

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, APRIL 1982

NO. 4

SECONDARY EMPLOYMENT IN JEOPARDY

by Bob Barry, President

Secondary employment for San Francisco police officers is in serious jeopardy should the Police Commission adopt Chief Murphy's proposed revision of the secondary employment rules now pending before the Police Commission.

Scheduled for its April 28th, 5:00 p.m. hearing, the Police Commission will take testimony on whether or not the department should require off-duty officers and their secondary employers to enter into a "hold harmless" agreement (contract) which would "indemnify and hold harmless the City and County of San Francisco from any and all claims, demands, suits or other actions arising from acts done during or arising from the course and scope of employment by the off-duty officer and employer."

In essence, the department is asking secondary employers to sign a blank check to protect the City from any claim, suit or award that comes about because of some act that an off-duty officer committed while employed in a "private citizen" security type capacity. There are approximately four hundred police officers working in this capacity.

All secondary employers that I have consulted with thus far have stated that the City's proposal is outrageous, beyond their capabilities and would cause the employers to terminate all off-duty San Francisco officers under their employ should the Commission adopt this overly restrictive agreement.

Although we concur with the department, based on

prior legislative acts and judicial rulings, that the department may impose reasonable rules and restrictions relating to outside employment, it is the POA's contention that not only is this proposal an unreasonable restriction, its adoption by the Police Commission will effectively prohibit secondary employment.

In 1971, the California legislature addressed the secondary employment area and clarified it by statute in Government Code Section 1125 et seq. Section 1126 specifically creates restrictions and guidelines for such secondary employment activity, and Section 1127 sets forth the underlying policy that police officers should be allowed to work in related fields of endeavor, such as security guard employment.

Section 1127 reads: "It is not the intent of this article to prevent the employment by private business of a public employee, such as a peace officer, fireman, forestry service employee, among other public employees, who is off-duty to do work related to and compatible with his regular employment, or past employment, provided the person or persons to be employed have the approval of their agency supervisor and are certified as qualified by the appropriate agency."

The City may impose restrictions, but these limitations must adhere to the state statutory scheme or be in violation of the supremacy clause of the Constitution

which states that statewide legislation preempts conflicting local regulations.

Again, should this "hold harmless" contract be adopted and employers reject this condition of employment, then the department will have effectively violated Section 1127, as employment in related fields of endeavor, such as security employment will be prohibited.

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GUN CONTROL

The San Francisco Police Officers' Association held a press conference on the mayor's proposed handgun ban on Wednesday, March 24, 1982 at City Hall.



Center is Spokesman Pete Maloney; backed by President Bob Barry, left and Woody Tennant, right. Not shown, but present too, was Inspector Tom Dickson.

The San Francisco Police Officers' Association has adopted a series of recommendations as an alternative to the handgun ban proposed by Mayor Feinstein. Off. Pete Maloney, Chairman of the special committee formed to study the proposed ban said, "We thank the mayor for joining us in our concern about handgun misuse. The intent of her proposal is well received, but we cannot support it. We believe the ban would be ineffective, impractical, and unenforceable." The SFOA Board of Directors adopted the following measures as practical and enforceable steps to limit the illegal accessibility and use of handguns.

- Enhancement to felony status of local and state laws prohibit carrying a handgun concealed on a person or in a vehicle.
- Enhancement to felony status of state law which prohibits carrying or using a weapon in a rude and threatening manner.
- Strict supervision by the police department of employees and companies which are allowed to use weapons in their work.
- Formalization of a strong policy, if not mandatory language in the law, to deny the return of handguns seized by the police from those who have used them in a

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LEGISLATIVE COMMITTEE

by Gerry Schmidt

The newly appointed Legislative Committee had its first meeting on April 1, 1982 beginning at 11:00 a.m.

The focus of attention centered on the November 1982 citywide ballot and possible POA sponsored charter amendments. Other things such as timetables, use of attorneys currently on retainer, secretarial services as well as a questionnaire to be sent to the membership for the purpose of prioritizing key issues, were also discussed.

Committee chairman Rapagnani indicated his belief that the POA rely upon the Board of Supervisors to sponsor the less controversial measures that the POA wishes to pursue and that the initiative petition route would be necessary for the more difficult measures. This was agreed upon by all members of the Committee. It was also agreed upon that education of the membership had been sorely lacking in the past few years.

Seven tentative issues had been identified for the November ballot:

1. Collective Bargaining
2. Tier II Benefits
3. Education Incentive
4. Night Differential Pay
5. Military Buy-out

6. Time and a half for Overtime
7. Medical and/or Dental Program.

A discussion then took place with regard to collective bargaining as to whether or not Tier II benefits were an included issue. A possible solution was finally arrived at in hopes that the questionnaire would resolve whether or not the membership wanted to pursue collective bargaining. If the questionnaire reflected that the membership still wanted to pursue collective bargaining, the question would have to be dealt with in a more specific fashion.

Given the amount of work that remains to be done and the time in which to do it, it was suggested that we contact immediately the Political Science Department of all the various schools in the Bay Area, soliciting students to work as signature gatherers during the petition drive. It was also decided that a letter should be sent to our attorneys requesting brief descriptions in legal terminology of the seven possible issues that we had identified. Included in the letter would be a request that we receive the information prior to the next Board meeting.

The meeting was then adjourned on a positive note with at least the feeling that we had identified the enormous, if not very difficult, tasks that lie ahead.

WIDOWS & ORPHANS

The March meeting was called to order by President Bernard Becker at 2:08 p.m., Wednesday, March 24, 1982, in the Traffic Bureau Assembly Room, Hall of Justice. All officers and trustees present, including J.P. Pres. J. Sturken and P. Pres. G. Jeffery.

The Secretary reported the following donations: **Mr. & Mrs. Matteoni** — In memory of retired Sgt. William McCarthy; **Mr. & Mrs. Kreiss** — In memory of retired Sgt. William McCarthy; **Mission Station** — In memory of Arthur Richter, Jr., father of Linda Flanders; **Maland-Ilg Charitable Trust** — In respect for police officers; **Harrison Martin** — For help from members of Co. D; **Florence Katzen** — For safe return of her wallet.

Treasurer Parenti reported the following deaths: **GEORGE BIDELMAN** — Born in San Francisco in 1904, George entered the Department in 1933 at age 29. Assigned to Headquarters, he worked the radio cars (at that time they worked out of the Chief's Office, being rotated to district stations) for 5 years. Assigned to Co. D, he was detailed to Treasure Island for the World's Fair. After close of the fair, George worked at various district stations until assigned to the Richmond where he worked until his retirement on service in 1959 at age 65. George was 77 when he passed away.

WILLIAM T. CREEDON — Known as #1 because of other Creedons in the department, he became a policeman in 1947 at age 34 after serving as a motorman with the Muni. After the Academy, Bill was assigned to Richmond Station on mounted patrol. After four years on the horses, patrolling Golden Gate Park, Bill was transferred to the #5 car in Richmond in which he performed the numerous duties assigned to him until his retirement for service in 1968 at age 56. He was awarded two Captain Commendations, one in 1962 for the arrest of a suspect who had committed a burglarly and one in 1968 for the assistance in the apprehension of four armed robbery suspects. Bill was 69 years old at the time of his death.

WILLIAM MC CARTHY — Another San Franciscan born in 1916, he was 26 when he became a member of the Department in 1942. He worked at the Richmond Station for 6 years, and was then transferred to the Chief's Office where he served for 18 years. Bill was then given the position of Secretary to the Police Commission serving there for two years before he returned to the Chief's Office. He retired for service in 1974 at age 59. During his stay in the Chief's Office, Bill always had a helping hand for any citizen or policeman who needed it. He was a young 65 when he passed away.

The following were accepted as members of the Association after approval of the membership: James A. Adams, Dennis P. Alford, Chester H. Banks, Daniel Baker, James G. Bosch, Kevin Cashman, Mario J. Delgadillo, Anthony C. DiStefano, David Faingold, Pedro Fernandez, John Geraty, Craig Kuwabara, Kenwade Lee, Dan Maginniss, John Moran, Karen Nassberg, Daniel Z. Oquendo, Robert Porter, Joseph J. Robles, Donnye D. Ross, Paul E. Scott, Gregory Suhr, Carl S. Tennenbaum, Alfred D. Trigueiro, Barry J. Wolf.

Report of Trustees: Recommendation of Hibernia Bank to purchase 150,000 in U.S. treasurer notes was approved by the Trustees.

Good of the Association: Members are advised that the next meeting will be Wednesday April 21, 1982 at 2:00 p.m. in the Traffic Bureau Assembly Room, Hall of Justice. All members are invited to attend.

There being no further business to come before the membership, the meeting was adjourned at 2:50 p.m. in memory of the above departed Brothers.

Fraternally,
Bob McKee, Secretary

All retired members are advised that if you have not yet paid your 1982 dues, do so now by mailing \$36.00 to Hibernia Bank Trust Department, P.O. Box 3808, Rincon Annex, S.F. 94119. Any questions, call Bill Parenti, 681-6133 or Bob McKee, 587-4570.

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POLICE POST #456 NEWS

As is the custom, S.F. Police Post 456 will be sending two boys to Boys State this year. We usually send three boys, under the joint sponsorship of the S.F. Footprinters, but we are also experiencing the economic crunch. Our peerless Boys State Chairman, Stan Scheld, is beating the brush around our high schools looking for candidates, and by April 1st the names will have been submitted. We would like to get the son of a member of S.F. Police Post 456 when possible, but any eligible candidates is welcomed.

