appropriate treatments for these problems. In addition, a syllabus including bibliographies will be available to each registrant.

This symposium will be of value to all mental health practitioners who are now, or are interested in accepting law enforcement officers for treatment. Upon completion of this program the practitioner will have gained knowledge of:

- problems unique to law enforcement officers
- special problems occurring in providing treatment
- acceptance of and response to various treatment modalities
- effective treatment techniques

Licensed practitioners who attend this two-day symposium will have the option to have their names included on a list that will be made available to law enforcement officers seeking referral for treatment.

No Tape Recording

### FACULTY:

**John Ballentine**, Sergeant/Inspector, Officer in Charge of Mental Health Unit, San Francisco Police Department  
**Alan W. Benner, M.S.**, Sergeant/Inspector, Personnel Retention Supervisor, San Francisco Police Department  
**Paul S.D. Berg, Ph.D.**, Forensic and Clinical Psychologist; Consultant to Police Departments  
**Richard A. Blak, Ph.D.**, Director, Psychological Services, Fresno County Sheriff's Department  
**Randolph S. Charlton, M.D.**, Assistant Clinical Professor, Department of Psychiatry, Stanford University School of Medicine, Stanford, CA; Teaching Faculty, C.G. Jung Institute, San Francisco, CA

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**Richard P. Delman, Ph.D.** Assistant Professor of Psychology, Department of Psychiatry, University of California School of Medicine, San Francisco  
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**Credit:** PHYSICIANS: As an organization accredited for continuing medical education, Extended Programs in Medical Education of the University of California School of Medicine at San Francisco designates this continuing medical education activity as meeting the criteria for 12 hours of Category I of the Physicians' Recognition Award of the AMA and Certification Program of the CMA. PSYCHOLOGISTS: This program has been approved for 12 hours of CSPA Category A credit. SOCIAL WORKERS: This program is eligible for 12 hours of CA-NASW Category I credit.

**Tax Deduction for Educational Expenses:** Treasury regulation \$1.162.5 permits an income tax deduction for educational expenses (registration fees and cost of travel, including meals and lodging) undertaken to maintain or to improve skills required in one's employment or other trade or business.

The thrust of the symposium is to provide state of the art information to mental health professionals and the law enforcement community alike. Its emphasis is on personnel support service of a positive nature as opposed administrative procedures like psychological screening.

### Application for Enrollment

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PSYCHOTHERAPY AND LAW ENFORCEMENT

April 23, 24, 1982

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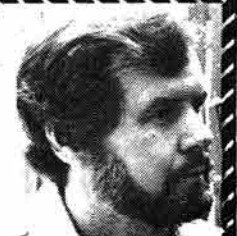
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# SAFE AMMO

by Jim Speros, Central Station

Well, here I am, back on my soap box, with a question that politicians and the powers that be love to evade: Why can't we carry safe ammunition? Not that the magnum ammo we're now issued and required to carry isn't safe, but then how many of us qualify with THAT load when we go to the range? There is the safety factor and one that would make one helluva great lawsuit. Considering the amount of shots fired in recent street encounters and the lack of contact by those shots with suspects, what would happen if and WHEN some bystander is struck by an officer's round?

The totality of circumstances would have to include our not being able to fire this round during qualification, the wicked recoil of our guns, (especially the issued snub-nose revolvers), when firing the required ammunition and a consensus among officers I know, that this magnum round is too powerful for city use without a hollowpoint. What it boils down to, is how far and where will these rounds go when an officer gets into a shootout in which he must rapid fire and the weapon is recoiling all over the clock?

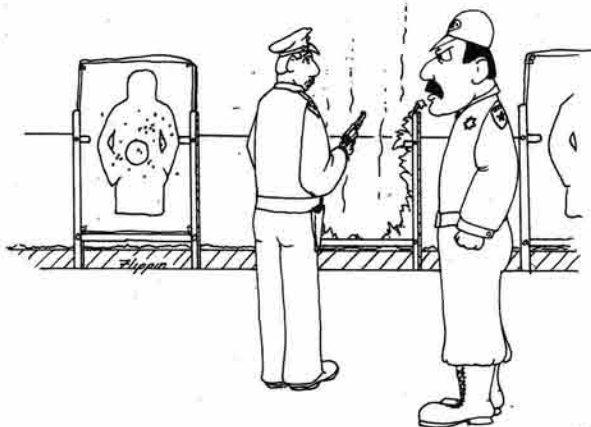
While I don't have the chronograph measurements that show transfers of energy, velocity and shock power, I am sure there are numerous quality, factory-loaded rounds that would fit our needs excellently. I for one will vouch for the "Silvertip" .38 cal round that W&W puts out. Specifically commissioned by the International Chiefs of Police Assn., that round was designed to give maximum stopping power, penetration and safety to surroundings. This .38 round in a hollow point is designed to penetrate basic construction doors and most glass without major deformation. But when it strikes the intended target and penetrates four inches into human flesh or bone, the .38 opens up to a .64 cal. But as a lower velocity round it also has less travel distance and therefore, less danger to civilians or other officer downfire of it. After all, when was the last time you had to disable an engine block, or fire on a target over 25 yards away?

As a reasonable suggestion, why doesn't the department set up some common sense guidelines as to what kind of ammunition we can use and then allow officers

to purchase their own. As a further protection, then require that the officer must qualify with the ammunition he or she CARRIES on and off duty. This insures that the officers know fully well, the dynamics of the round they carry and if it's too hot for them, then the range can have them carry something not so uncontrollable. Some advantages would be that the department would save some money in purchasing ammunition, officers would be more confident in the ammunition since they would fire it at qualification, and the officers would have a small tax write-off for the ammo they buy.

Not that I'm suggesting the department give up all control of what types of ammunition would be used. To the contrary, these modified guidelines would assure more efficient control of our firearms in the street and might prevent a lawsuit. Besides, in a time where the criminal element is becoming more sophisticated in the hardware it uses, I'd feel better knowing that I was using the most up-to-date ammunition, if I ever had to.

There, now I'm off the old soap box. Alright, Range, Administration and Politicians, the ball's in your court.



"Have you looked at the regulations pertaining to the use of issue ammunition lately?"

# OVERTIME REPORT

by Theodore A. Schlink III

We are currently in the formation stages of developing the ability of the police department to compute our overtime monies into our regular bi-monthly pay check.

It will be some time yet before we make our proposal, however, in the process of discussing this proposal with my evening dining partners in the Central and Northern, there has merged a dissent that is worth discussing.

One of the arguments against such a policy is the inability of the wage earner to sock away those monies needed for birthdays, anniversaries, etc.

Another concern is that with the increased monies being paid out bi-monthly, the taxes paid by members would be higher due to the increased taxable earnings bracket overtime monies would cause.

An advantage to the monies being paid on your paycheck is that you will realize the benefit of your overtime labors in a more timely fashion, which will enable you to put those monies to work for you and your family.

I would appreciate as much feed back as possible on this subject, so I request that you complete the below questionnaire, sign and date it, and forward it to me at the POA or Tactical.

Send your answer to Ted Schlink, c/o Tac Unit.

YES, \_\_\_\_\_

I would like my overtime monies to be paid to me on my regular bi-monthly paycheck.

NO, \_\_\_\_\_

I do not want my overtime monies paid to me on my regular paycheck, however, I do want my overtime monies paid to me in a timely fashion.

COMMENTS: \_\_\_\_\_

Signed \_\_\_\_\_

Date \_\_\_\_\_

Company or Detail \_\_\_\_\_

# City Hall Split Over A Computer

Rival plans for buying the San Francisco police a fingerprint computer turned into a political quarrel yesterday between Supervisor Wendy Nelder, who is leading an initiative drive to get such a criminal-tracking computer, and Mayor Dianne Feinstein, who has plans of her own for getting one.

Nelder handed in petitions she said contained 14,848 signatures for a June ballot measure that would ask voter opinion on the crime-fighting technology. Nelder, who is running for re-election in November, has made the computer a pet project and has pushed hard for several years for the city to buy a model manufactured by the Rockwell aerospace firm.

Feinstein and police officials have balked at that idea, claiming that a Japanese model now being developed may be superior and that the Rockwell model was trouble-prone.

According to both Feinstein and Nelder, the fingerprint computer will be able to speed up police work enormously. Searches now are made manually through long lists of suspect prints and are usually launched only when a near-complete set of prints is available from a crime.

If the computer lives up to its heavy advance billing, only one of 10 fingerprints would be enough to start a rapid computer search that would determine whether the new prints matched any connected with earlier crimes.

Before her election to the board, Nelder was a leader of a non-profit group called Crime Lab, which sought to buy and donate a computer to the city. "That was 3½ years ago, and the mayor hasn't done a thing except appoint a task force and hire a consultant," Nelder said.

"Crime is the No. 1 problem in the city," she said, noting that she had little trouble finding signatures for her initiative.

Registrar of Voters Jay Patterson said the initiative, which has to have 9600 valid signatures, would take two weeks to validate.

Peter Gorman, an aide to Feinstein, said the mayor was preparing to solicit bids on buying or leasing a computer from both Rockwell and the Japanese firm. He said the city would make a final decision by June — about the same time the Nelder initiative would appear on the ballot.

The computer is estimated to cost \$2 to \$3 million with a one-time start-up cost of about \$500,000.

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## TRAFFIC ENFORCEMENT OFFICER OF THE MONTH

January 1982

Officer James Seim has been a member of the San Francisco Police Department for the past eleven years during which he served at Taraval, Central, Park and his present assignment, Southern Station.

Officer Seim is a four year veteran, honorably discharged after serving with the U.S. Army, has obtained his commercial pilot's license and is a graduate of Golden Gate University, majoring in Administration of Justice.

Jim is married, the proud father of three children and spends his leisure time in planning home improvements and pursuing his favorite hobby, photography.

He received two Police Commission commendations in the past for heroism in the line of duty and is a worthy candidate for the Traffic Enforcement Officer of the Month award because of his persistent dedication to duty.



Officer James R. Seim

## COMMUNITY SERVICES

by Henry Friedlander, Chairman

Community Services Committee held its meeting on February 19, 1982. The meeting was called to order and the following motions were made:

1. A donation of \$500.00 was given to Officer Art Gerrans, who had his home destroyed by the recent floods.
2. The Stonestown YMCA (Boys Club) was given a donation of \$250.00.
3. St. Luke's Neighborhood Clinic was given \$200.00.
4. Interaction (beeper ball for the blind) was given \$250.00 towards equipment and the committee members Amiot and Huegle will also set up a softball game between S.F.P.D. and Interaction teams.
5. Childrens' Hospital Clinic was given a \$2,500.00 donation.
6. Trauma Center Foundation was given a \$1,000.00 donation.
7. Officer William Pfister, who recently passed away of cancer, family was given a donation of \$500.00.
8. KGO-Radio Leukemia Telethon to be held March 12-13 will be given a \$1,000.00 donation.
9. A letter was received by Community Services for financial help for Huckleberry House. A motion was made to contact writer and find out the specific needs and to report back at our next meeting.

As you can see, a total of \$6,200.00 in donations were made. Your one dollar (\$1.00) donation to Community Services is really getting its use. Not only to worthy organizations but to give some help to its own members.

I don't doubt that most of you are taking \$12.00 off your income tax returns, but did you know that there are less than 1,000 members who are signed up for Community Services?

In the next few weeks, you will be contacted by your station representative and told that you are not a member of Community Services.

Please, you can see that the monies collected are being given out to worthy groups. See January's issue of the POLICEMAN for a list of donations made for the last few years. Over \$45,000 in donations.

All you have to do is fill out a payroll deduction card, sign it and we'll do the rest. 50¢ a pay period — it is tax deductible.

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## DIATRIBE, Part IV

by William Kidd

Well, after a double tongue-lashing in the February POLICEMAN, one would think I'd have learned my lesson by now. But unfortunately for all of us, the evidence of POA mismanagement and lackluster leadership by the current POA administration just continues to pile up higher.