It is a great source of pride, not only to the parents, but to S.F. Police Post 456 as well. The experience derived will give the candidate great satisfaction in the knowledge that he has done a fine job. As the man says, "Experience is not what happens to you. It's what you do with what happens to you."

This is another example of your dues in action. If you have not paid your dues as yet, please get them in right away.

This would have been in the last issue but Stan did not receive the particulars until after the March issue went to press.

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

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.

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To all members of Police & Firemen's Ins. Assn.:

As of March 1, 1982, your new agent will be James D. Neubert, 1801 Van Ness Ave., San Francisco, CA, 441-3400. Any questions or claims please call Mr. Neubert.

I would like to thank all the P & F members for their help and cooperation for these many years.

Fraternally yours,
David B. Mayer
Burg. Det., S.F.P.D.

the San Francisco
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ADDRESS ALL CORRESPONDENCE TO: Editor, S.F. Policeman, 510 - 7th St., San Francisco, CA 94103. No responsibility whatever is assumed by the San Francisco Policeman and/or the San Francisco Police Officers' Association for unsolicited material.

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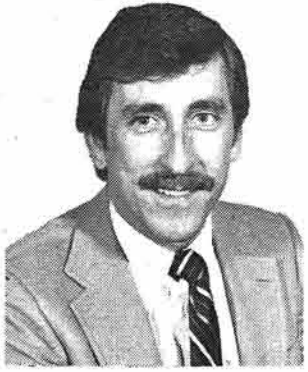
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- Address letters to the Editor's Mail Box, 510 - 7th St., San Francisco, CA 94103
- Letters must be accompanied by the writer's true name and address. The name, but not the street address will be published with the letter.
- Unsigned letters and/or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



by **BOB BARRY**

DISCRIMINATION WILL NOT BE CONDONED

Dear Chief Murphy:

At the regularly scheduled Auditor-Monitor's meeting of January 26, 1982, Mr. Ray Wong, Consent Decree coordinator, submitted a nine page document to the parties entitled "Action Plan Pursuant to the December 30, 1981 Court Order".

On Page 6, Section III, under the heading Promotional Examination and Training, Mr. Wong has indicated that the department is proposing a two-tier training program for the forthcoming lieutenants' examination. The first tier, consisting of orientation to the format of the examination and the management and content-specific training. Mr. Wong goes on to state that this first tier of training will be offered in a manner which will accommodate all work shifts and will be open to all eligible applicants.

The second tier of training will consist of tutorial service on the subject areas covered in the first tier of training, in depth specific content training, and training on general test taking strategies. However, Mr. Wong states that "In compliance with Section IX, 11(a) of the Consent Decree, this training (second tier) will be limited to protected class members.

As party to the Consent Decree and the employee organization representing 95 percent of all sworn police officer, which encompasses the majority of all classes in the San Francisco Police Department, the San Francisco Police Officers' Association finds that this second tier training proposal repugnant, in that the exclusion

of non-protected class members is an outright discriminatory practice that the Consent Decree was specifically formulated to prevent.

Further, it is the contention of the POA and our legal counsel that Mr. Wong's proposal is totally inconsistent with Judge Peckham's order of December 30, 1981.

On Page 3, Subsection III of the Court Order, the judge took the following action to rectify purported non-compliance with Section 10(c), the temporary promotions of Q-60 lieutenants:

1. Make no further appointments to the temporary lieutenant's position without discussion among the parties and the Auditor-Monitor.
2. 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" (Footnote 4) to enhance their opportunities to succeed in the promotional process. Footnote 4 in the order refers to paragraph 10(c) of the Consent Decree which relates to the criteria that will be followed when making non-permanent appointments.
3. Establish a middle management training curriculum geared towards preparing protected class members and others for the next Q-60 Lieutenants' examination. The Consent Decree Division shall provide curriculum, which shall be similar in nature to that provided in the POST-certified Management Training Curriculum (Footnote 5).
4. Administer a Q-60 Lieutenants' examination on/or before August 1, 1982. The order then goes on to address the future examinations for sergeant and assistant inspectors.

Although the Police Officers' Association disagrees with various portions of the Court Order and has appealed the order to the Ninth Circuit Court of Appeal, we believe very strongly that the judge went to great lengths in protecting all candidates that will participate in the next lieutenants' examination by including the term "and others" in Subsection III above and that it is not the judge's intent to exclude non-protected class members from any training curriculum.

To further emphasized our position that the term "and others" means non-protected class members shall not be excluded from any training curriculum, I refer you to the Auditor-Monitor's minutes of February 23, 1982.

On Page 9, Paragraph 6, the parties began discussing the peer counseling report prepared by Sergeant Al Benner. During the course of that discussion, Sergeant Benner stressed his concern that the peer counseling for recruits should be "neutral" to the exclusion of none. The POA concurs with Sergeant Benner's approach to this portion of the order — again stressing the fact that all recruits should be provided with the opportunity of participating in this program. Should non-protected class members experience some problems during the training period, why should such members not be allowed to avail themselves of this necessary peer counseling outlet?

On Page 11, Paragraph 4 of the minutes, I specifically asked the Auditor-Monitor what the term "and others" meant in the judge's order as it relates to the peer counseling program and he replied, "...anyone else who does not fall under that category" (meaning non-protected class members). Again, Judge Peckham, on Page 3, Subsection II of this order stated, "The Consent Decree Division shall be responsible for coordinating these programs 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."

In summary, it is quite clear, contrary to the Auditor-Monitor's position, Mr. Wong's position and Deputy Chief Shannon's position that Judge Peckham did not direct nor was it his intent to disallow non-protected class members the opportunity of participating in any training curriculum or peer counseling program for police recruits, and should the San Francisco Police Department adopt the premise of discriminating against non-protected class members of the San Francisco Police Department, by denying training and peer counseling when the judge's order does not direct such action, I feel that a tremendous disservice will have been perpetrated against a vast number of dedicated police officers and that additional court action is a virtual certainty should you approve of this discriminatory training.

Although we have discussed our concerns with you and Chief Shannon on various occasions, we have not been advised as to your decision in this matter.

I urgently await your response as to whether or not you intend to proceed as Mr. Wong has suggested.

Sincerely,

Robert F. Barry, President

IS CHANGE THE ANSWER?

The subject of possibly putting this newspaper in the hands of a third party did not come up at the Board meeting of March 16, 1982. President Bob Barry was off sick, and Mr. Snead from Chicago was not present. It will be presented on May 4, 1982 at the Board meeting.

Since the President's return to the office, he has been out to the stations and other units telling the members what a great idea it is for the newspaper to be done by a third party, plus the POA can make \$15,000 or more a year from the advertising profits.

As I have said many times before, it is my opinion that the profit motive is WITHOUT MERIT. We have more money in the POA Treasury than we have ever had in my twenty-two years experience as an active POA member, including fourteen years on the Board of Directors.

I have never asked anyone to write a critical article. Those type of articles surface because the members are beginning to realize what the dues are and how little they are getting for their money.

Another area of dissatisfaction is the political contributions subject. There hasn't been any political contribution education effort in many a year. If a Board member doesn't believe in that process or in particular, a certain recipient, he would be a hypocrite to try to convince his station or other unit members that the process is a good one.

As awareness increases, the only place the members can express themselves is in THE POLICEMAN. If such an article is submitted, I believe it should be printed. Of late, a few members have told me that they don't care to have our dirty laundry aired in public. On the one hand I agree, but on the other, where else can

one have his thoughts printed which can reach the whole department? If someone has a different point of view, shouldn't he or she be able to use the same newspaper as the original article was printed in? Is Freedom of the Press only for some people?

On the money side, The POLICEMAN has paid its own expenses since August 1974, which was six months after I became Editor. The salaries for the Editor and the part-time secretary have been paid for by the POA on a budgeted basis as the Publications Committee is a bonafied committee of the POA and has been for about twenty years. However, 1982 is a different time and at today's margin of profit, I believe the total profit from the present advertising can pay both the expenses and the respective salaries for the newspaper.

Bob Barry and I have met briefly regarding our differences about the future of the POLICEMAN. Hopefully we can resolve the problem soon and get on with other business.

Gale W. Wright, Editor

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AROUND THE DEPARTMENT

... Jim Dudley of Northern Station recently picked up a gentleman who was wanted in Odessa, Texas (where?) for violation of petty theft probation, felony. Surprisingly, Jim received a subpoena to this fellow's trial in Odessa. When Jim arrived at the Odessa court house, he was ushered to the front row to await the commencement of the trial. But as always, last minute pre-trial plea bargaining took place and a bargain was reached. Now please sit down, because Jim reports that the gentleman accepted 6 years in state prison and agreed to drop his civil suit against the deputies who had originally knocked his front teeth out while arresting him, in exchange for not having to stand trial for violation of petty theft probation with a prior. Whew...

... MBO: Stands for Management by Objective. Civil Service personnel tell you that the entire city runs on this system, including the police department. Well, quite a few sergeants panicked a few weeks ago when a front page article in the Examiner detailed objectives of their units which they never knew existed. Why the panic? Well, with a lieutenants' test alleged to be a few months away, sergeants will panic about anything that they believe will, might or could be, maybe, on the exam...

... While Kirk Brookbush of Co. A parachuted into Kezar Stadium to deliver the Centurions' game ball, wife Suzy and newborn Andrew Mac, 7 lbs. 6 oz., were cheering him on from home. Meanwhile, Tim and Sue Cordes of Co. B, celebrated the birth of Garrett Thomas, 7 lbs. 6 oz. while the Southern Station 4-12 watch gave Tom a roaring goodbye party to say they'll miss him when he joins the fire department this month. Congrats to all and good luck to Kirl in his sport and Tom in the new job...