While both the Vice President and alleged Federal Litigation Committee chairman condemned those of us who speak out against them, they still managed to disgress from the primary issues:

1. The Association leaders have lost for us, perhaps irretrievably, the momentum — the upper hand — we enjoyed as of late 1979, in regard to federal litigation.

2. The Association leaders have made the improvement of benefits — both of Tier II retirement and of other benefits, as well — a low priority. No one expects miracles, but work has not even begun, and failure to educate and inform the membership has resulted in misunderstanding and internal division among young and old members.

Instead, I and others, who have not been so conscientious about publicizing our activities in behalf of the Association or its members, are told that we have no right to speak out. Those of us who never planned to seek out and capitalize upon Association offices are told that since we never ran for office, or if we ran, were not elected, we therefore lack the intelligence to see what is happening in this organization. Instead, because some of us who chose to place our trust in and support other Association activists, rather than seek Association office ourselves (and found that we as members were betrayed, in deference to personal feather-bedding) we have forfeited our right to criticize.

Well, I reject that concept. I have spoken out and will continue to do so if for no other reason but because I have always been a supportive member, I have paid my "dues" in more ways than one, and as far as I am concerned, I and other long-standing members have been betrayed, short-changed and misled.

The most recent example of inept leadership involves the current brouhaha over political contributions. The Association had gone from a position of vehemently opposing any political activity at all, to accepting the concept of political endorsement, to the realization of the necessity of campaign contributions in order to just get the attention of potentially supportive office-holders.

Then, in the finest traditions of the Sacramento legislature, our leaders allowed the assets of the organization to accumulate to a quarter of a million dollars, while lavishly passing out contributions to one and all. Most of these contributions were justifiable and purposeful, but our cavalier leaders made no attempt to exercise some discretion, to keep members aware of their activities, objectives, or plans, or to re-educate the membership as to the value, purpose or political realities of these contributions.

The result is a backlash, starting with more stringent controls on political solicitations, and which threatens to call for cessation of contributions altogether. If this happens, again it will be we, the members, who will suffer in the long run.

It is issues like these which I feel obligate me to speak out. I, and others like me, intend to still be here in the S.F.P.D., 10, 15 and 20 years from now, long after those with higher aspirations will be gone. We will be the ones who will be reaping the results of today's inaction and mismanagement. I do not intend to be one of the many who will look back to these times and say "if we had only . . ." We must evaluate what is happening in this Association right now, because we're going to have to live with the consequences for a long time to come.

## GRANDMA'S SALOON

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LETTERS

RICHMOND STATION

Dear Chief Murphy,

Our Kindergarten visit to Richmond Police Station on Thursday, Jan. 28, was SUPER!!!!

Officer Forrest Fulton (our wonderfully patient guide), was very knowledgeable, and had a great sense of humor (which is very important when you have 60 Kindergartners in tow).

Officer Steve Silvers, and Red (of the Mounted Unit), and Officer Ken Sandstrom (of the Solo Motorcycle Division), were great hits and very patient

with all the children. Capt. Seghy gave us a warm welcome and opened the station to us.

All in all it was a rewarding day. San Francisco's finest certainly came through and did you and the San Francisco Police Department proud.

Again, many thanks for the wonderful time.

Sincerely,  
Marilyn Panelli, Teacher  
Fran Ryan, Aide  
Loyola Storti, Aide  
HOLY NAME SCHOOL  
San Francisco



GRATITUDE

Dear Bob:

In the eight years that I served the people of the City and County of San Francisco as an Assistant District Attorney, I have always considered the men and women of the San Francisco Police Department as the true "champions of the people". It was a privilege for me to work with the members of the San Francisco Police Department in the pursuit of justice during my career as an Assistant District Attorney.

I wish to personally thank you and the San Francisco Police Officers' Association for the recognition that you bestowed upon me at my testimonial dinner on January 29, 1981. Please accept my deep felt appreciation for your contribution to a very memorable evening in my life.

Very truly yours,  
H. Stuart Kinder

BEST INTEREST

Editor:

In the best interest of the San Francisco Police Officers' Association, or what's left of the Association, I submit three recommendations:

1. Bob Barry resign as president of the POA.
2. Paul Chignell return the \$10,000 to the Association.
3. The Board of Directors act more responsibly towards the membership, and the need to upgrade the working conditions and benefits of the San Francisco police officers.

Sincerely,  
William Carlin  
Southern Station

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

Why We Must Stop Immigration

by L. Davis Almand, Civilian Employee

The opinion printed here does not necessarily represent the position of the San Francisco Police Officers' Association. Our policy has been, and continues to be, to print as broad a representation of opinions as space allows. This policy includes articles by both police officers and non-police officers. Editor.

The current news about unemployment statistics, wholesale layoffs, etc. is graphic evidence that we must stop the almost unrestricted immigration of the past ten years. The Hispanic invasion of the past decade, with the subsequent increases in crime, juvenile delinquency and unemployment is an example of what happens when the government makes little attempt to control immigration.

The City of Miami, Florida, used to be a quiet resort community, but since the invasion of Latins it has become a hotbed of crime and the center of a flourishing drug traffic. So far as the Mexican border is concerned, there appears to be an understood, if unwritten, agreement between the US politicians and the Mexican government that if the US continues to absorb excess Mexican population Mexico will continue to supply oil at moderate price levels. The bureaucrats of Washington would probably deny such an agreement, but I believe it exists nonetheless.

I also believe that another reason why the government will not control immigration is because the giant agri-business corporations who control large commercial farms in the southwest want to ensure a continuing supply of cheap labor. More people means more profits and larger markets — profits for everyone except the taxpayers who must foot the bill for increased crime and welfare costs.

Allowing aliens to invade our country and then "demand" their rights is like allowing a stranger to walk into your home, sit down at the dinner table, and demand to be fed. What right have illegal immigrants to demand anything?

Because of minority-favoritism laws, unskilled immigrants are permitted to take jobs and money from native-born Americans of far greater skill and education. This unfair practice must be stopped. Why should illegal immigrants be favored simply because they belong to a certain group? The attitude of the government seems to be that if you are an honest, native-born working class person you have no rights — except the right to pay taxes.

Immigration should be of special concern to black people, because such wholesale immigration is one reason for the high rate of unemployment among blacks. Close to 50% of black teenagers are unemployed, yet our government allows thousands of illegal immigrants to pour across the borders, thereby aggravating the problem.

I recently saw a bumper sticker that stated IGNORE ALIEN ORDERS. Why tolerate such a flagrant, contemptuous attitude? The person who displayed the sticker should be sent back across the border.

The US is running out of oil, iron, copper and other strategic minerals, our forests are being destroyed at a record rate and our soil is being exhausted by over-cultivation. Yet the government behaves as if our country was still an unspoiled land of boundless riches.

It is all well and good to talk about "helping" others and extending our welcome to allegedly "oppressed" people, but the fact remains that the US simply cannot support the entire world. (Although to hear some Third World politicians talk you'd think we could).

The first duty of our government is to our own people. We should not allow any more immigration until every native-born citizen has a job.

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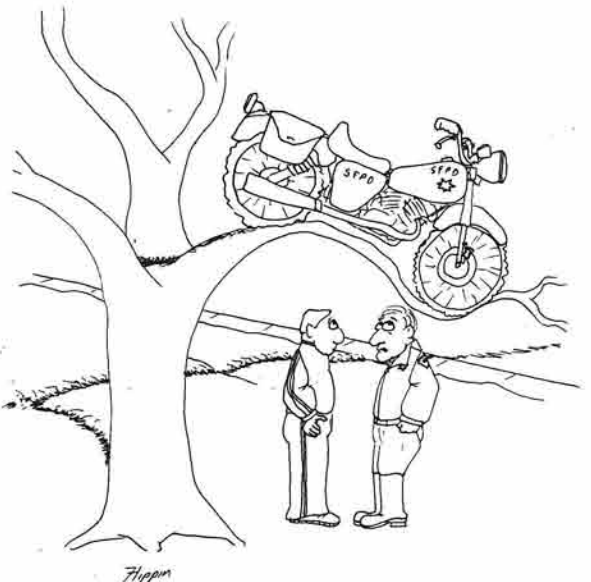
KEEP YOUR BENEFICIARY CURRENT

It is important to you that the beneficiary we have listed in the Association office for your \$2,500 insurance be kept current. (Active officers only)

If you have changed your status in any way (married, divorced, etc.) then you should contact our office and sign a new beneficiary card.

In checking our files we find that there are many of our members who have not even signed a card, although we have sent several notices in the past.

If you are not sure if you have a card on file, or you wish to make a change, please call the Association office (861-5060).



"Yeah, I noticed this morning that the throttle seemed to be sticking."

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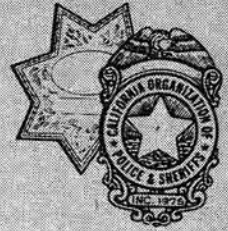
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# PUBLIC SAFETY OFFICERS PROCEDURAL BILL OF RIGHTS

Effective January 1, 1977  
Amended 1980



Chapter 9.7 Division 4 of Title 1 of the Government Code

(213) 436-0595

## PUBLIC SAFETY OFFICERS

### A. TITLE:

Section 3300. This chapter is known and may be cited as the Public Safety Officers Procedural Bill of Rights Act.

### B. WHO IS INCLUDED:

Section 3301. For purposes of this chapter, the term public safety officer means all peace officers, as defined in Section 830.1 and subdivisions (a) and (b) of Section 830.2 of the Penal Code, including peace officers who are employees of a charter city or county.

### C. SPECIFIC RIGHTS:

1. **Section 3302. Political Activity.** Except as otherwise provided by law, or whenever on duty or in uniform, no public safety officer shall be prohibited from engaging, or be coerced or required to engage in political activity.

2. **Section 3303. Internal Investigations.** When any public safety officer is under investigation and subjected to interrogation by his commanding officer, or any other member of the employing public safety department, which could lead to punitive action, such interrogation shall be conducted under the following conditions. For the purpose of this chapter, punitive action is defined as an action which may lead to dismissal, demotion, suspension, reduction in salary, written reprimand, or transfer for purposes of punishment.

(a) The interrogation shall be conducted at a reasonable hour, preferably at a time when the public safety officer is on duty or during the normal waking hours for the public safety officer, unless the seriousness of the investigation requires otherwise. If such interrogation does occur during off-duty time of the public safety officer being interrogated, the public safety officer shall be compensated for such off-duty time in accordance with regular department procedures, and the public safety officer shall not be released from employment for any work missed.

(b) The public safety officer under investigation shall be informed prior to such interrogation of the rank, name and command of the officer in charge of the interrogation; the interrogating officers, and all other persons to be present during the interrogation. All questions directed to the public safety officer under interrogation shall be asked by and through no more than two interrogators at one time.

(c) The public safety officer under investigation shall be informed of the nature of the investigation prior to any interrogation.

(d) The interrogating session shall be for a reasonable period taking into consideration gravity and complexity of the issue being investigated. The person under interrogation shall be allowed to attend to his own personal physical necessities.

(e) The public safety officer under interrogation shall not be subjected to offensive language or threatened with punitive action, except that an officer refusing to respond to questions or submit to interrogations shall be informed that failure to answer questions directly related to the investigation or interrogation may result in punitive action. No promise of reward shall be made as an inducement to answering any question. The employer shall not cause the public safety officer under interrogation to be subjected to visits by the press or news media without his express consent nor shall his home address or photograph be given to the press or news media without his express consent.

(f) The complete interrogation of a public safety officer may be recorded. If a tape recording is made of the interrogation, the public safety officer shall have access to the tape if any further proceedings are contemplated or prior to any further interrogation at a subsequent time. The public safety officer shall be entitled to a transcribed copy of any notes made by a stenographer or to any reports or complaints made by investigators or other persons, except those which are deemed by the investigating agency to be confidential. No notes or reports which are deemed to be confidential may be entered in the officer's personnel file. The public safety officer being interrogated shall have the right to bring his own recording device and record any and all aspects of the interrogation.

(g) If prior to or during the interrogation of a public safety officer it is deemed that he may be charged with a criminal offense, he shall be immediately informed of his constitutional rights.

(h) Upon the filing of a formal written statement of charges, or whenever an interrogation focuses on matters which are likely to result in punitive action against any public safety officer, that officer, at his request, shall have the right to be represented by a representative of his choice who may be present at all times during such interrogation. The representative shall not be a person subject to the same investigation.

This section shall not apply to any interrogation of a public safety officer in the normal course of duty, counseling instruction, or informal verbal admonishment by, or other routine or unplanned contact with, a supervisor or any other public safety officer, nor shall this section apply to an investigation concerned solely and directly with alleged criminal activities.

(i) No public safety officer shall be loaned or temporarily reassigned to a location or duty assignment if a sworn member of his department

would not normally be sent to that location or would not normally be given that duty assignment under similar circumstances.

### 3. **Section 3304. Grievance Rights.**

(a) No public safety officer shall be subjected to punitive action, or denied promotion, or be threatened with any such treatment, because of the lawful exercise of the rights granted under this chapter, or the exercise of any rights under any existing administrative grievance procedure.

Nothing in this section shall preclude a head of an agency from ordering a public safety officer to cooperate with other agencies involved in criminal investigations. If an officer fails to comply with such an order, the agency may officially charge him with insubordination.

(b) No punitive action, nor denial of promotion on grounds other than merit, shall be undertaken by any public agency without providing the public safety officer with an opportunity for administrative appeal.

4. **Section 3305. Personnel Files.** No public safety officer shall have any comment adverse to his interest entered in his personnel file, or any other file used for any personnel purposes by his employer, without the public safety officer having first read and signed the instrument containing the adverse comment indicating he is aware of such comment, except that such entry may be made if after reading such instrument the public safety officer refuses to sign it. Should a public safety officer refuse to sign, that fact shall be noted on that document, and signed or initialed by such officer.

5. **Section 3306. Right to Response.** A public safety officer shall have 80 days within which to file a written response to any adverse comment entered in his personnel file. Such written response shall be attached to, and shall accompany, the adverse comment.

6. **Section 3307. Prohibition of Polygraph.** No public safety officer shall be compelled to submit to a polygraph examination against his will. No disciplinary action or other recrimination shall be taken against a public safety officer refusing to submit to a polygraph examination, nor shall any comment be entered anywhere in the investigator's notes or anywhere else that the public safety officer refused to take a polygraph examination nor shall any testimony or evidence be admissible at a subsequent hearing, trial, or proceeding, judicial or administrative, to the effect that the public safety officer refused to take a polygraph examination.

7. **Section 3308. Right to Privacy.** No public safety officer shall be required or requested for purposes of job assignment or other personnel action to disclose any item of his property, income, assets, source of income, debts or personal or domestic expenditures (including those of any member of his family or household) unless such information is obtained or required under state law or proper legal procedure, tends to indicate a conflict of interest with respect to the performance of his official duties, or is necessary for the employing agency to ascertain the desirability of assigning the public safety officer to a specialized unit in which there is a strong possibility that bribes or other improper inducements may be offered.

8. **Section 3309. Locker Privacy.** No public safety officer shall have his locker, or other space for storage that may be assigned to him searched except in his presence, or with his consent, or unless a valid search warrant has been obtained or where he has been notified that a search will be conducted. This section shall apply only to lockers or other space for storage that are owned or leased by the employing agency.

### 9. **Section 3309.5. Violations of Rights.**

(a) It shall be unlawful for any public safety department to deny or refuse to any public safety officer the rights and protections guaranteed to them by this chapter.

(b) The superior court shall have initial jurisdiction over any proceeding brought by any public safety officer against any public safety department for alleged violations of this section.

(c) In any case where the superior court finds that a public safety department has violated any of the provisions of this chapter, the court shall render appropriate injunctive or other extraordinary relief to remedy the violation and to prevent future violations of a like or similar nature, including, but not limited to, the granting of a temporary restraining order, preliminary, or permanent injunction prohibiting the public safety department from taking any punitive action against the public safety officer.

10. **Section 3310. Existing Contracts.** Any public agency which has adopted, through action of its governing body or its official designee, any procedure which at a minimum provides to peace officers the same rights or protections as provided pursuant to this chapter shall not be subject to this chapter with regard to such a procedure.

11. **Section 3311. Mutual Aid.** Nothing in this chapter shall in any way limit the use of any public safety agency or any public safety officer in the fulfilling of mutual aid agreements with other jurisdictions or agencies, nor shall this chapter be construed in any way to limit any jurisdictional or interagency cooperation under any circumstances where such activity is deemed necessary or desirable by the jurisdictions or the agencies involved.



49ERS PARADE

It is the intent of this author to remind the mayor that it was because of her mistake that she put us in a no-win situation. It is because of her statements printed in the East Bay Today that led me to write my letter to her. The mayor must be shown that the members of this Association will not allow themselves to be used as her "whipping boys".

If she wants our support as an Association for her re-election in 1983, she must support us and never use us to cover-up her errors in judgment.

Dan Linehan

February 16, 1982

Mayor Feinstein:

I would like to take a little bit of your time to express my views of the article that appeared on the front page of the East Bay Today dated February 12, 1982. The article that I am referring to quotes you as stating that the police, "panicked and overreacted badly." As a proud member of the San Francisco Police Department I was in uniform January 25 and was assigned with my partner to patrol the Market Street area. At approximately 5:30 p.m. I heard via police radio of two officers on the 1000 block of Market Street that were being pelted with rocks and bottles from the angry mob that had assembled to watch the homecoming motorcade. Unfortunately, that crowd was never controlled. From the very start of that day, any casual observer would have foreseen trouble brewing. Due to a lack of police personnel, the crowd was allowed to consume oceans of alcohol in public view. But because of a lack of foresight by the persons entrusted to chart the guide lines of the motorcade, of which you personally led, allowed a small portion of drunken trouble makers to blacken the eyes of San Francisco once again.

Upon our arrival to assist the two officers, I observed that while they were rendering medical aid to a man who had suffered a heart attack these officers were allowed to be assaulted by your inability to foresee the obvious, especially when one considers the riotous actions in the North Beach area the night before: While we were waiting for an ambulance to take the fallen citizen to the hospital, (approximately 25 minutes to arrive due to the mob) we stood with our backs to the wall. During this time we were likened to rotating ducks in a shooting gallery. I was in fear of continued rock and bottle throwing thus I radioed for assistance and requested that the day shift that had been held over as a reserve be sent to our aid. Much to my dismay I was advised that they had been sent home. Yes, Madam Mayor, sent home while 250,000 people were allowed to walk around Market Street, the main street of our city that we love so, throwing rocks at police, breaking glass, looting at least one store. Sent home so

Reprinted East Bay Today  
February 12, 1982  
Front Page

By Joan McKinney  
Tribune Staff Writer

SAN FRANCISCO — Police who were isolated from each other during the 49ers' homecoming motorcade Jan. 25 "panicked and overreacted badly," Mayor Dianne Feinstein told the Human Rights Commission.

Feinstein, who appeared before the commission to give a favorable report of its effectiveness in monitoring affirmative action contract compliance, was questioned by Richard Sevilla, chairman of the commission's Gay Rights Advisory Committee, about the actions of police during Superbowl celebrations.

"I think we have a very real problem in the department, which I told both the Police Commission in writing and the chief verbally," Feinstein said.

Feinstein says cops panicked

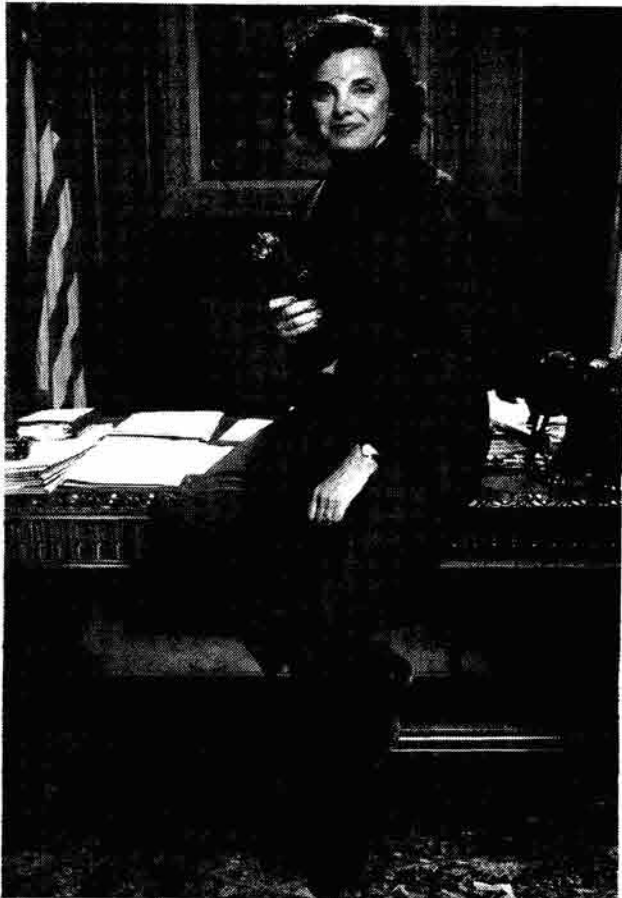
"Our police need more training in crowd control, not necessarily demonstration control. I think training fell apart when officers got separated," she said.

Feinstein said she has requested "more diligence" in seeing that badge numbers are always visible, if necessary painted on helmets; special training for sergeants in street supervision; and greater use of bullhorns in crowd control.

She defended the planning for the motorcade, which was stalled by crowds on Market Street, by saying that nobody had anticipated the number of people who would turn out on a working day in a city "that has not been very sports-minded in the past."

Police estimated 250,000 people turned out for the homecoming parade.

About 40 complaints have been filed against police by participants in the 49ers victory celebrations Jan. 24 and 25, claiming police used excessive force to control the crowds.



cisco Police Department and an elected member of the San Francisco Police Officers' Association Board of Directors, I can not nor will I allow you to blast our department for as you put it, "panicking and overreacting badly." I was a witness to a tremendous amount of bravery and a total dedication to duty by our department.

Mayor Feinstein, I extend to you the offer that the next time there is a need for crowd control that you put on the jumpsuit that you so proudly fashioned in the December 1981 issue of San Francisco Magazine and join my partner and I for a first hand experience. Join our ranks and I'm sure that you will find a fine group of people who love San Francisco and who want to protect it as much as you do.

Respectfully,  
Daniel J. Linehan  
Director Southern Station

Dear Mr. Linehan:

Thank you for taking the time to express your views of the East Bay Today article. For the most part I am proud of our police department. I have extended my congratulations to both Chief Murphy and the men and women who so courageously and professionally went about their duties during the most stressful conditions I have ever witnessed.

My remarks were limited to those few officers, who by their actions, I am sure, panicked, and as a result, overreacted. It saddens me when the unprofessional acts of a very few officers gives the entire City and our police department a black eye.

I am depending on officers of your professional statute to provide the leadership and examples for those few who may not be quite up to speed. I did not intend to demean the bravery, dedication, and professionalism of most of the officers on duty during the tense hours.

I am grateful to you and your colleagues for your love for our City and your desire to protect it and its people.

Warmest regards,  
Sincerely,  
Dianne Feinstein  
Mayor

the city can save a few dollars in overtime money.

It is my singular belief that you should shoulder the blame and assume total responsibility for each and every injury suffered by the members of our police department and the citizenry that you are obliged to protect. That by your inability to put together a comprehensive contingency plan you placed each person who attended the motorcade and the police department in jeopardy.

At the present time approximately 40 complaints have been filed by citizens with Internal Affairs. When one considers that the police had contact with, by your estimations of one quarter of a million people under a stress filled situation that is an outstanding ratio. One that should be applauded.

Please note that it is not my wish to offend you with my correspondence but as a member of the San Fran-

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### Ethnic Heart Problems

Hispanic people, the majority of whom are Mexican-Americans, are among the fastest-growing ethnic groups in the United States. Heart and blood vessel disease is the number one killer of Mexican-Americans, as it is in this country's Anglo and black populations.