... Grandparent Department: Lil' Garrett Cordes mentioned above, is the latest addition to the growing clan of Deputy Chief Stan Cordes. But not to be outdone, Francis Fahey, Co. A, became a great grandfather for the second time this past month when lil' Lisa Marie Porter made her debut at U.C. Hospital...

... On April 23rd and 24th, a unique symposium will be held at the Hyatt Regency. The symposium, "Psychotherapy and Law Enforcement: Issues and Techniques" is aimed at giving mental health professionals a better understanding of the unique culture in which police officers operate and of the specific techniques that work best in helping them. This first of a kind symposium is co-sponsored by the University of California and the San Francisco Police Department...

... What to be in a movie? Well on April 23rd and 24th, a Texas-style barbecue will be filmed at the Cow Palace for the movie "The Right Stuff" which is about the original Mercury 7 astronauts. The scene at the Cow Palace will require hundreds of extras, male and female, who can dress up as wealthy Texans circa 1962. For more details call Lynn Sanchez at Chartoff-Winkler Productions, 861-0803...

... One officer was recently describing the diversity of the department to a citizen who inquired about racism on the force, by stating: "Walking into the district stations today is like walking into the bar in Star Wars"...

... During the month of March many officers, both gay and straight, received an unsigned letter urging them to join an organization of gay peace officers. Richmond Station Representative W. A. Tennant looked into the matter in response to complaints and tracked down the source of the unsigned letters to a deputy in the sheriffs' department (John Abney) and discovered that Supervisor Richard Hongisto was behind the move...

... On April 28th at 5 p.m., the Police Commission will hold a hearing on whether to include a hold harmless agreement in the new secondary employment order. Legal experts state that such an agreement will have a drastic effect on the hiring of off-duty officers for security work and might even affect the status of retired officers working security. Many employers and officers are organizing to fight the hold harmless agreement. For more information, contact the security office at Pier 39...

... Very shortly Sgt. Mike Hebel will add the title of Art Critic to his already long list of credentials. Mike has been attending exhibition after exhibition with artist wife Joan Brown, the latest being an opening of Joan's work in New York on April 3rd...

SHALL I STUDY FOR PROMOTIONALS?

Questions Patrol Officers May Need to Ask Themselves

1. I want to be a career patrol officer.
Why? Why not?
2. I want to be a sergeant.
Why? Why not?
3. I want to be an inspector.
Why? Why not?
4. I can figure out solutions to police problems.
5. I have tactical leadership skills.
6. I have good investigatory skills.
7. I have the capacity to plan for police events.
8. I have the appropriate level of writing skills.
9. I have a working knowledge of the law.
10. I have the ability to train, supervise and evaluate.
11. I know how to study.
12. I know where to get the things I need to learn to prepare myself for the promotional exam(s).
13. I believe I can learn the skills appropriate to all the above questions.

A group of people are thinking of getting together to discuss these issues. The intent is to identify the needs of patrol officers considering taking promotional exams. What resources are necessary for that decision? What resources are necessary to prepare for the exams?

The above questions are simply a means to start you thinking about this and to identify the areas in which "you" need to concentrate. The exam may not be until 1983 but the time to start thinking about it is today.

Anyone interested in joining a group whose purpose is to provide resources to all police officers considering taking promotional exams, send a note by April 27, 1982 to:

PROMOTIONAL INFORMATION GROUP (PIG)
c/o POLICE ACADEMY

IN MY OPINION

by Ed Collins, Police Academy

Marshall Morgan beware! This ace young satirist of the San Francisco POLICEMAN is about to move into your place as one of the City's better commentators. I offer the following, completely random opinions as my proof.

THE MAYOR

I'd like to thank the Mayor for publicly stereotyping me as "Macho." That's nice and I think she is too.

EGGS

All eggs should be square. Their current shape allows them to roll

off table tops and makes them difficult to stack.

GUN CONTROL

Without our arms we haven't a leg to stand on.

BERRIES

Raspberries — Aptly named, they make my mouth pucker and maybe flatulent.

Strawberries — Not aptly named, they don't taste like straw in the least.

Favorite Berry — All in all, I guess my favorite berry is still the potato.

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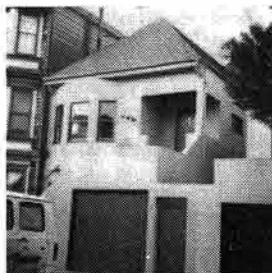
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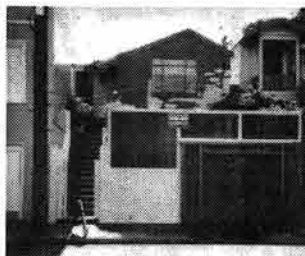
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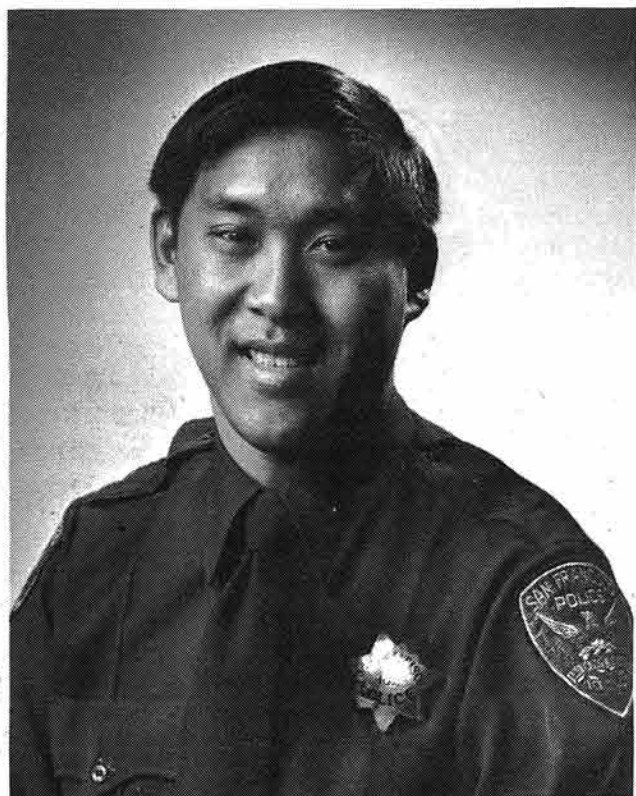
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DAVID GIN

Officer David Gin is a native of San Francisco who, after graduating from Galileo High School, served honorably with the United States Air Force in Vietnam and still remains active with the Air Force Reserve.

Officer Gin joined the San Francisco Police Department in 1980 and has worked at the Mission and Southern Police Stations where his professional attitude and reputation for diligence has earned him the respect of his fellow officers.

Officer Gin was chosen as Traffic Enforcement Officer of the Month for February 1982 for his outstanding work record and attention to duty. At a Police Commission meeting on March 31, 1982, Officer Gin was rewarded for his efforts with a weekend trip to Lake Tahoe, compliments of the San Francisco Chamber of Commerce.

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ACTIONS OF STATE LEGISLATURE AFFECT OUR LIVES

by Paul Chignell, Vice President

There is no legislative body that affects the working conditions of San Francisco police officers more than the California legislature.

Every week another large number of bills that affect us are either introduced, killed, passed or amended in the California State Senate and California State Assembly.

Being increasingly active in supporting and opposing legislative candidates is vital to protecting the interests of San Francisco police officers.

This month I am spotlighting one of the bills that was recently introduced by Senator Alan Robbins (D) Los Angeles that if passed would help police officers who are sued for false arrest or excessive use of force. I'm sure you know of a few officers who fall into that category.

Senator Robbins' bill would limit the amount of compensatory and punitive damages that a peace officer would have to face if he lost such a civil suit.

Below is a summary of the Robbins bill. I urge all members to write to Senator Robbins thanking him for authoring such a bill and urging your Senators and Assembly members to vote YES on this bill.

We will be watching this legislation for any amendments that would affect the provisions of this bill.

SENATE BILL 1384

Introduced by Senator Robbins
January 25, 1982

An act to add Section 820.5 to the Government Code, relating to damages.

LEGISLATIVE COUNSEL'S DIGEST

SB 1384, as introduced, Robbins. Peace officer: punitive damages.

Under existing law, in a civil action for the breach of a noncontractual obligation, the plaintiff may recover exemplary and punitive damages if the defendant has been guilty of oppression, fraud, or malice. Statutory law does not limit the amount of punitive damages.

This bill would limit the amount of exemplary and punitive damages, in any action against a peace officer for damages for excessive use of force or false arrest or imprisonment, and in any action by a peace officer against another person for damages arising out of the performance of an official duty by the peace officer, to 3 times the amount of compensatory damages awarded or \$5,000, whichever is greater.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

WHO SAID THAT

The CHIEF OF POLICE: Leaps over building in a single bound, is more powerful than a locomotive, is faster than a speeding bullet, walks on water and converses with God.

The CAPTAIN: Leaps medium-size buildings with a single bound, is more powerful than a locomotive, is just as fast as a speeding bullet, walks on water if it is calm and talks to God on a formal basis.

The LIEUTENANT: Leaps short buildings with a running start, is almost as powerful as a locomotive, is slightly slower than a speeding bullet, walks on the water of an indoor pool and talks with God on special request.

The INSPECTOR: Barely clears a quonset hut, loses in a tug-of-war with a locomotive, can fire a speeding

bullet, swims well and talks to animals.