Although Mexican-Americans are an important segment of our population, the cardiovascular health problems of that group remained almost unstudied until recently, says Michael P. Stern, M.D., director of the San Antonio, Texas, Heart Study, a large federal research project that began with a pilot study funded by the American Heart Association.

Dr. Stern and his team have surveyed more than 1,400 Mexican-American adults for cardiovascular disease and the following risk factors: high levels of blood cholesterol and other blood fats, high blood pressure, smoking, diabetes and obesity. Six hundred Anglos have also been included in the study for comparison purposes.

San Antonio, the nation's ninth largest city, has a Mexican-American majority. "San Antonio's unique bicultural population makes it an ideal 'laboratory' for this study, which is probably the first comprehensive investigation of a Mexican-American population," says Dr. Stern, associate professor of medicine at the University of Texas

Health Science Center at San Antonio.

The survey shows that low-income Mexican-Americans tend to be more overweight and have more diabetes than upper-income people in the study, irrespective of whether the upper-income people are Mexican-American or Anglo, says Dr. Stern. "The income-level factor seems to be more important than ethnic differences," he explains.

The researchers hope to discover how genetic, cultural and socioeconomic factors affect cardiovascular disease patterns in Mexican-Americans. "Any heart disease prevention program directed at Mexican-Americans must be based not only on their health problems but also on their cultural attitudes about things such as diet," Dr. Stern says.

Although the major risk factors for heart and blood vessel diseases are important in all segments of the U.S. population, certain risks are more important in specific ethnic groups. Blacks, for example, are particularly susceptible to high blood pressure.

*Help your heart!* Reducing risks will contribute to an increased sense of well-being for every member of your family. Young children will especially benefit by learning early in life to avoid eating fatty foods, smoking and other habits that increase the risk of heart disease in adulthood.

# DID YOU EVER WONDER WHY?

by Dan Linehan, Director Southern Station

Did you ever wonder why Internal Affairs conducts their interrogations at a reasonable hour? Preferably, at a time when the officer is on duty, or during the normal waking hours of the officer? **Because State Law Mandates!!**

Did you ever wonder why Internal Affairs must notify the officer to be investigated the nature of the charge, the name of the officer in charge of the investigation, the names of the interrogating officers, and the names of all other persons to be present during the interrogation? That no more than two interrogators are allowed to ask questions? **Because State Law Mandates!!**

Did you ever wonder why the officer is allowed to be represented by a person of his or her choice and that the officer is allowed to tape record the interrogation? **Because State Law Mandates!!**

Did you ever wonder how these protections came to be written into State Law? **Because of Paul Chignell.**

A great amount of the language contained in police officers Bill of Rights (A.K.A. A.B.301), which was signed by Governor Brown in 1976, was authored by our vice president, Paul Chignell. No other set of laws have had such a tremendous effect on our working lives as A.B.301. No longer were police officers throughout the state subjected to abuses by their superiors. No longer were police officers second class citizens. **We enjoy the dignity that we deserve only through the efforts of Paul and people like him.**

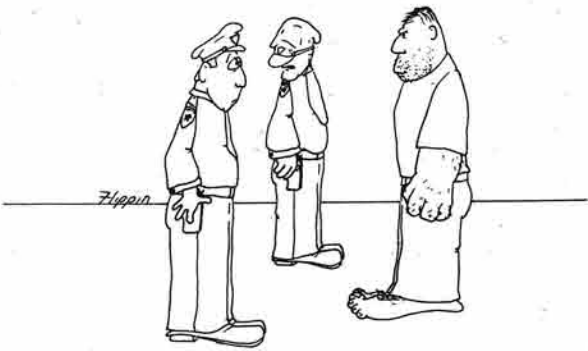
A short time ago Paul declared his interest to unseat Assemblyman William Filante, who is the incumbent in Paul's home area of Northern Marin and Southern Sonoma Counties. In order to achieve this goal it will take political contacts, an enormous amount of political know-how, but the most important aspect of any campaign is money. A friend of Paul's requested a donation of five thousand dollars reminding us of the

thousands of hours that Paul donated to our Association and because of Paul's tireless efforts on our behalf to win passage of A.B.301. We were given a rare opportunity to give thanks for all the things Paul did for us and to help him kick off his new career in Sacramento. It was the will of your elected representatives present at that meeting, to double the amount requested. It is my belief that that action was the best decision your POA leadership has made in many years. For too long we have had to fight to keep what little we have. It is about time we fight for what is rightfully ours. With Paul seated in the State Assembly fighting for us on issues on a statewide level, he will have the best interest of each and every person who must work for a living. He would have impact on each of our lives, making decisions on bills that will decide how much bread and butter you will be able to provide for your family. Not to mention how much he would touch us with regards to our working conditions.

It was very disappointing for me to read the last few issues of the POLICEMAN newspaper which contained several letters moaning about the amount of money donated to Paul's campaign. That donation represents **less than sixty dollars per member**. Is that too much to give to a person who has worked so hard for us over the past several years? I think not.

It is my belief that the moaners are a very small minority of our Association. I really had a good laugh when one person suggested that we "bankrolled" Paul's campaign. When in fact, the amount to run a successful campaign is well over a hundred thousand dollars.

In summation, we must ask ourselves what would benefit us the most; Paul in Sacramento fighting for our interest or fifty dollars and a turkey?



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# BOARD OF DIRECTORS MEETING

Opened with the Pledge of Allegiance at 4:20 p.m. Roll Call: Twenty present (Swall, Linehan, Schmidt, Parenti, Bruce, Tennant, Maloney, Grant, Doherty, Wright, Collins, Ballentine, Casciato, Nevin, Bell, Hebel, Rapagnani, Chignell, Barry) and one excused (Huegle).

President Barry issued the Oath of Office to the Board of Directors who were sworn in and then duly became members of the Board of Directors.

## PRESIDENT'S REPORT

President Barry reported on the following issues: 1. Collective Bargaining Charter Amendment which appears on the Board of Supervisors' agenda of February 22, 1982. At this meeting it will either be passed or it will not appear on the ballot.

2. Meeting with Mayor Feinstein regarding the back pay wage suits of 1977-78 in which the Association is attempting to get the City to drop this appeal. 3. COPS Endorsement Convention in April in Sacramento.

4. Grievance and Internal Affairs Seminar for new Board members to be held at a date to be determined in March of this year. 5. Law suit update.

6. AB 253 pertaining to overturning the Corey and Cervantes Cases (Restoring peace officer powers while off duty and working secondary employment as a security guard); the major defect in this bill is that it applies only if the peace officer is in uniform.

7. Proposed secondary employment order with hold harmless agreement. This appears to be getting closer to Commissioner Dobson.

## VICE PRESIDENTS REPORT

Vice president Chignell reported on the following: Up-date on his candidacy for the State Assembly Race; he is unopposed in the June primary; he is attempting to raise \$250,000 for the November 3rd general election.

## TREASURER'S REPORT

Treasurer Rapagnani presented the monthly financial statement for January 1982. This shows an ending cash balance of \$252,780.38. This report was adopted by voice vote.

## SECRETARY'S REPORT

Secretary Hebel reported that the minutes of the January 19th and January 28th meetings were printed in the San Francisco POLICEMAN which was distributed just prior to the meeting. There being no

amendments or additions in his report. These minutes were adopted by voice vote.

Secretary Hebel spoke on the certification of the constitutional amendment which contained 213 valid signatures pertaining to the voting rights of retired members. Since this petition also requested a special membership meeting and in that it contained more than 150 signatures, it is entitled to treatment at a special membership meeting to be held in the near future.

Since this revised agenda containing the political contributions on it was not distributed under the five day constitutional rule, the political contributions on it could not be considered at this Board meeting.

## SPECIAL ORDER OF BUSINESS

Member George Walsh addressed the Board regarding political contributions. He indicated that a constitution change was being worked on regarding a dues reduction in that it appeared that the POA had too much money, to him, and was being overly generous in political contributions.

Inspector Ken Moses reported on the Crime Lab Non-Profit Organization. He indicated that both Nippon and Rockwell (Print Track) have the computers needed but the best one is yet to be determined. A consultant is studying this issue. The Board of Supervisors will consider the issue of hardware for this computer within the next few months. The number of signatures on the Fingerprint Computer Petition is not presently known.

M/Wright S/Nevin that the Board rescind its December 15th, 1981 motion dealing with the Fingerprint Computer Software. This motion was adopted by voice vote.

M/Hebel S/Nevin that this Association pledge \$20,000 to the Crime Lab Non-Profit Organization. \$2,000 of which is to be and has been 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 Fingerprint Computer Software and for no other purpose. The contract is to be entered into, regarding the \$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. Motion passed by a

vote of 17 yes (Linehan, Dempsey, Schmidt, Parenti, Bruce, Tennant, Maloney, Grant, Doherty, Wright, Collins, Casciato, Nevin, Bell, Hebel, Chignell, Barry) and one no (Ballentine).

**GRIEVANCE COMMITTEE:** Paul Chignell gave the Grievance Committee report in which he talked about the status of all the cases which he and other Board members are handling. He indicated that he is very pleased with the assistance he is getting and giving to other Board members. A general discussion was had regarding the inconsistent disciplinary action of Chief Murphy.

**FEDERAL LITIGATION REPORT:** Attorney Ralph Saltsman spoke to this issue. He indicated that the notice of appeal and request for a stay of Judge Peckham's entire order dated December 30, 1981 had been filed with the 9th Circuit Court. The basis for this appeal and request for stay dealt with the fact that Judge Peckham had effectively imposed quotas at that entry level and had altered the Consent Decree's appointment date for the Q-50/Q-35. He reported on former U.S. Attorney William Hunter in that person's alleged inappropriateness in the Federal Litigation Case.

M/Hebel S/Nevin that this Board of Directors vigorously support the position of President Barry taken at the Auditor-Monitor's meeting of January 25, 1982 proposing preferential training for protected class members and that this Association shall take all necessary actions and insure the quality of training for all police officers. Motion passed by a vote of 18 yes (Swall, Linehan, Schmidt, Parenti, Bruce, Tennant, Maloney, Grant, Doherty, Wright, Collins, Ballentine, Nevin, Bell, Hebel, Rapagnani, Chignell, Barry).

**WELFARE OFFICERS REPORT:** Welfare Officer Mike Hebel spoke on the following issues: 1. Report on Proposition F and G, 1980 allowing a buy-out vesting; a complete report is found on page 3 of the February 1982 edition of the POLICEMAN.

2. Retirement Systems' investigators (a report on this is found on page 11 of the February issue of the POLICEMAN).

The L.A. City Charter Amendment scheduled for June 1982 drastically affecting the cost-of-living raises for future and present police officers and firefighters. This detrimental legislation is being supported by

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# — February 18, 1982

Mayor Bradley who is presently a candidate for the Democratic Nomination for California Governorship.

4. Ron Vernali's application for determination filed with the Retirement Board. 5. Tax Status of Industrial Disability Retirements (See page 1 of the February 1982 issue of the POLICEMAN).

6. The movement effective February 22, 1982 of the Franciscan Treatment Room from the 3rd Floor to the Basement of the St. Francis Hospital. Mike Hebel indicated that he would personally investigate this move and have a full report on the reasons for it and any potential problems that will arise as a result of it.

M/Rapagnani S/Nevin that this Association request an official investigation by the Retirement Board members as to why Ron Vernali cannot get his case placed on the hearing officer's calendar. Motion passed by a vote of 18 yes (Swall, Linehan, Schmidt, Parenti, Bruce, Tennant, Maloney, Grant, Doherty, Wright, Collins, Nevin, Bell, Hebel, Rapagnani, Chignell, Barry).

M/Ballentine S/Wright that the Retirement Committee contact an actuary to submit a proposal for another buy-out proposal and determine the financial savings to the City due to the first buy-out; report back ending one month. Motion passed by a vote of 18 yes (Swall, Linehan, Schmidt, Parenti, Bruce, Tennant, Maloney, Grant, Doherty, Wright, Collins, Ballentine, Nevin, Bell, Hebel, Rapagnani, Chignell, Barry).

Jack Ballentine was added to the Retirement Committee for the purpose of effectuating this motion.

## COMMITTEE ASSIGNMENTS

President Barry made Committee Assignments for Calendar Year 1982. The assignments are as follows:

**Blood Bank** — Tom Vigo, Chairman; Jan McKay, Jay Holle, Bill Welch, Roy Sullivan, John Goldberg and Bob Mahoney.

**Board of Supervisors** — George Grant, Chairman; Jack Ballentine, Mike Nevin, Rick Bruce.

**Civil Service** — Jack Ballentine, Chairman; Pete Maloney, Mike Nevin. M/Wright S/Nevin that the Civil Service Committee appointments be adopted. They were approved by a voice vote with Chignell dissenting.

**Grievance Committee** — Paul Chignell, Chairman; Dan Linehan, Theodore Schlink, Duane Collins, Al Casciato, Pete Maloney, Gerry Schmidt, Ron Parenti.

**Health Services** — Woody Tennant, Chairman; Greg Lynch, Doug Foss.

**Legislative Committee** — Reno Rapagnani, Chairman; Al Casciato, Rick Bruce, Gerry Schmidt, Bob Swall, Mike Dempsey, Bob Huegle, M/Schmidt S/Nevin that the Legislative Committee be adopted. Approved by unanimous vote.

**Insurance Committee** — Appointed in March by the Board of Directors.

**Labor Relations Committee** — Bob Barry, Paul Chignell, Reno Rapagnani, Dan Linehan, Mike Hebel, Jack Ballentine, Pete Maloney.

**California Organization of Police & Sheriffs (COPS)** — Bob Barry, Al Casciato, Vicki Walker, Dan Linehan, Paul Chignell, George Grant, Rick Bruce, Woody Tennant, Ron Parenti, Duane Collins.

**Screening Committee** — Per the Constitution and By-Laws the following members are on the Screening Committee: Bob Barry, Paul Chignell, Reno Rapagnani, Mike Hebel.

**Retirement Committee** — M/Rapagnani S/Collins that Welfare Officer Mike Hebel be appointed. Approved by unanimous voice vote. Greg Lynch and Pete Maloney are also on the Retirement Committee.

**Budget Committee** — Reno Rapagnani, Duane Collins, Gale Wright.

**Uniform and Safety Committee** — Jim Hughes, Chairman; Charles Tedrow, Roy Sullivan.

**Sports Committee** — Jack Minkel, Chairman; Joe Mollo.

**Community Services** — Henry Friedlander, Chairman; Mary Petrie, Michael Mahoney, Bob Huegle, Ray Canepa, Willie Frazier, Dave Allen, Gale Wright, Layne Amiot, Dave Herman.

**Overtime Committee** — Theodore Schlink, Chairman; Bob Swall, Dan Linehan, Mike Dempsey.

**Building Maintenance** — Gale Wright, Duane Collins.

**Publications Committee** — Duane Collins, approved unanimously by the Board of Directors; Gale Wright, approved unanimously by the Board of Directors; Dan Linehan, approved unanimously by the Board of Directors; Mike Dempsey, approved unanimously by the Board of Directors; Gerry Schmidt, not approved by a vote of 6 yes (Bruce, Tennant, Ballentine, Nevin, Bell, Hebel) and 10 no (Swall, Linehan, Parenti, Maloney, Grant, Doherty, Collins, Rapagnani, Chignell, Barry).

and 1 abstain (Schmidt). M/Rapagnani S/Collins that Gale Wright be appointed Editor of the San Francisco POLICEMAN. Adopted unanimously by the Board of Directors.

**INSURANCE COMMITTEE/PUBLICATIONS COMMITTEE:** Gale Wright gave his report on policies and dental plans. M/Nevin S/Rapagnani that the money savings from the IUPA (\$29,000) be used to pursue a dental plan for active and retired members and their dependents. Approved unanimously by a voice vote.

## NEW BUSINESS

Mike Nevin spoke on his candidacy for the City Council in Daly City and for his request for financial support. M/Maloney S/Nevin that this Association endorse the candidacy of Mike Nevin for the Daly City Council and apologize to him for any embarrassment that may have been caused by the agenda mix-up and that his request for financial support will be taken up next month. Motion approved unanimously by voice vote.

M/Hebel S/Bell that this Board of Directors adopt the following policy statement: Request for political contributions shall be communicated to the Secretary at least ten days before the meeting of which this item can be considered so that the item can be timely placed on the agenda as required by the constitution. Motion passed by a vote of 18 yes (Swall, Linehan, Schmidt, Parenti, Bruce, Tennant, Maloney, Grant, Doherty, Wright, Collins, Ballentine, Nevin, Bell, Hebel, Rapagnani, Chignell, Barry).

M/Schmidt S/Rapagnani that Supervisor Nelder be contacted to determine if she needs help with the petition campaign for the Fingerprint Compute and that all information about the petition campaign be obtained. Approved by voice vote with Ballentine dissenting.

M/Collins S/Chignell that this Association pick up the round trip airfare for Officer Constance Louie for her athletic competition in Philadelphia and Washington D.C. She is attempting to become a candidate for the 1984 Olympic Committee. Motion was withdrawn to be discussed by the Sports Committee.

Meeting adjourned at 8:10 p.m. with the next meeting scheduled for noon on March 2, 1982.

Respectfully submitted,  
Michael S. Hebel, Secretary

## MAYOR'S HANDGUN BAN

by Mike Hebel

At its meeting of March 4, 1982, the Board of Directors discussed Mayor Feinstein's recent proposal banning handgun sales and possession in San Francisco. There were strong feelings on this issue and particular concern that the mayor failed to seek POA input on this matter.

The Board of Directors voted to form a special committee to draft a position regarding Mayor Feinstein's recent proposal banning handgun sales and possession in San Francisco. This committee shall report back to the Board at its meeting of March 16th with specific recommendations. Final action on this issue will be taken at that time.



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# CRIMINAL'S JUSTICE

## Informants: Reality Ruled Irrelevant

by Elliott E. Alhadeff  
Editor, Law Enforcement Legal Reporter  
L.A. County Deputy District Attorney

In 1964, the United States Supreme Court decided the case of *Massiah v. U.S.* Massiah and an accomplice were arrested for violating federal gambling laws, and shortly thereafter, they were arraigned. At the arraignment they were represented by lawyers, but they were nevertheless advised of the charges against them and of certain constitutional rights including the right against self-incrimination, and their rights to an attorney.

The accomplice later decided to turn state's evidence and cooperate with the federal agents. An arrangement was made to have Massiah meet the accomplice in an automobile which was wired for sound. Massiah made incriminatory statements, all of which were monitored, and later used to assist in his conviction.

Before I tell you what the United States Supreme Court did, ask yourself, "If I had to determine Massiah's guilt or innocence would I like to know what Massiah said? Were Massiah's statements to his accomplice believable?" Keep in mind, Massiah had no idea that the accomplice was working undercover for the federal agents. In other words, is there any reason to believe that Massiah's statements would not be helpful in determining his guilt or innocence?

The United States Supreme Court ruled that because Massiah was not warned of his right to an attorney, he did not voluntarily give up his right to an attorney at the time he was being questioned by the accomplice, and therefore, his statements were excluded!

Why?

Is it reasonable to believe that Massiah's right to an attorney was being significantly deprived at the time he was conducting what he thought was a personal conversation?

The United States Supreme Court stated that the Sixth Amendment required that an individual has the right to an attorney at all significant stages of the proceeding. The defendant had been arraigned. This was a significant stage of the proceeding. Therefore, he was entitled to have counsel present at all significant stages thereafter. Being interrogated by the accomplice was a significant stage and therefore, he was entitled to have counsel present.

Did the drafters of the constitution really mean that a personal conversation between the defendant and an undercover agent was a significant stage of the proceeding? That's ridiculous! Is a personal conversation after a suspect has been arraigned anymore of a significant stage of the proceeding than the conversation which occurs before the suspect was arraigned? Of course not! We can only conclude that the *Massiah* case was founded on nonsense.

But the justices of the United States Supreme Court are not dummies. Why did they require an attorney after a suspect

had been arraigned, unless the suspect expressly waived his right to an attorney? Well, look at the effect this had on police investigations. After the arraignment, the suspect must expressly waive his right to an attorney before being questioned. The conversation between the agent and Massiah would therefore look like this: The accomplice states to Massiah "Do you know you have a right to an attorney?"

"What? What do you mean? What are you telling me that for?" asks Massiah.

"Well, er, ah, I just thought you might want to know."

Massiah's response: "What are you, crazy? Sure I know I have a right to an attorney."

"Well, do you give up your right to an attorney?" asks the accomplice.

At this point Massiah might jump out of the car and begin running as fast as he could to get as far away from what he thought was, his trusted accomplice.

Obviously, the accomplice's cover would be blown, and he would be unable to acquire statements from the suspect. In effect, therefore, the *Massiah* case obliterated the use of informants after a suspect had been arraigned.

But why? Because, apparently, there were some on the Court who didn't like the use of informants. Yes, it is true that through the use of informants we may turn mother against child, father against son, brother against sister, wife against husband, etc., etc., etc. But what kind of mother, against what kind of child? What kind of father, against what kind of son? What kind of brother, against what kind of sister? And so on. These all involve people suspected of being involved in crime. It is not the relationships of innocent mothers, fathers, children, and others that the police seek to use. It is the criminal relationship that is reasonably suspected and sought to be detected and displayed before the trier of fact to help their determination of guilt or innocence. Somehow, this escaped the thinking of the members of the Supreme Court, or if it did enter their thinking, it was considered to be of less significance than the danger created by the use of informants.

But even if we agree with the United States Supreme Court, that the use of informants may have an "adverse effect on fundamental institutions of our country," is it really the duty of the Court to eliminate the use of informants by its decision, or is that something which should be left to the legislature? Even if we agree that the legislature is impotent, was the use of informants after arraignment of such critical significance, and did they present such a substantial danger to our institutions that the Court was compelled to legislate them out of existence after a suspect's arraignment? Obviously, the answer is no.

The illogic of this result is shown by the fact that we are still permitted the use of informants before the suspect is arraigned. And isn't this a masterful piece of judicial nonsense! What difference does the arraignment make? What significant difference does the arraignment make? Judicial sophistry will explain its significance as the turning point of the criminal proceeding from the investigatory to the accusatory. But so what? This is the kind of language that lawyers will use to shield the Court's embarrassment for its inability to justify its political philosophy, or to state honestly that the basis for its decision is for personal philosophical reasons, rather than for legitimate legal reasons.

And so, a once effective technique of ferreting out criminals, remains with one of its two legs shot from under it. The basis of the decision, fear of destroying personal relationships, has been proved to be unwarranted, and yet, the courts turn their backs on reinstituting the use of informants after arraignment because of its tradition of permitting the law to propel itself, whether or not it has the beneficial effect on the society it was created to serve.

... and the legal profession seems to wonder why "it gets no respect ..."

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# DA of the Month

## Gerry "Marathon Man" Norman

After a vote of team leaders and department heads in the District Attorney's Office, Gerald Norman has been selected the D.A. of the Month. Norman, 31, has been with the District Attorney's Office since 1979. He is presently a Senior Attorney in the General Litigation Section where he has brought to trial various robberies, assaults, burglaries, auto thefts, and one child molestation case. Norman, has won 90% of his cases in Superior Court and scored his more recent victory in *People of the State of California vs. Phillip Chan*.

On October 11, 1981, Phillip Chan started a verbal dispute with four tourists from the East Coast. The tourists were outside the Empress of China Restaurant where they had just finished dinner. After hailing a cab, the four visitors were confronted by Phillip Chan and another unnamed individual. This initial confrontation ended when the shocked tourists entered the taxi and drove away. However, Chan and his associate returned to their car, removed a sawed-off shotgun from the trunk and proceeded to follow the tourists' cab. The driver of Chan's vehicle chased the taxi to the hotel where the out-of-town visitors were staying. During the chase the driver of Chan's vehicle bumped the rear of the taxicab several times.