The DETECTIVE: Makes high marks on the outer walls of buildings in an attempt to leap them, is run over by locomotives, sometimes handles a gun without inflicting self-injury, swims dog paddle and talks to plants.

The PATROLMAN: Runs into building, recognizes locomotives two out of three times, is issued ammunition, can stay afloat if properly instructed and is often addressed by God.

The SERGEANT: Lifts buildings and walks under them, kicks locomotives off their tracks, catches speeding bullets in his teeth, chews them up and spits out buckshot, freezes water with a single glance, and — **THE SERGEANT IS GOD!**

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POLICE REPORTING OF CHILD ABUSE AND NEGLECT

WHAT THE PROSECUTOR NEEDS TO KNOW

This month I asked Sue Saperstein of the Child Sexual Trauma Advisory Committee to submit an article on child abuse. I hope to have her submit additional articles on child molestation and incest.

As an Assistant District Attorney who has successfully prosecuted offenses from driving while under the influence to capital offenses, I know that child molestation cases are among the most difficult cases to successfully prosecute.

The article first appeared in The Law Enforcement Quarterly.

/s/ William L. Fazio

When a patrol officer is assigned to take a report in a child abuse situation, the decisions the officer makes and the information collected may save the life of the child.

The danger facing minor victims of abuse cannot be over-emphasized. One expert has stated that in 25 percent of the cases where a previously battered child is returned to its parents that child will later be permanently disabled or killed by those parents. That is why police officers and prosecutors cannot tolerate a case which is lost due to improper reporting, lack of appropriate police action or bad prosecution.

There are, in general, four kinds of abuse: physical, sexual, emotional and neglect. The goal of the reporting officer, and the basic approach would be the same in this type of case as in any other — to inform those reading the police reports of the facts which have been uncovered.

Abuse investigations can lead to two types of court action. First, a dependency petition may be filed in Juvenile Court to remove the minor from the custody of the parents or other caretakers; second, a criminal complaint may be filed against the responsible parties. In any given case, either or both of these actions may occur. It is important for the patrol officer to recognize this, because the rules of evidence and the burdens of proof differ in each proceeding, and evidence which is not admissible in a criminal trial may well be admissible in the Juvenile Court case.

This distinction results from the intent of the juvenile proceedings, which protect the minor. Courts have held that illegally obtained evidence can therefore be used for this purpose, since it is more important to protect a child than to deter alleged unlawful police conduct. However, this same evidence cannot be used in the criminal trial of the responsible adult.

The difference in burden of proof refers to the fact that the criminal case must, of course, be proven beyond a reasonable doubt, while the dependency petition in Juvenile Court needs only be proven by a preponderance of the evidence, a burden which is decidedly easier for the prosecutor to meet.

What steps, then, should a reporting officer take when investigating an abuse case? As in any police investigation, statements of the suspects are very important. If the suspect admits causing the injury, but claims it was an accident, the officer should get as many facts as possible concerning the time, place and conditions of that accident. If there is a denial of knowledge as to the cause of the injury, the officer must question the suspect as to who has had access to, or custody of the victim.

If there are obvious signs of physical abuse, such as bruises, welts, cuts of abrasions, color photographs should be taken as soon as possible. A careful description of the shape, size, color and location of the bruises or injury is extremely important in virtually all contested cases. Some of the expert child abuse doctors who work in this area can often — based on this information — positively refute the story told of the suspect.

In addition, certain unique information which may be obtained from parents who are suspect may be useful in later proceedings. For instance, the officer should ascertain the general feeling the parent has toward the victim. Many battering parents will admit they don't like, or feel close to their child. It is also helpful to determine whether the parent was subjected to physical abuse in his or her youth, since many battering parents were themselves abused as children. Also, some record of prior serious injuries or accidents which may have involved the victim should be obtained. The doctors or hospitals involved in these earlier incidents should be identified. Often, a pattern will emerge which will enable an expert pediatrician or psychiatrist to give an opinion as to the probable cause of injury or potential risk to the victim.

Cases of sexual abuse or molestation require special treatment, and special consideration by the reporting officer. Many experts feel this is one of the most under reported crimes in our society. In many cases, a teenage girl who has been subjected to several years of continuing sexual abuse will start to "act out" or rebel in the home. This rebellion is often due to the strict dating rules which the father may be imposing in an effort to prevent his daughter from becoming emotionally (or sexually) involved with boys her own age. Thus, when the report is received, the father states that the daughter is an incorrigible, and is making the report due to her anger at him for refusing to allow her to attend a dance, or some social function.

The alert officer must realize that the rebellion of the daughter, and the strictness of the father, may well be a symptom of the molest which is occurring in the family. The daughter should not be blamed for running, but rather it should be recognized that this may be her only way of attempting to get out of a bad situation. The fact that the victim may have been a habitual runaway, a

delinquent or promiscuous, does not excuse the behavior of the father. That girl is still entitled to the protection of the law, and her father, in most cases, is still entitled to the attention of law enforcement.

The officer in a molest case must, again, take careful and accurate statements from all parties. The officer must treat the victim as a victim. While many of these youth girls can put on a "hard" front, and discuss their molest situation as though it does not bother them, psychiatrists will testify that molest results almost invariably in serious and deep seated psychiatric disorders, many of which might not become apparent for many years.

Finally, every officer should be aware of the fact that he or she will often find abuse in situations where it might not have been expected. When taking a burglary report, stopping a car, or arresting a shoplifter, facts may exist which indicate child abuse or neglect. The officer might be interviewing a witness who mentions her baby. Further questioning may disclose that the mother wants to get home to her baby, because the child has been alone for over four hours, and the child is three months old. Or a child in the back seat of a car which has been stopped might be observed to have heavy bruises on his leg. An officer should attempt to find out what happened. It could be very important to the child.

Basically, all the police officer has to do in these cases is use common sense and remember some of the special questions and techniques. If the prosecutor gets the appropriate information in a timely manner, the proper decision can be made to insure the protection of the abused and neglected children. In many cases, one chance to be seen and saved may be the only chance a child may have.

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SCOTTY YOUNG RETIRES

by Dan Linehan, Director
Southern Station



This past March, Southern Station suffered another loss with the early retirement of Officer Horace "Scotty" Young. Over twenty-five years ago, Scotty entered the police department with many men who now hold high positions within our current administration. But for Scotty, he opted to remain a patrol officer. By his decision, to remain at patrol level, the department lost a rare individual. Here is a man who had the ability to render correct decisions on the spot, but more important he had the intestinal fortitude to back that decision, even if it wasn't popular at the time. However, because he decided to remain on the front lines, Scotty was able to share his vast knowledge and to showcase his total dedication to duty. These qualities filtered down to those who worked with and for him. A leader of the truest form.

Yes, he was from the "old school", having been cut by the same mold as others who preceded him into retirement. A list which includes such notables as Ed Cazazza, Nick Marota, Art Adams and Preston Nolan. The list is endless.

It is because of their efforts the San Francisco Police Department still stands tall against those who would destroy it. It is incumbent upon those of us who stay to learn from men such as these, while they are within our ranks. They are few and far between. We must be ready to carry on in the finest traditions that they have set. I consider myself lucky to have watched Scotty in action. He was one hell of a cop.

Southern Station will continue to exist but somehow it just won't be the same. He's the only person who could wear white socks, in uniform, and get away with it. From all of us at the Southern, we wish you and your family a long, happy and healthy retirement.

The Southern turns out to honor Scotty on his last day in uniform. Left to Right, front row: Ed Costanzi, Scotty Young, Capt. Robert Forni, Lt. Al Larkin, Jim Strange. Second Row: Ed Casazza (retired), Don O'Connor, Joe Hession, Terry Esget. Last Row: Tom Mandelke, Jim Sheveland (blocked), Larry O'Riely, Jerry Nybert, Ray Kilroy (blocked), Lt. Lionel Hess (sport coat), Sgt. Frank Ryan, Capt. Lloyd Crosbie.

HOW THE POA ADMINISTRATION LOST SERGEANTS JOBS

by William Kidd

I have more than once accused the current POA administration of gross mishandling of Federal Litigation and promotional matters, and of periodic acts which I have contended were not in the best interests of the membership. I frankly don't know how many members really understand what goes on over at the offices of the Association, or care, for that matter. It is apparent that very few seem to get too terribly upset, other than the few members of the Board of Directors who are circumspect enough to see that goes on and who have been fighting the uphill battle to protect the interests of the rank and file members of the Association.

I find this quite interesting, because it is fascinating how unconcerned many members can be at the time these actions occur, when the implications for the future seem rather apparent. Then, it gets even more interesting on-down the road when those implications begin to get crystal clear; all of a sudden, members start getting highly upset, yelling and hollering and screaming a lot of "how come this" and "how come that" and "why did the 'Association' do this, that or the other". What too few members realize is that **THEY ARE the Association; the 'Association'** — that is the decision-makers and leaders of the Association — do what the members allow them to do. And mismanagement and ineptitude today often comes home to roost tomorrow.

Tier II Example

Example: In January, 1981, Jack Ballentine, Al Casciato, Gerry Schmidt and I tried in vain to point out the inequities of the Tier II retirement system and lack of efforts being made to address them. Almost one year later, when the issue of including retirement in a collective bargaining ballot measure came up, a handful of Tier II officers started popping up to complain that the "Association", they had suddenly discovered, had been neglecting them and their retirement benefits. One fourth-year officer angrily demanded to know why the 'Association' was not getting its act together to deal with the Tier I-Tier II inequities. I still can't figure out why, what upset him in December of 1981, apparently didn't upset him the January before. As I said earlier, getting YOUR ATTENTION is oftentimes quite difficult, and once you are paying attention — it may be too late.