When the taxi arrived at the hotel, Chan took the shotgun out of the car, ran up to one of the male tourists and repeatedly smashed the front barrel against his eyes and then hit the victim's wife in the stomach with the gun. The victim still suffers from double vision and may have permanent injury.

Witnesses at the scene obtained the license number of the defendant's vehicle which led police to Philip Chan. The two assault victims, Mr. and Mrs. Joseph Cashen, subsequently identified Chan, but not the driver of the vehicle.

The owner of the car, the defendant's sister, would not discuss the case with either the police or the prosecutor on the advice of her attorney. It was therefore impossible to pin the witness down on who she had loaned the car to on the night of the assault.

Before the trial, the attorney representing the defendant's sister told Mr. Norman that the defendant had a secret witness who had been the driver of the vehicle and that he would come forward to testify if given a grant of immunity. The attorney claimed that this secret witness would name the "true culprit". However, Prosecutor Norman and Inspector Tom Arnold of the General Work Detail, and Inspectors Dan Foley and Leon Crouere of the Gang Task Force all believe that the correct person had been arrested.

At trial, the defendant called the alleged driver of the vehicle. The witness refused to testify and Mr. Norman held firm in his decision not to move the Court for a grant of immunity. The defendant then called several alibi witnesses who testified that Chan had spent the night of the assault at home with his sister. These witnesses further testified that the defendant's sister had lent the car to Johnson Wong that night, and that Wong had assaulted the tourists.

Inspectors Dan Foley and Leon Crouere were able to come up with information showing that Johnson Wong had been somewhere else on the night of the assault. Norman destroyed the defense witnesses with vigorous cross-examination and the evidence produced by Foley and Crouere.

The jury found Chan guilty of all counts, which included two counts of 245a and allegations of great bodily injury and gun use. Norman expects that the judge will sentence Chan to a lengthy state prison sentence.



Gerry Norman observed that "without the close cooperation and hard work of Inspectors Arnold, Crouere, and especially Dan Foley, our evidence and preparation would have been much weaker. The inspectors solved the case."

On February 25, 1982, the victims, Joseph and Jacqueline Cashen, wrote the District Attorney's office and commented, "Following the arrest of the assailant, the case was assigned to your office. From that time on your office made every provision for me to leave my practice and return to San Francisco to testify. The two prosecutors, Stewart Jankowitz and Gerry Norman, did an excellent job of representing the State in seeing that justice prevailed. Without the help of your office and Sergeant Dan Foley of the Gang Task Force, I do not think we would ever have returned to San Francisco. My wife and I are very impressed with your office and the California court system. Thank you for all the help and support."

Mr. Norman was born in San Francisco and is a graduate of Woodrow Wilson High School and the University of San Francisco. He received his juris doctor degree from the University of San Francisco Law School in 1975.

After passing the bar, he practiced law in Sacramento for three years as legal counsel to the Department of Social Services, State of California, where he prosecuted fraud. He joined the San Francisco District Attorney's Office three years ago.

Gerry lives in San Francisco with his wife, Marilyn, who works for Standard Oil of California. Norman has recently taken up running and entered his first marathon race in December. He has been known since then as the "Marathon Man" to his associates in the District Attorney's Office. Those who have watched him in action in the courtroom agree that the nickname will stick for attributes other than his running ability.

# REBUTTAL

by John McKenna, Insp.  
Gang Task Force

Editor:

In the recent POA newspaper of February on Page 17, there appeared an article extolling the virtues of Assistant District Attorney John Carbone.

True, Mr. Carbone has not only in this case, David Baca, but in many others, both in the present and past administrations, commendably excelled in his profession.

The irritant in the article, however, is the corny and shallow sniping extended by the author (whoever that may be) towards former prosecutors. It is clear to the undersigned that problems did exist and that petty differences are again surfacing.

It fails to serve the membership of this department to allow a publication of our Association to be used as a political organ for self-serving users.

Expressions such as "chicken littles", "hammer", etc. make the article sound like a high school newspaper extolling the team prior to the Friday Night big game.

Rest assured that the two former prosecutors not named in the article, but well-known to many inspectors, were and are true professionals. For a number of years they handled many difficult cases. They were always available for consultation and clearly were the top of the line.

Further the article pays little heed to the efforts of Inspectors McCoy and Crowley who, in fact, were the solvers and preparers of the case for presentation to the courts. They, in fact, as well as the original prosecutor did converse with Officer Barbero on several occasions.

There were no "miracle workers" involved, rather the problems evolved around a recalcitrant juror. All of us involved in investigations have suffered through trials where, for some whim or another, a juror or jurors have difficulty in arriving at a verdict.

Finally, we find that these articles do not serve the department well morale wise when written in this vein. An article of this nature can only be considered shallow, contrived and insulting.

Editor or To Whom it May Concern:

The enclosed material is a rebuttal to certain statements made in the POA newspaper article appearing on Page 17 of the February issue. The article is in reference to the District Attorney of the Month.

The below named members of the Bureau of Inspectors and other units request that the enclosed letter be published and that the members names who endorse the letter be contained in the article.

Thanking you for your consideration we are:

John McKenna	George Huegle	Cal Nutting
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Tom Perdue	Dave Bowman	Lawrence Gray Sr.
John Caulfield	Mike Dower	Michael P. Wilcox
Thomas J. Dickson		Gabe Harp

Editor's Note:

My information is that a Ms. Julie Smith was hired by the D.A.'s office some months ago to write such articles as "The D.A. of the Month". However, she left before completing the article on Mr. Carbone last month and apparently Mr. Jacobson finished (or re-wrote) it. Apparently Mr. Jacobson also penned this month's article on Mr. Norman.

Furthermore, it was never my idea to have such a column in this newspaper but rather President Bob Barry approved the idea and directed that the articles be printed. I was never consulted.

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# POLICE ACTIVITIES LEAGUE

by Herbert P. Lee  
Director of Activities



## TRACK

**AAA-WCAL RELAYS.** The 10th Annual San Francisco PAL High School Relays is scheduled for Saturday March 20, 1982 at McAteer High School, 555 Portola Drive, San Francisco at 9 a.m. Trophies and T-shirts will be awarded to all participants. The three categories are: Boys Frosh-Soph, Boys Varsity and Girls Varsity. Teams from AAA and WCAL high schools will be competing in team relay competition. The public is cordially invited.

## BOXING

PAL Boxing Coach Bill Mateo reports that the PAL Boxing Program is continuing at the old National Guard Armory located at 14th and Mission Streets. The Gym is open daily from 3:30 p.m. to 7 p.m., Mondays through Fridays. Any boys between the ages of 10 through 21 years interested in boxing are to call PAL Headquarters (567-3215) for signups. In addition to monthly shows beginning in May, the boxers will be eligible to compete in other boxing shows throughout California. Coach Mateo also reports that Ricky Uzzel, 139 lbs., will be competing for the regional finals of the Golden Gloves in Las Vegas this month. If he wins, he will be competing for the national title in June. Uzzel, the San Francisco PAL Boxer of the Year the past two years, is a straight A student. Coach Mateo will be leading a contingent of San Francisco PAL Boxers to Castroville, CA later this month. They are: Henry Martinez 60 lbs., Paris Gomez 130 lbs., Abel Santana 147 lbs., David Pastora 139 lbs., Victor Leon 125 lbs., and Ricky Uzzel 135 lbs. Good luck to our boxers. We will be reporting the results in the next issue.



16 year-old PAL Boxer Ricky Uzzel striking up a pose during workouts at the PAL Boxing Gym. Ricky is currently the National Junior Olympic Boxing Champion, 139 lbs. class. Ricky recently won the PAL Boxer of the Year honors and PAL Athlete Scholar. Ricky is a Straight A Student.



Former SFPD Chief Thomas J. Cahill (center, glasses) surrounded by the San Francisco PAL Contingent at the recently concluded CAL PAL Seminar in Santa Cruz. (left to right) Sgt. Jim Meyer (Co. C), Sgt. Tom Morris (Retired), Lt. Steve Spelman (Retired), Sgt. Bill Leet (Co. F), Mrs. Tom Cahill, Mrs. Thelma Williams, Lt. Mario Tovani (Co. E), Mrs. Tovani, and Sgt. Herb Lee (PAL). Chief Cahill was the main speaker at the CAL PAL Seminar.



Above is the winner of the PAL Sgt. Pete Gardner Soccer Award, Robin Praeger of St. Ignatius. Robin is a 4.0 student and hopes to attend the University of California Berkeley.

## CAL PAL SEMINAR

The 11th Annual CAL-PAL Training Seminar was held at the Holiday Inn in Santa Cruz on February 19th and 20th. The Seminar was attended by nineteen (19) representative police departments throughout California with over 80 delegates. Workshops and presentations were conducted for 18 major sports and activities. The President of the California Police Activities League (CAL-PAL) Lt. Stephen B. Spelman (SFPD Retired), termed the Seminar a big success. A vendors faire was held with eight companies represented who displayed their ware and equipment for those present. John Dieneen, Chief of Police of the Millbrae Police Department, was the guest speaker at the luncheon and former Chief of the San Francisco Police Department Thomas J. Cahill was the main speaker during the dinner. The information exchanged was invaluable to both an established PAL and a police department contemplating one.

## SOCCER

The winner of the PAL Soccer Sgt. Pete Gardner Award for 1981 is a personable gentleman by the name of Robin Praeger, a senior at St. Ignatius Prep School. Robin has participated in Soccer at St. Ignatius for the past four years. As a Freshman he was a member of the Frosh/Soph League. As a Sophomore he played on the Junior Varsity Team where he was named an all-league player. For the past two years Robin has been a starter and mainstay on the St. Ignatius Varsity Soccer Team. Last year he was selected to the first team all league and was a key member of the WCAL Champions. This year Robin was again selected to the first team all league, and a contributing factor for St. Ignatius finishing third place in the Central Coast Sectional Championship. Because of his outstanding play, he was selected to the Central Coast Section All Tournament Team. Robin was voted in as the Team Captain and Most Valuable Player by his teammates. Robin was also a member of the 1980 PAL 19 under Champions and a member of the PAL 19 under Co-Champions for 1981. Robin maintains a 4.0 grade point average in spite of all his extracurricular activities, and plans on attending the University of California in Berkeley next fall. Robin also is busy in other endeavors. He is a member of the SI Block Club, a class officer, and a member of Big Brothers. He is a member of the Boy Scouts of America and recently completed his requirements for Eagle Scout, the highest award in scouting. Robin is an outstanding young man, states his soccer coach Rob Hickox. "Robin has a lot to give and a great deal to offer. He is a true leader both on and off the field, and is an excellent selection for the PAL Soccer Most Valuable Player Award".

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# POLICE ACTIVITIES LEAGUE

by Herbert P. Lee  
Director of Activities



PAL Cadet Sgts. Lynn Tracey and Lorraine Perez enjoying a respite while performing voluntary work at the PAL Headquarters.

## HUNTER/SAFETY COURSE

The PAL Hunter Safety Course will convene on Monday, March 29 and Wednesday, March 31 from 6 p.m. to 10 p.m. at PAL Headquarters located at 2475 Greenwich Street. All interested students must call PAL Headquarters (567-3215) for signups.

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**SOCCER**  
Soccer signups are continuing at a rapid pace for the PAL Soccer season. Pacifica will be sending in a record 30 teams (each team consists of about 15 members.) PAL Soccer Director Guy Milano is looking forward to another good year. The season will begin April 17, 1982. A complete schedule will be published in next months issue.

**PEE WEE BASEBALL**  
Although Pee Wee Baseball signups are over, the team play begins shortly, the PAL Pee Wee Baseball Director Mrs. Thelma Williams can probably place anyone between the ages of 7 through 10 on a team. Call PAL Headquarters (567-3215) for signups. This program stresses beginning baseball with adults pitching. The emphasis is for EVERYONE to "batter up".

**BASEBALL**  
PAL Bantam Baseball (11 to 12 years) and PAL Intermediate Baseball (13 to 14 years) signups will be held in May. Anyone interested in playing baseball please call PAL Headquarters the first week in April for signups (567-3215).