Now, unless you're a Q-2, or are interested in future promotional opportunities in the SFPD, you probably won't be interested in reading further.

Lost Sgts. Jobs

However, it has recently come to light that the POA leadership had the opportunity not only to preserve those 65 sergeants jobs which were lopped out of the budget last summer, but were informed well in advance that these jobs were likely to be removed, thereby limiting significantly the promotional opportunities that would be available to those of you Q-2's or Q-35's who would like to become sergeants. This again was a case where the word broke to the rank and file that these sergeants positions were to be deleted from the budget around June or July of last year. The reaction was a profound "ho-hum". Not a single officer below the rank of sergeant could be heard complaining beyond the walls of the assembly room, aside from a few station representatives.

Again, I and others have been trying to point out the very, very drastic consequences which can result from the loss of those jobs. A few of you are beginning to see the picture, but again, it's too late. Just as the Association leaders were willing to naively deal away sick leave benefits in exchange for last year's cost-of-living adjustment (raise), they did in fact take no action to stop the loss of these sergeant's jobs, and now those jobs are G.O.A.

Early Advice

But this was not a case, as some thought, where the Association leaders were simply caught off guard; this was not a case where the Association just did not have the time or manpower to muster against the budget deletions. In fact, the POA president was advised as early as JANUARY of last year that these positions were marked for removal from the budget, by Sgt. Harlan Wilson of Planning and Research. In vain, Sgt. Wilson tried to plead that the Association should make some effort to retain some of those jobs. Furthermore, Wilson suggested that the planned deletion of these jobs should be conveyed to the membership, so that they could make a better-informed decision about the measure they were about to vote upon in the January,

1981 POA election. That policy statement, you might recall, advocated the earliest possible scheduling of promotional exams for Lieutenant, Sergeant and Assistant Inspector. Brothers Schlink and Rapagnani were enthusiastically, and Brothers Barry and Chignell were quietly, opposing passage of this measure, because, they said the greatest priority was for Q-50 and Q-35 exams. If word was to get out about the pending loss of sergeants jobs from the budget, that measure just might have passed. Word was not allowed to get out and the measure failed. . . . failed by 34 votes.

Examination

In the short run, the need for Q-35 and Q-50 exams first made a lot of sense. In view of the pending loss of sergeants positions, however, in the long run, the greatest benefit would have come from preserving as many of those jobs as possible. The conduct of an early lieutenant's exam would have resulted in many vacancies at the rank of sergeant and greater justification to keep those sergeant's jobs in the budget. **Doesn't it seem more desirable to take a promotional exam for many positions later, than to take a promotional for just a few positions, but sooner?**

These occurrences can mean one of two things. Either your Association leaders did not have the foresight or ability to understand the implications of fighting for these jobs; or, they knew the implications, but chose not to fight for them, or to advocate the early promotional exam policy as written, because in the short run, they were afraid it would cost them votes. (January '81 was also the occasion of the election of POA executive offices). We advocated the long-range benefits, because we believed they would benefit the membership more in the long run, regardless of the votes it might cost us, and we lost. You were only told about the short range benefits. **Your Association committed the ultimate blunder that an employee organization can commit — it made no effort to preserve jobs and promotional opportunities for its members — and you got shafted.**

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Your POA in Action

GRIEVANCE VICTORIES ABOUND

by Paul Chignell, Vice President

The worth of an employee organization can be measured by the day to day efforts of its leadership in solving the problems and complaints of the members.

It's easy to sit on the sidelines and pot shot about how it should be, or what it would be like if a dream came true, or how someone is not working hard enough. And, it seems so often that the complainers aren't doing any work except constantly complaining.

I'd like to see the complainers represent a police officer who is obviously wrong with no defense. I'd like to see the complainers handle a grievance that can't be justified on the facts, but is morally correct. What happens when the complainers have to use some sophistication or moxie in representing a police officer in trouble? It would be fascinating to watch!

Well, enough of complaining about the complainers.

This Association has been immensely successful in the past few months in winning grievances for the membership. Since January 1, 1982, seven Internal Affairs investigations have been reversed from sustained to unfounded, not sustained or correction action. Five more are pending with a good chance of success. These are in addition to other IAB reversals that were won in the latter part of 1981.

Three officers with severe transfer problems took the administration on and won their grievances.

The Association has been quite successful in limiting major suspensions at Skelly hearings and obtaining written reprimands for officers who have erred when their superiors recommended suspensions.

We aren't going to win every grievance or disciplinary defense. For example, new Director Rick Bruce from the Park Station made an excellent, articulate argument the other morning with the Chief on an overtime grievance. The Chief made the wrong decision in denying the grievance, but another tack will be taken to secure the goal of the grievance.

Hundreds of police officers have been represented at Internal Affairs in the past several months by members of the Board and our President Bob Barry. Bob's tough attitude in representing police officers has kept many cops out of trouble. Bob's leadership in putting Internal Affairs on notice that our representatives will be most vociferous in guarding the rights of our members is a good policy. It's no coincidence that when a representative has a chance to talk to an officer about a pending complaint and then accompanies the officer to IAB, the odds of a suspension, charges or even sustained complaint are diminished. Some citizens would be aghast at such a statement, but the facts are that many complaints are sustained for very minor infractions and that a well prepared officer can articulate his actions far better than an unprepared one. We are not talking about bending the truth, but rather presenting the facts as they occurred in an articulate fashion.

The complainers should watch Mike Hebel in action counseling an injured officer, watch President Barry defending an officer at a Skelly hearing and picking apart the department's case, watch Dan Linehan or Gerry Schmidt going over a case with an officer prior to an Internal Affairs interview.

The keys to a powerful organization are hard-working Board members handling the day to day problems, not the whiners and complainers. Let's hope that the workers continue to get the job done because we have so few working to solve the problems.

On January 28, 1982 several San Francisco police officers responded to a shooting at Number One Market Plaza. What these officers were to encounter was a crazed gunman, armed with a 12-gauge shotgun, proceeding on an unchecked rampage; the suspect having already shot and killed or wounded numerous office employees on the 18th floor in that facility.

With all the courage and bravery of a truly heroic act, these officers directly confronted this maniac to save the lives of numerous wounded and potentially terrified victims. Making the ultimate decision, these officers were forced to kill the gunman before he could take any more innocent lives. These officers unselfish dedication to their profession, the City and its People, is a true testimony to the real stature of these men, and their resolve.

Now this ultimate act of heroism is being degraded, and minimized by an outrageous lawsuit filed by Attorney Jack Burnam on behalf of the gunman's widow, Erlinda Contawe, herself a victim of the shooting rampage.

In the suit Mrs. Contawe claims the police wrongfully killed her husband and failed to protect her personally and she is demanding one million dollars in damages. Mrs. Contawe also claims the Trauma Team at S.F. General also failed to treat her properly for the injuries sustained at the hands of her husband.


This suit as addressed is one of the most outrageous pieces of documentation ever presented as a direct cause for damages.

In case Mrs. Contawe was unaware what those officers did for her was save her, obviously at this time, very unappreciative life. Likewise, the expert care she received at S.F. General Hospital probably made it possible for her to be here this day.

As to Attorney Burnam, everybody involved with the legal profession and the courts, knows exactly what Mr. Burnam is and further discussion of him would only tend to nauseate the situation. However, Mr. Burnam's comments that, "THE POLICE WERE A LITTLE TRIGGER HAPPY", should be mentioned in itself, for this kind of mindless and irresponsible commentary should not be tolerated and should be addressed in suit itself, on behalf of these officers, who should not be subjected to such outrageous slander.

This entire incident was a tragic encounter for all parties involved, but these officers should not allow this bogus attempt at guilt discredit their true heroics.

All police officers, and heartfelt people know what one goes through each time a police officer is placed in that split second decision making process, and on occasion that life and death choice, and we applaud the bravery and conviction all of you displayed in the difficult task handed you that January day. I guess that's what makes you a breed apart; and above the Jack Burnams of the world.