The 1981 PAL Sgt. Pete Gardner Soccer Award Winner Robin Praeger flanked by (left) SI Soccer Coach Rob Hickox and Father Capilito, SI Soccer Coordinator.

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## PAL BOY AND GIRL OF THE YEAR AWARDS

The PAL Girl of the Year for 1981 Selection Committee has chosen Sabrina Allen to be its choice. The PAL Boy of the Year Award goes to Kevin Mack. Both will be honored at the annual PAL Boy and Girl of the year Awards Dinner on Thursday March 25, 1982 at the Italian American Social Hall, 25 Russia Street at 6 p.m. In addition, both winners will appear in Mayor Dianne Feinstein's Office that morning at 10 a.m. where the mayor will officially confer the honors. (See below list for other winners.)

## OTHER WINNERS

All winners will receive their trophies at the 21st Annual PAL Boy and Girl of the Year Awards Dinner. Ms. Terry Lowry of KGO-TV will be the Mistress of Ceremonies.

Herb Lee Fishing Award	Sean Keighran
Outstanding Fishing Award	
Nate Posner Award	
Pistol Marksmanship	Randy Williams
Doris Lee Memorial Award	
PAL-GAL Softball MVP	Frances Hughston
Jack Immendorf Award	
Outstanding Track & Field Athlete	Maurice Crumby
Thelma Williams/Vera Rogulsky Award	
PAL-GAL Basketball MVP	Sabrina Allen
Judge Bernard Glickfeld Award	
Outstanding Little Person-Basketball	Dorothy St. Thomas
Hank Luisetti Basketball Award	
Most Valuable Player	Terrence A. Mullins
Sgt. Peter Gardner Award	
Soccer MVP	Robin Praeger
Insp. Earl Gonsolin Award	
Outstanding Boxer-Sr. Division	Ricky Uzzel
Les Craig Memorial Award	
Outstanding Boxer-Jr. Division	Michael Ford
Joe Mollo YU-TU-SEI Award	
Outstanding Female Judo Student	Debbie Coleman
Joe Mollo YU-TU-SEI Award	
Outstanding Male Judo Student	Kevin Moore
Bill Gilmore Football Award	
MVP-Midget Division	Anthony Hines
Bill Kwartz Memorial Award	
Outstanding Football Lineman	Ronondo Cooper
Pete Franceschi Award	
MVP Bantam Baseball League	Derrick W. Yearby
Ken Batiloro Award	
MVP Northern Baseball League	Joe Chevez
Connie Grieder Award	
Central League-Sportsmanship	Randy Chavez
Frank "Lefty" O'Doul Memorial Award	
Outstanding Player-CAL-PAL League	Steve Maunakea
Ed McCarthy Memorial Award	
Outstanding JDM Pitcher	Mark Breining
Joe DiMaggio Award	
Most Valuable Player	Al Mack
Valor Award	John Newman
Sgt. McDonnell, Off. Brodnick/Radetich	
Outstanding Law Enforcement Cadet	Troy Dangerfield
Sen. Eugene McAteer	
Sportsmanship Award	Sean Keighran
Capt. August Steffen Memorial Award	
Athlete Scholar	Ricky Uzzel

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# SAN FRANCISCO POLICE DEPARTMENT

## YOUTH PROGRAM

by Walt Scott and Tim Foley

By the time the dust had settled from our last backpacking trip, it was time to hit the trail again with our most challenging and dramatic backpacking trip yet. Led by Officers Bob Bohanan, Rick Bruce and Dave Maron, and staff members of the Recreation Center for the Handicapped, a group of approximately 30 disabled youth embarked on a three-day backpacking trip to Andrew Molera State Beach at Big Sur.

These eager and enthusiastic backpackers assembled early one morning at the Recreation Center for the Handicapped across from Lake Merced. They were greeted by the officers and Recreation Center staff and then outfitted for their outdoor adventure. A film crew from Channel 4 was on hand to film the beginning of our trip. After we all packed and played a few introductory games, we loaded up and hit the trail towards Big Sur.

The Andrew Molera State Beach is a beautiful and picturesque wildlife preserve approximately 20 miles south of Carmel on Highway 1. The drive was long but well worth the effort once we saw the scenic beauty of the densely wooded hills and the jagged rocky cliffs gently coming together at the shoreline. Once the vehicles were unloaded, our energetic band of backpackers donned their packs and we were off.

A State Park Ranger accompanied our group to our campsite and talked about the various plant and wildlife in the area, pointing out specific species as we walked. The trail to the campground provided some unexpected and challenging obstacles as we hiked. Due to the tremendous rain storms that hit our area this winter, many parts of the trail had been washed away, and replaced by streams of cascading water. Momentarily stopped by the eroded trail, a plan was devised and we began crossing the damaged section of the trail. Aided by the able bodied staff, the disabled youth had no problems making the crossing, doing much of it on their own. Filled with the confidence just received of meeting and overcoming a challenging obstacle, we carried on and arrived at our campsite by mid-afternoon.

The area we chose for camp was a lush meadow approximately a quarter of a mile from the beach. We began setting up camp and pitching our tents almost as

soon as our packs hit the ground. Everyone helped out and soon the tents were set and the campsite took on the appearance of a colorful mid-eastern bazaar. The remainder of the day was spent playing catch, throwing Frisbees, and just relaxing from our hike in. After din-



ner, a roaring campfire was built and the remainder of the evening was filled with campfire activities. Officer Rick Bruce told several spine chilling ghost stories, after which Officer Bob Bohanan helped lead a night hike to an old ghost house as the State Ranger told of its "legend". The ghost stories were greatly enhanced by the natural setting of silence, darkness and a full moon shrouded in a light mist. Officer Dave Maron added his own enthusiasm to the evening's activities by spearheading campfire songs with his deep and

energetic voice. As the campfire mellowed to a glow, most headed for bed, filled with a full day of activities.

The next day we were greeted by a bright crisp spring-like morning and the promise of another great day. After a few exciting and fun "new games" our band of backpackers embarked to explore the tide pools and beach just a quarter of a mile away. The trail to the beach was marred in much the same manner as the trail we hiked the first day to camp. However, we barely lost stride as the confidence and experience from the first day carried us through the rough parts of the trail.

As the wooded trail opened up to the secluded beach, one last obstacle blocked our path. A rain swollen creek emptying into the ocean needed to be crossed before we could explore the beach. Many people waded across the two to three foot deep stream but some needed to be carried across by the officers and staff. After everyone had crossed the stream, a day of exploring tide pools, beach games and sun bathing was enjoyed by all. After this enjoyable day, a great dinner and warm campfire was appreciated by all. Once again the evening's campfire activities were filled with songs, stories and merriment. It was evident at this point that a good rapport had developed between the disabled youth and the officers as several joyful conversations were carried on around the campfire.

The final day not only brought to a close our wilderness adventure but also an end to our beautiful weather. Before our hearty group of backpackers had a chance to get wet, camp was broken, packs loaded and the long journey home begun.

Although the trip was over and everyone went their separate ways, the warm memory of a truly extraordinary experience will linger on. The high spirits and the joyful enthusiasm displayed by the disabled youth during our trip gave us, the officers, uplifted feelings about our own lives. When we saw how positively and energetically these young people cope with disabilities they have to live with and can do nothing about, it was an inspiration to us all. The San Francisco Police Department Youth Program thanks the staff and participants from the Recreation Center for the Handicapped for making this trip a most enjoyable and rewarding experience.

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# SPORTS

## NORTHERN CAPTURES SFPOA BASKETBALL CROWN

by Bob Puts

Northern Station, behind a 29 point performance by Kurt Bruneman (League MVP) and a solid team effort, defeated the Tac Division 58 to 51 in the championship game. The Tac Division, who played without center Dale Allen, attempted to double-team Bruneman, but the fine outside shooting of Bobby Porter, Ben Vigil, and Bill Pyne proved too powerful to overlook. Bob Puts (21 points) and Jerry Donovan (16 points) led the Tac Division in a valiant but losing effort.

The playoff scene started with the Tac Division knocking off Narcotics 71 to 64. Tac Division started a large front-line of Tedrow (6-5), Allen (6-4), and Donovan (6-4) in overshadowing a 47 point performance by Kevin Gotchet (24 points) and Jeff Barker (23 points). The next playoff game was a thrilling 87 to 76 Airport win over Central Station. Jerry Calgaro's 29 points and a combined 28 points by Ed and Tony Rodriguez was not enough, as the Airport's Fred Spencer, Rich Agard, and Mike Scott combined for 72 points. The entire game seemed to have been decided on a controversial walking, called on Jim Deignan with less than two minutes remaining and Airport up by two points.

Northern Station started their move toward the crown with a hard fought 69 to 66 win over CHP. Again Northern relied on Kurt "Franchise" Bruneman's 24 points and Bobby Porter's 15 points for the victory. Bruneman was again called upon to be the ace, as his 38 points was the edge Northern needed to roll over the Airport Police 69 to 60.

The final playoff berth was won by Ingleside Station. Led by the league's number one guard, Charly Mahoney, Ingleside crushed the Central Midnight team 78 to 60. Mahoney continually fed Jerry Langford (35 points) and John Schmoke (16 points) for the victory. Foul problems hurt Ingleside in their next game, as they fell to a balanced Tac Division team 68 to 56. Ingleside then captured third place as Mahoney (20 points), Langford (28 points), and Schmoke (16 points) filled the nets with basketballs in a thrilling 76-74 win over the Airport.

Now that the Basketball League is over, the league would like to give special recognition to George Stasko, Mike Scott and Doug Clennell for their impartial and dedicated job of officiating. A big thanks should also be given to Jerry Donovan for organizing the league and to Bob Barry and Reno Rapagnani of the POA for their support.

## Golf Club News

On Friday, February 26, 1982, the San Francisco Police Golf Club 'finally' held its "postponed" February monthly tournament.

The original date was Wednesday, February 17, 1982 and was postponed when the threat of rain scared most of the players away.

We had seventy-five players finally play and were fortunate not to have rain on the rescheduled date.

Tom Gordon had the low score of the day; a fine seventy-seven. He was followed by Dennis Martel (again) with a seventy-eight, and Ed Hood a guest with a seventy-nine.

The low net winner was Ray Seyden who shot a ninety-one and with his twenty-eight handicap, had a net sixty-three.

The flight winners were: first, Dennis Martel, Jerry Cassidy, Dave Kranci and Joe Buckley; second, Wally Jackson, Nick Eterovich Jr., Nick Eterovich Sr. and Al Blasi; third, Frank Otterstedt, Joe Allegro Jr., Rene Aufort and Mike Brady; fourth, Dick McKeivitt, Harold Schwartz, Ray Poznekoff and Joe Allegro Sr.

The guest flight was won by Bill Lee followed by Ed Hood, Ed St. Germaine, Jack Southern and Don Ritchey.

Nick Eterovich Sr. won the hole-in-one on the fourth hole with a shot 4'6" from the hole. On the seventeenth hole, Steve Tacchini of Mission Station defied all the odds by hitting a hole-in-one. This was the fourth hole-in-one during one of our monthly tournaments in the last eight months. Even the professionals can't match this record. Steve's only mistake was not having put up a dollar for the hole-in-one insurance, so the drinks he bought came out of his own pocket rather than the golf club treasury. He now belongs as well as a few other converts to the hole-in-one club.

There are still ten more monthly tournaments as well as a trip to Reno in June. In March we play Skywest and April Napa Muni (JFK Park). Anyone interested in joining the club, it is open to all active and retired San Francisco police officers, regardless of ability. Just send me a check made out to the San Francisco Police Golf Club for \$5.00 for the 1982 dues, and I'll send you a schedule, a copy of the procedures, and put you on the mailing list for the club monthly bulletin.

Jerry Cassidy, Co. K Solo M/C  
Rm. 150, Hall of Justice  
553-1245 OR  
237 San Marin Dr., Novato 94947  
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## RUNNING THROUGH MY MIND

by Walt Garry

The Sixth Annual Zoo Run was Sunday, January 17. It was a chilly but relatively easy 3.5 miler around and through the Zoo compound. Lou Bronfeld and John Harrold, Co. E, covered the course in 24 minutes, a shade under the 7 minute pace. John's wife, Trice and their Lab puppy, as well as Lou's son Marc, finished in a respectable 35 minutes. Not bad for a woman, six months pregnant and an 11 year old boy.