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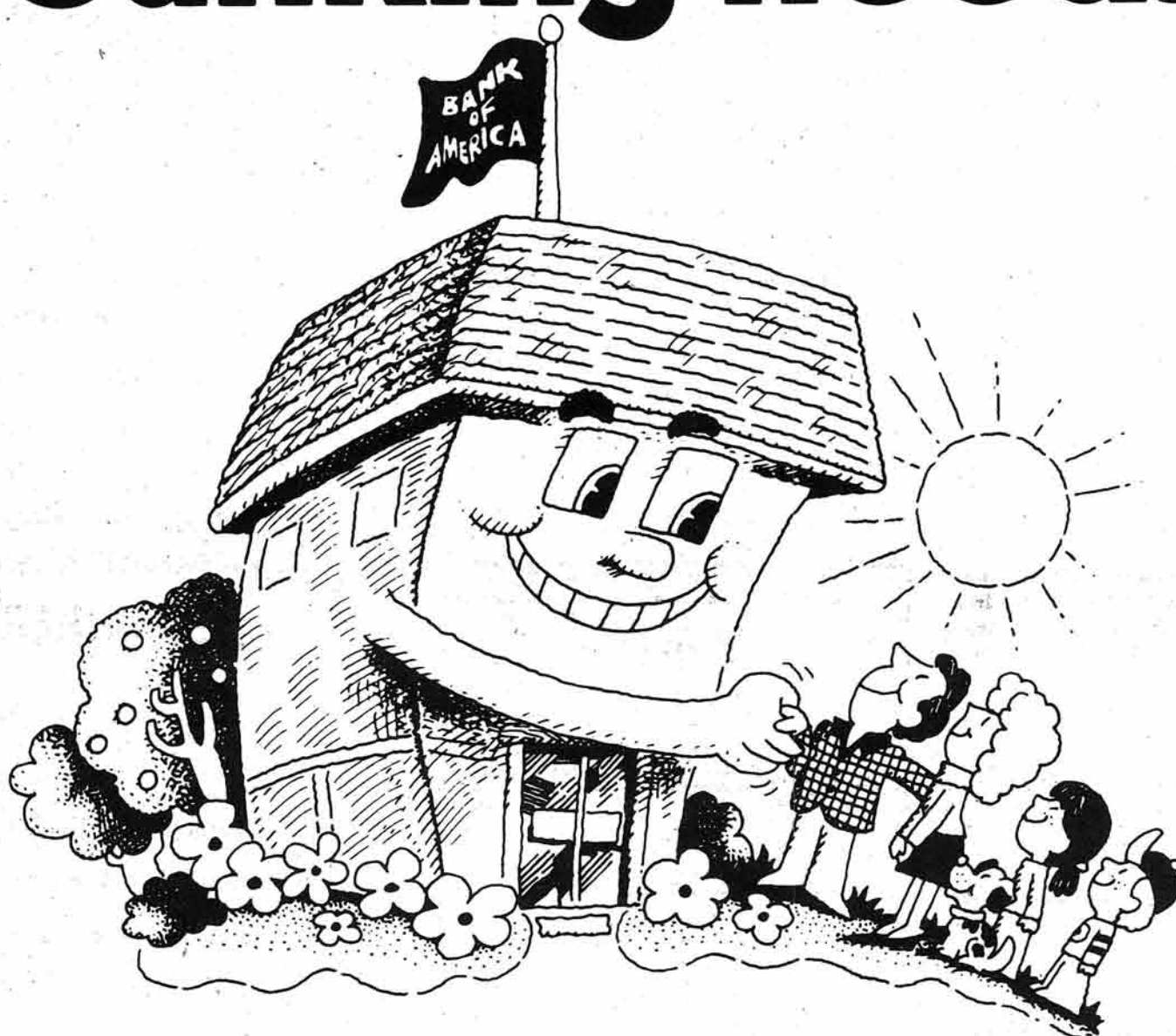
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YOUR POLICE OFFICER DEDUCTIONS

by Mike Hebel

The Internal Revenue Code provides that all income must be reported to the Internal Revenue Service. It does not compel or command taxpayers to report all their deductions in ascertaining the tax that is due to the United States Government. Police officers, due to the nature of their work, are entitled to particular deductions which are incurred necessarily in the course of their employment. Additionally, police officers who are members of this Association are entitled to other deductions which they should not overlook.

Union Dues

Section 62 of the Internal Revenue Code provides that an employees may deduct from adjusted gross income when determining taxable income, labor union dues and initiation fee and out-of-work benefit assessments. Labor union assessments for sickness, accident and death benefits are not deductible as business expenses. Last year (1981) all members of this Association paid \$246.94 in union dues. These are properly deductible on Scheduled A under Miscellaneous Deductions.

Charitable Contributions

Section 170 (C) of the Internal Revenue Code provides that contributions made to a foundation, fund, committee, trust or corporation which is organized and operated exclusively for religious, charitable, scientific,

literary or educational purposes are properly deductible from gross income. In 1981 members of the Association who contributed to the Community Services Committee of the Association paid an annual fee of \$12.00. This is properly deductible since that committee is organized and operated exclusively for charitable purposes.

Miscellaneous Deductions

Section 62 of the Internal Revenue Code and regulations 1.162-1 provides that an employee, in this case a police officer, may deduct certain expenditures if they are ordinary and necessary expenses paid or incurred during the taxable year in carrying on a trade of business, or profession. To be deductible, the police officer's expenses must be ordinary and necessary in carrying on his employment in law enforcement. The determination of what is ordinary and what is necessary is based on a factual examination of the particular expense. Expenses ordinary if it can be expected to arise with some degree of constancy in the particular business or profession; an expenditure is necessary if it is appropriate and helpful to the development or conduct of the trade, business or profession.

Certain expenditures by police officers would qualify for this deduction in that: 1. they're incurred in the law enforcement profession of the officer; 2. the expenditure is not for long-term items; and 3. the expense is ordinary and necessary to the law enforcement business.

The following types of expenditures would be considered and necessary for the law enforcement profession. If they were made by a police officer in 1981, they are lawfully deductible as a miscellaneous deduction on Schedule A. The sample expenditures would include: baton, briefcase, bullet proof vests, clip board, flashlights and batteries, gloves, gun reloaders, ammunitions, handcuffs, helmet, holsters, handcuff case, baton ring, ammo pouch, ear protectors, maps, ties, notebooks, penal codes, police codes, pencils, pens, safety glasses, tape recorders, uniforms, thermal underwear, laundering fees, whistles, and any necessary repairs or alterations to the above mentioned items.

If you've made such an expenditure in 1981 you should properly deduct it since it is lawful. If you failed to make such deductions and the expenditure is more than minimal, you should consider filing an amended form 1040X in order to properly include this in your 1981 return.

If you had not thought about these deductible items, perhaps you should save this article and make notations during the year of any ordinary necessary law enforcement expenditures that you make in order that you may deduct them when filling out your 1982 tax forms.



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Chignell hopes strategy will gain Assembly seat

Santa Rosa Press Democrat

By PAUL INGALLS

For politicians in the Redwood Empire's two northern-most Assembly races, trying to plan for the June primary has been like trying to predict what Bette Midler will say next.

But while many activists have been caught this year in the confusion over one assemblyman's indecision and another's political strength, a 33-year-old police officer from San Anselmo has been quietly piecing together the campaign he hopes will end the four-year political career of a third.

Paul Chignell, like Marin County Democrats in the past, believes Republican Assemblyman William Filante of Greenbrae is vulnerable to a hard-working moderate with a well-financed campaign. Not coincidentally, that's precisely how Chignell describes himself.

For the last nine months Chignell has been actively lining up support and soliciting contributions, calling on contacts he developed in at least six legislative campaigns and five years as a police union lobbyist.

Chignell, whose campaign background includes work for notables from Barry Keene to Dianne Feinstein, expects his opponent once again will reap huge campaign contributions from a medical establishment anxious to contribute to the only medical doctor in the Legislature. As a result, Chignell figures he needs \$200,000 to win.

"That's a figure that's within our grasp," he said with quiet confidence.

Although the San Francisco Police Officers Association vice president says he has spent most of his time since last summer raising money, he also has been busy thinning out the Democratic competition. Among his early priorities were discussions with other potential candidates, such as former Assemblyman Michael Wornum and 1980 Democratic nominee Anne Charles.

Later, when 1972 Democratic nominee Harry Moore took out papers for this year's race, Chignell set up a breakfast meeting with the Novato school administrator and converted him to a supporter.

"My feeling was to keep everybody out of the primary so I could work toward the general election," said Chignell. "The strategy worked."

Although vigorous primary campaigns can be politically advantageous because of the visibility they create, it would be a mixed blessing for a Democrat in the Ninth Assembly District. The district, which includes Marin and southern Sonoma counties, is only 48 percent Democratic and Democratic candidates must get crossover votes in order to win.

An unopposed primary frees a Democrat from the necessity of concentrating on voters of his own party during the primary and allows him to make early overtures to the GOP voters who will be crucial in November.

But there's another advantage to an unopposed primary, says Chignell.

"You don't have to spend so much money.

That's the main advantage."

Although money seems to be less a problem for Chignell than for other Assembly candidates this year, the Democrat will not be able to rely on the unique political climate that fueled Assembly races in 1980. That year, assemblymen Leo McCarthy and Howard Berman funneled millions of dollars into other Assembly races, hoping to elect candidates who later would back them in the bitter fight for the Assembly speakership.

This year no such battle exists.

"But we have a speaker who has a lot of money and I'll be pounding at the door asking Willie (Brown) for help," said Chignell.

The 13-year veteran of the San Francisco Police Department said he expects to get support for his bid from a variety of assemblymen with whom he has worked in the past. Among them are Art Agnos of San Francisco, Richard Alatorre and Richard Floyd of Los Angeles and Pat Johnston of Stockton.

With the money apparently secure, Chignell can turn to what he sees as basic issues — housing, transportation and school financing. Each is linked, however, to another issue that may become the overriding theme of his campaign.

"I think the most important issue in my race is going to be the incumbent's lack of effectiveness," he said.

Chignell says Filante often proposes legislation but seldom is able to get it approved. The result, he says, is that local and regional problems go unsolved.

"The 101 corridor commute traffic — we need to solve that and what has he done?" Chignell asked.

The Democrat supports the concept of an elected Golden Gate Bridge District board but is especially critical of Filante for his support of a bill that would do exactly that.

"I don't think the incumbent should have jumped on that until he got some concessions," said Chignell. "I would oppose that bill until Marin and Sonoma counties' representation was increased."

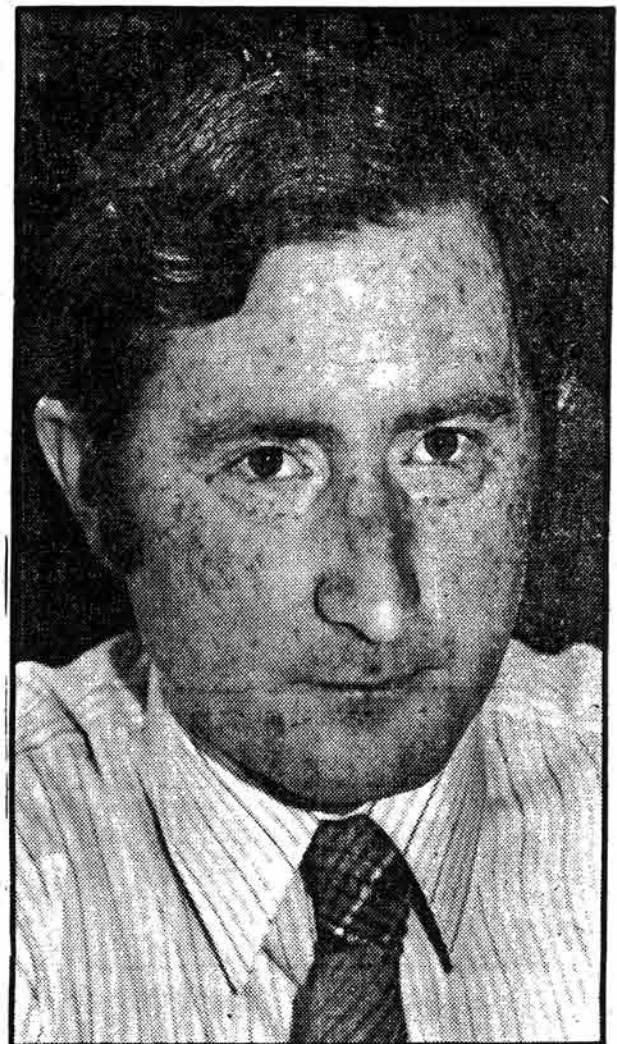
Chignell is equally critical of Filante on the issue of school financing.

"His reaction to problems school boards and teachers have in getting agreements is to dismantle the collective bargaining process," he said.

Chignell said he is looking at the possibility of finding more money for schools through separate tax rolls for businesses and individuals. He has yet to take a firm position on the issue, however.

Similarly, he has not decided whether to endorse a Democratic plan to stimulate the housing industry through loans from state employees' pension money. It is a delicate issue for the 12-year police union activist.

"I have some misgivings about using pension funds," he said. "But I think we have to face the realities of housing problems."



Chignell believes Filante is vulnerable

Chignell expects his union involvement to become at least a minor issue in the campaign, but he doesn't think it will be damaging.

"We don't have any major problems with public employees in this district," he said.

And the police veteran is confident of his strength on the law and order issue, which has stung Filante's opponents in the past.

"I can't be attacked on those issues," he said. "If anyone is a law and order candidate it's me."

At the same time, Chignell characterizes himself as a "progressive" on other issues and lists memberships in such groups as the Sierra Club and Women's Way.

But it is the issue of Filante's alleged inability to deal with district problems that Chignell hopes to make the centerpiece of his campaign.

"From a strictly partisan point of view, I think a Democratic legislator working with a Democratic administration and a Democratic legislature can resolve some of these things," he said.



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POLICE OFFICER OF THE YEAR

Market Street Project

by S.F.P.D. Public Affairs

On March 24th at 9:30 a.m., Officer Richard Wallett, #1210, was recognized at the Market Street Project's "Police Officer of the Year".

The Market Street Project Award is recognized as one of the most prestigious annual ceremonies honoring our officers. The ceremony was enhanced this year as Mayor Dianne Feinstein added an "Award of Merit" for outstanding public service to the project's "Certificate of Honor" and sterling silver bowl.

The entire ceremony was a fitting tribute to a fine police officer. For this, we thank the Market Street Project, especially Bernard Averbuch, Executive Director and Sharon Dezordo, Associate Director.

Richard Wallett has always been recognized by his peers as a fine example of a police officer. His appearance and the impression he made at the ceremony reflected the highest of professional standards and left everyone present with a renewed pride in the San Francisco Police Department.



From R to L: Dick Wallett, his finance Jane Wong (also an officer of the SFPD), Mayor Dianne Feinstein, Chief Cornelius Murphy and President of the Police Commission, David Sanchez.

photo by curt cashen

Officer Richard Philip Wallett (#1210) was born September 17, 1949, in Middletown, Connecticut. His father was the shift foreman of a local factory and was of French descent, his mother was of Irish ancestry and worked for the Connecticut Department of Motor Vehicles.

Richard Wallett graduated from Xavier High School in Middletown in 1967. He majored in psychology for three years at Wesleyan University, then joined the U.S. Marine Reserve and was trained as an artillery fire direction controller.

Officer Wallett joined the San Francisco Police Department March 1, 1971. His first assignment was the "Vice Squad" where at the end of the first year he had made over one thousand arrests.

In 1975, Officer Wallett transferred to the Ingleside Station where he worked both in uniform and plainclothes in a robbery abatement unit.

In 1975, Officer Wallett was placed undercover by the Narcotics Unit where he remained until late 1976. At that time he became one of the first San Francisco police officers to train in and subsequently perform "decoy" work in the "Street Crime Unit." During calendar year 1978, Officer Wallett and his partner made: 291 felony arrests, and 122 misdemeanor arrests. They were responsible for taking 68 knives and 27 guns off of the streets of San Francisco. Officer Wallett has received 33 Captain's Commendations and one Police Commission Commendation for his efforts that year. It was during this period in his Street Crime assignment that Officer Wallett and his partner responded to a jewelry store robbery in which a clerk had been taken hostage. Officer Wallett and his partner exposed themselves to hostile gunfire, distracted, and subsequently shot the robber as he held a gun to his victim's head. That victim escaped uninjured due to the swift and unselfish decision made in a time frame so narrow that it is measured in a heart beat. In 1979, Officer Wallett went to the Police Range as a firearms instructor.

In 1980 he was given his present assignment as a solo motorcycle officer in the Traffic Division. His alertness and diligence has ranked him consistently in the top of his field for: citations, arrests, and accidents investigated. His experience and assertiveness have led to the recovery of several stolen autos as well as the capture of a Mission District bank robber.

Officer Wallett holds two Silver Medals of Valor, as well as two Bronze Medals of Valor for heroism.

From a supervisor's point of view, Officer Wallett is dedicated, seasoned and possesses sound judgment.

From a police officer's point of view he is a friend, he is consistent, and he is always ready to help no matter how dangerous the situation.

From a citizen's point of view — we are grateful and fortunate to have a man of this caliber in our police department. In his eleven years with our department, Officer Wallett has compiled a record that most men would be proud to hold at the end of their career.

On September 11, Officer Wallett will marry Jane Wong who is a police officer assigned to Taraval Station.

Guy Wright/ Christmas present and past

S.F. Examiner,
Jan. 7, 1982

kit. This Christmas it was handkerchiefs, sox and candy.

Two Decembers ago I told you about the Sarge — or Walter Kahles, if you want to be formal, who survived shot and shell in World War I but was mugged by a pair of Tenderloin tootsies who figured a 92 year-old man trying to cross the street in a metal walker was a safe mark.

Two undercover cops arrested the gals on the spot, and Inspector Dave Toschi worked the case. One woman got state prison, one got county jail, and Toschi got a new friend in the Sarge.

They nodded hello when the detective was working the street. They visited over coffee. On holidays Toschi took the old man jelly or cheese or a shaving

But when Toschi showed up at the Cadillac Hotel, the desk clerk had bad news. About a week before, an ambulance had taken the Sarge to Letterman.

On Christmas afternoon the cop drove out to the hospital. "I'm sorry," the nurse said. "We did all we could, but he died at one o'clock this morning."

Toschi stood there for a moment holding his presents, and then asked the nurse to give them to someone who could use them.

On the way out he took the wrong exit and spent several minutes wandering around in the parking lot before he found his car. Durab cop.

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Marin/Sonoma

Friday, April 9, 1982 Independent Journal A3

Chignell raises \$32,582 for Assembly bid

Paul Chignell of San Anselmo, unopposed candidate for the Democratic nomination in the 9th Assembly District, has raised more than \$32,000 — the bulk of it from his fellow officers in the San Francisco Police Department.

The Republican incumbent, Dr. Bill Filante of Greenbrae, also unopposed for his party's nomination, has raised about \$9,000 so far.

However, in the 1980 election, Filante ended up attracting major contributions from political action committees, especially from medical organizations.

The preliminary campaign figures showed candidates' finances through March 17 and indicated that Chignell has raised \$32,582, and spent \$3,422, while Filante raised \$9,375 and spent \$7,487.

Filante's reports included a note that one of his two campaign com-

mittees paid him \$9,000 to repay him for a personal loan to help cover his deficit from his 1980 re-election campaign.

Chignell's report showed he has raised \$19,404, or 60 percent of his total contributions to date, from police organizations and individual officers. He raised much of his money before he announced his candidacy in February.

By far his largest contribution was \$10,000 from the San Francisco Police Officers Association, whose members include many residents of Marin and Southern Sonoma. The Assembly district covers the same area.

His largest individual contributions were \$2,000 each from Morris Bernstein, San Francisco businessman, and Stephen Solomon, a Marina del Rey attorney.

Other contributions from police were \$3,500 from COPS of Long

Beach, a police organization, \$5,079 from 124 San Francisco policemen — for an average of \$41 — and \$100 each from the Novato and Torrance police officers associations.