The Chinatown race drew large crowds as usual. A considerable amount of work went into preparing for the event. Much of the effort was contributed by Herb Lee, P.A.L. In the opinion of those I spoke with, it was an outstanding race.

The Midnight Express from Co. A was back on the streets again for this run through their district. In order of finish, for this all F.T.O. entry, were Bill Cooke, Steve Venters, Nelson Lum and Jim Speros. Another P.D. runner was Morgan Peterson, Juvenile Bureau, who crossed the line just ahead of the legendary Ed Preston, Retired. Ed is a three time winner in the Bay to Breakers, known then as the Cross City Race when the event was a true foot race. Retire and run . . . I'm looking forward to it.

The hill half way along the "Magnificent 7" Police Invitational Race has not gotten any easier. Everyone has regrets when they are half way up the monster, all wishing they were someplace else. Among 50 or so law enforcement runners were Tom Mandelke Co. B, Marty Walsh Oper S, Lou Barberini Co. I, Mike Mahoney Co. C, Jerry Evans Burglary, Jeff Brosch Homicide, Morgan Peterson and Mike Shubin Juvenile and Walt Garry FTO. Peterson placed second in the Master's Division. This is the fourth year in a row SFPD has had at least one winner in that division.

Events to traip for: The "New" San Francisco Marathon, The Dipsea, Bay to Breakers and the Police Olympics.

This will be the last column for a while. Priorities have been listed and this labor of love can't be fitted in. Sincere thanks to those of you who have contributed to the running news around the department. Keep the miles up and the calories down and everything else falls into place.

## WANTED

by William Leet, Sgt. Park Station

YOU

YOU

YOU

The SFPD will be hosting the California Police Olympics this July.

The present rifle team would like to have some additional people come out and join in the fun of rifle shooting. The present team members will be more than happy to assist you and get you started in the sport of rifle competition. Even if you only shoot in the Olympics. We have smallbore (22) and largebore (30cal) events.

Now is the time to start — July will be here before you know it. If you hunt big game, are on the specialists, or just want to enjoy punching holes (trying) in a target from up to five hundred yards, COME ON OUT. All you need at this time is the desire and "YOU".

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Sgt. Glenn Pennybaker  
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# FED LIT ORDER

TO ALL CONSENT DECREE PARTIES AND THEIR COUNSEL  
IN THE OFFICERS FOR JUSTICE CASE

The court has considered the written and oral arguments submitted by all Consent Decree parties in response to the Auditor-Monitor's report of September 1, 1981, and this court's order of September 30, 1981. It will be the judgment of this court that the city is in violation of certain provisions of the Consent Decree and that remedial action is required. Accordingly, the attached proposed order has been written.

The court intends to adhere to the terms of the proposed order. We are making it available in tentative form at this time so that all Consent Decree parties may comment in writing prior to the date it is to take effect. Comments should be restricted to bringing to the court's attention perceived obstacles to the implementation of the order. They should not consist of re-argument over the Auditor-Monitor's report of September 1. All comments must be filed with the court no later than ten (10) days from the date of this letter.

Sincerely yours,  
s/Robert F. Peckham, Chief Judge  
United State District Court

## NOTE:

**THIS ORDER IS UNDER APPEAL BY THE SFPOA**

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

THE OFFICERS FOR JUSTICE, et al.,  
Plaintiffs,

v.

THE CIVIL SERVICE COMMISSION  
OF THE CITY AND COUNTY OF SAN FRANCISCO, et al.,

Defendants.

UNITED STATES OF AMERICA,

Plaintiff,

v.

CITY AND COUNTY OF SAN FRANCISCO,  
et al.,

Defendants.

## PROPOSED ORDER

On September 1, 1981, the court appointed Auditor-Monitor of the Consent Decree in the above-captioned case found the defendants in noncompliance, and made certain recommendations, which were then augmented by a supplementary recommendation on September 30, 1981. All parties were afforded an opportunity to brief the matter, and to present oral argument to the court in a hearing on November 9, 1981.

The matter having been heard, this court concurs with the Auditor-Monitor's finding of noncompliance with section 9(a) of the Consent Decree insofar as the city has failed to meet the entry level goals for minorities and women for Q-2 list E-92 at the end of the appropriate measuring period. We further concur with the Auditor-Monitor's finding that current status reports indicate that the city will not meet the goals for minorities and women for Q-2 list E-93. However, as the E-93 list has not reached the point where it is to be formally measured, we stop short of finding the city in noncompliance with section 9(a) on this basis and we do not rest any part of this order on the current status of the E-93 list.

Finally, this court concurs with the Auditor-Monitor's finding of noncompliance with section 10(c) of the Consent Decree in that the city has used seniority as the sole criterion for temporary promotions to lieutenant. Accordingly, the court hereby ORDERS the defendants as follows.

During the one-year period subsequent to entry of the court's order, the defendants shall meet the goals of the Consent Decree in accordance with its provisions. However, to facilitate the city's efforts toward full compliance, the defendants are hereby instructed:

I. Immediately to employ a targeted recruitment effort for Q-2 list Examination E-96 and all other Q-2 examinations held during the pendency of this decree. The examinations shall be held on a continuous basis and be limited to 450 to 500 applicants per examination. The Consent Decree Coordinator shall have the responsibility for determining when to close the applications and shall assess the statistical composition of the pool against the recruitment goals of 60 percent minority and 30 percent women, goals which the parties have previously agreed upon. In the event either goal is more than 2½ percent below the objective, the Consent Decree Coordinator may reopen the application process with recruitment emphasis on that specific group until such time as the 60 percent and/or 30 percent goal is met. This process shall be reviewed one year from the date of this order.

II. To create a consolidated Plan of Action consisting of, but not limited to, (1) a Women's Support Group, (2) A Preemployment Retention Program, (3) a Physical Preparedness Program, (4) a Stress Management Group, and (5) an Information Management System.<sup>1</sup> The Consent Decree Division shall be responsible for coordinating these programs,<sup>2</sup> which are designed to improve the likelihood of success for protected class members and others who apply and become police recruits for the San Francisco Police Department.

III. To rectify noncompliance with section 10(c), the temporary promotions of Q-60 Lieutenants, by taking the following action:

(1) Establish an in-service training program for persons eligible for temporary appointment to Q-60 (Lieutenant) with special emphasis on "giving leadership experience to minorities and women"<sup>3</sup> to enhance their opportunities to succeed in the promotional process.

(2) Establish a middle Management Training Curriculum geared towards preparing protected class members and others for the next Q-60 Lieutenant's Examination. The Consent Decree Division shall provide the curriculum, which shall be similar in nature to that provided in the POST-certified Management Training Curriculum.<sup>4</sup>

(3) Administer a Q-60 Lieutenants examination on or before August 1, 1982.

(4) Schedule the next Q-50 Sergeants and Q-35 Assistant Inspectors examination subsequent to the Q-60 Lieutenants examination at a time that will allow the orderly administration of all three (Q-60, Q-50 and Q-35) examinations and still guarantee the appointments of 50 Q-50 Sergeants and 30 Q-35 Assistant Inspectors on or before August 1, 1983., pursuant to section 10(a)(4) of the Consent Decree.

In addition, the Auditor-Monitor shall utilize the resources of the Auditor-Monitor Funds<sup>5</sup> to augment the efforts of the defendants by submitting to the court proposals for qualified professionals to act as consultants for the Consent Decree Division in order to expedite and facilitate compliance with the Consent Decree and this court's orders pertaining thereto. Following approval by this court, the Auditor-Monitor may then seek bids from the court-approved professionals to act in such a consulting role.

1. The court's authority to require the creation of these programs is derived from the provisions of the Consent Decree. See Consent Decree Sec. 12(f) ("Any unresolved disputes between the Auditor and said Parties shall be submitted, upon appropriate notice, to the Court for resolution.")

2. These programs are described in detail in Appendix I, *infra*.

3. Consent Decree Sec. 10(c).

4. The POST-certified Management Training Curriculum is described in Appoendix II, *infra*.

5. Consent Decree section 13 provides: "Primary use of this fund shall be for recruitment, testing, training, and professional upgrading and leadership opportunities for minorities and women."

# YEAH, BUT...

by Tom Del Torre, Crime Prevention Unit

After reading the February issue of the POLICEMAN, it was apparent that rebuttal after rebuttal, and response after response is repetitious reading.

I personally do not enjoy articles about P.O.A. dissention in the paper. Everyone has the right to voice their opinion, however, a few changes should be sought. For example:

1. Instead of articles about Federal litigation, Lieutenants exams and national police unions, let's start with comic strips. (I prefer Archie and the Gang, Blondie and Dagwood and Beetle Bailey).

2. An in-depth expose on "Why uniformed officers assigned to the Hall of Justice of all ranks put on a sportscoat or windbreaker when they leave their office, even to go to the bathroom?"

3. A continous letter of appreciation to the officers of the Police Garage for the aggravation they put up with daily.

4. Crossword Puzzles: Using terminology in the latest informational bulletins and General Orders. This will definitely throw a monkey wrench in the machinery.

5. Police Person of the Month Award: In order to keep everyone happy, one police person from every category; i.e. race, sex, religion, etc., etc., etc. A grand total of 67 officers will be presented the award monthly. The winner afforded a gratus meal at Meades.

6. Re-evaluate the placement of articles. My mother feels that the photos of BOB DEL TORRE and BOB BARNES of the Police Centurions Football Team who photos appeared on page 15 of the last month's issue, should have been front page material. Additionally, full page photos were in order.

7. Political Contributions: Suspend all political contributions to political candidates and:

a. give a Christmas bonus to all members of the Patrol Force,

b. send one member a month to Lake Tahoe with about \$5,000.00 to play a few games of change. (I would be available in June.)

c. invest in a bar and restaurant that caters only to tri-sexual/bilingual patrons, (Excellent tax write-off also.)

d. EXCEPTIONS to the rule: If G. Gordon Liddy runs for any office, back him to the hilt.

8. Typist of the Month: Award a typist assigned to Field Operations, Room 535, a free lunch once a month. (Since there are only two assigned, Sheila and Nancy would both get six free meals a year.)

9. Enclosed with the monthly paper should be a "Websters New Collegiate Dictionary". Many article contain not only words but paragraphs of superfluous terminology I did not understand. In general, I feel like a 6 foot guy in 8 feet of water.

These are but a few of the changes that should be considered in the future. As a member of the POA for 4,015 days, if no changes are made, I'll survive but remember: "If anyone objects to any statement I make I am quite prepared not only to retract it but also deny in court under oath I ever made it."

# PICNIC III

by Theodore A. Schlink III

No, it's not summer yet, but I thought that it might be nice to let everyone know well in advance that the Third Annual S.F.P.O.A. Family Day Picnic is scheduled for Saturday, September 11, 1982. The site of this year's event will be at Marine World Africa USA, located at the beautiful Marine World Parkway, in Redwood City.

The price of this year's ticket has yet to be determined, however, the Board of Directors has approved a tentative budget that may allow us to maintain the same prices as last year (\$5.00 adults, \$2.50 children). The price of admission will cover parking, admission, 50 attractions, water slide, ski and boat show, volleyball, horseshoes, lunch, free beer and free soft drinks, assorted games, and last but not limited to, elephant and camel rides for the children.

Mission Station will be defending their title as the department tug-of-war champions in an attempt to keep the trophy within ready reach. If you have not as yet seen the trophy, I suggest that you make a trip out to Mission and see it, prior to its removal for engraving sometime in April.

If you are interested in assisting me with the picnic, please drop me a note in care of the POA or TAC, and if you are a wife, please contact Maryanne Strange at (415) 553-1631.

MARK YOUR CALENDARS FOR THE FAMILY EVENT OF THE YEAR, SEPTEMBER 11, 1982.

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