The contributions from San Francisco policemen included \$500 from Robert Barry, president of the San Francisco Police Officers Association; \$400 from Reno Rapagnani of San Francisco, Chignell's campaign treasurer; \$250 from Michael Hebel of San Francisco; \$200 from George Bodrov of Novato; and \$100 from Duane Collins of Pacifica, Raymond Kilroy of Burlingame, and Daniel Linehan, Gregory Lynch, W.A. Tennant and George Toy, all of San Francisco.

He also reported contributions of \$100 from Richard Keaton of San Rafael, a Marin deputy sheriff; \$25 from former San Francisco Supervisor and Police Chief Al Nelder, now

a member of the San Francisco Police Commission; and \$25 each from San Francisco Supervisors Wendy Nelder, daughter of the former chief, and San Francisco Supervisor Lee Dolson.

Other contributions reported by Chignell included \$1,200 from Jarlath O'Connor of San Francisco; \$500, Marin County Democratic Central Committee; \$200, Peanuts Answering of San Francisco; \$125, Susan DeTreville of Sacramento; and \$100 each from Joseph Nadel of Mill Valley and Gregg Geary and Jeremiah Hallisey, both of San Francisco, and Signs Inc. of Fremont.

Of the \$9,375 in contributions detailed by Filante, \$5,825 were from 36 contributors who gave \$100 or more and averaged \$162.

Twenty-two of the 36 contributors were doctors or medical organiza-

tions, and 73 percent of the 36 contributions came from outside the Assembly district.

The largest contributions this year reported by Filante, the only doctor in the Legislature, were \$600 from Dr. Joel Renbaum of San Francisco, \$500 from Dr. Byron W. Riegel of Visalia, and \$300 from Melvin Swig of San Francisco.

Filante reported \$200 contributions from a Dr. Shapiro of Davis, Dr. William Ellis of Lafayette, Cypress Hill Memorial Park in Petaluma, Dr. Paul Ryan Jr. of Stelacoon, Wash., Dr. R.A. Deutsche of Piedmont, and Robert Scott of Bountiful, Idaho.

Contributions of \$175 to Filante were received from Carrs Associates of Oakland, Walter Kutner of Petaluma, Cotati Realty, Dr. Aubrey Swartz of Greenbrae, David Steckler of Kentfield, and Michael Rosen of Rohnert Park.

Other contributions to Filante were \$150 from Radiology Medical of Napa and \$125 from the Sea Fund Trust Account in Los Angeles.

Contributions of \$100 each to Filante were received from Dr. Ludwig Breiling of Aptos, Dr. R. L. Saunders of Carmichael, Dr. Cully Cobb of Davis, Owens M.D. Inc. of Sacramento, Don Shaw of Sausalito, Dr. Philip Levy of Sacramento, Dr. Paul Palmbaum of Walnut Creek, Plato Grivas of Alamo, Dr. Randall Childers of Carmichael, Dr. Warren Bostick of Newport, Dr. Jaime Polack of Sacramento, Dr. Winthrop Macy of Long Beach, Dr. Arthur Hemphill of Napa, Dr. Michael Franzblau of Greenbrae, Dr. Robert Schweissinger of Sacramento, George Magid of Corte Madera, Sidney Levin of Larkspur, Dr. Gilbert Cleasby of San Francisco, and Warren Lefort of Kentfield.

HIGHWAY SAFETY

by Carl Decker, SFPD
Co. K, E&I Div., Solos

Highway safety is basically a spiritual problem and we will never solve the problem until men have surrendered their hearts and wills to God.

Yesterday I gave a pint of my blood so that someone who needs it may live. You and I can do no more for the heart or leukemia patient. We must do more for the automobile victim — quit killing him.

When you get into your car, remember "Thou shalt not kill".

When we handle a loaded gun, we realize normally how dangerous it can be when carelessly used; but so many of us are distracted when we drive, and forget that an automobile, as a weapon, can do far more damage than a gun. There is a moral obligation to respect the rights of others on our streets and highways.

The driver of an automobile has the same responsibility as a surgeon standing scalpel in hand, about to perform an operation. As law abiding citizens we pledge to honor, uphold and sustain the law. With the increasing hazards of the highway, it would be most helpful if all of us would apply this principle to the use

of the automobile.

Traffic deaths and injuries can develop out of every day traffic conditions when there is a lapse in attention or a momentary forgetting of social responsibility. How a driver will act in any common traffic situation is determined by the control he exercises over his mental attitude.

Control is a function of the conscience. The conscience is the custodian of truth, justice and law. It is the agency of mercy, love and compassion. It is the guide for putting moral responsibility into safe driving practice. Successful driving needs knowledge and wisdom. Knowledge of the vehicle code and accepted traffic patterns. Knowledge of how your car operates — what it can do, what it cannot do. Knowledge which will serve as a technical background for any driving situation. Knowledge plus attitude will lead to the wisdom of safe, moral driving.

Engineering is on the side of safe driving. Most city streets and country highways have been built with safe-

ty factors in mind. Your automobile has been engineered and constructed to take advantage of many safety devices. If your car is properly maintained and prudently operated, it is a safe conveyance.

The four physical factors; vehicle code, traffic patterns, highway engineering and the automobile plus the knowledge of how to operate your car, are all working in favor of safety. Putting these items together into a successful driving technique is the operation of your mind guided by a moral conscience.

Successful driving is more than knowledge of where the brake and gas pedals are. It is more than knowing the difference between red and green traffic lights. It is tempering knowledge with conscience and moral responsibility. You and I must use moral responsibility and our conscience when we drive a car to prevent death and destruction on our highways. As it says in our Torah: (Hebrew Book of Laws)

I will put my laws into their hearts,
And in their minds will I write them.

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NEW LAWS AFFECTING LAW ENFORCEMENT

Several thousand California statutes were amended, repealed, or added in the 1981 session of the legislature, most of them taking effect of January 1, 1982. Several hundred of these affected criminal law in some degree. This is a brief summary of some of those laws which are likely to be of interest to law enforcement officers. Since this is only a brief synopsis, officers should read the entire section in the 1982 codes for a more complete explanation.

THEFT OF SHOPPING CARTS — 22435.3 B&P added

Makes it a misdemeanor to remove a shopping cart or laundry cart from the premises of the business, i.e.: the parking lot. The cart must have a sign which prohibits removal from the premises, states that removal is a crime, and a phone number or address for returning the cart. Removal, possession of, abandoning, altering, etc. would be a violation.

STUDENT HAZING A MISDEMEANOR — 32052 Education Code amended

Anyone who participates in a hazing which causes or is likely to cause physical harm, disgrace, etc. is guilty of a misdemeanor, and gets cut off from any state funds.

DRUNK DRIVING A BOAT AND DRUNK WATER-SKIING — 668 Harbor & Navigations Code amended

Includes boats, waterskiing, etc. and is similar to the Vehicle Code on driving while intoxicated. If anyone is injured or killed by such driver of a boat, it is a felony. This section is somewhat similar to the vehicular manslaughter section.

VANDALISM IN CEMETARIES — 8101 H&S amended

Changes vandalism in cemeteries from a misdemeanor to a felony. Also makes it a felony to interfere with a funeral service. Includes vandalizing any mortuary, grave, etc.

POSSESSION OF METHAQUALONE NOW A FELONY — 11377 H&S amended

Upgrades punishment, does not change the elements of the crime.

PEACE OFFICERS AS SECURITY GUARDS — 1112 Labor Code added

Prohibits a public entity such as the police or sheriff from allowing peace officers to work as security guards during a strike or other job action.

DEFENSE OF DIMINISHED CAPACITY DELETED — 21, 22, 26 P.C. amended; 28, 29 P.C. added

Narrows the admissibility of voluntary intoxication as a defense and prohibits the defense of "diminished capacity", a defense invented by the California Supreme Court. The court may still rule these statutes unconstitutional.

ASSAULT AND BATTERY ON A PEACE OFFICER — 241 and 243 P.C. amended

The law provides for increased punishment where the victim of an assault or battery is a peace officer. This amendment will include not only peace officers but E.M.T.'s, paramedics, mobile intensive care nurses and doctors, etc. The victim must, as with peace officers, be on duty and the suspect must know it.

ASSAULT AND BATTERY ON SCHOOL GROUNDS — 243.5 P.C. added

Officers may now make an arrest for misdemeanor assault and battery, if committed on school grounds, on probable cause alone. The offense does not have to be committed in the officer's presence. "School", as defined here, means through grade twelve.

RAPE BY THREATS — 261 P.C. amended

Where the rape is carried out by threatening the victim or any other person with retaliation in the future, the rape is punishable. Prior to this year, it was not. "Retaliation" means a threat to kidnap, inflict injury, etc.

CHILD ABUSE — 266h and 266i P.C. amended, 266j P.C. added

Pimping and pandering a child under 14, punishment increased. 266j makes it a felony to offer, give, etc. a child under 14 for lewd or lascivious acts, or to encourage such child to engage in such acts with a third person.

PORNOGRAPHY REGARDING CHILDREN — 311.3 P.C. added

Unlawful to knowingly develop, duplicate, print, or exchange any film, photo, video tape, negative or slide in which a person under the age of 14 years is engaged in an act of sexual conduct. First violation is a misdemeanor, second is a felony. "Sexual conduct" is defined by this statute.

— 311.4 P.C. amended

Makes it a felony to knowingly permit a minor under 14 to pose or model for a film, photograph, or live performance involving sexual conduct by the minor for commercial purposes.

KEYS FOR RESIDENCES — 466.8 P.C.

Requires a person who makes a key to open a residence by any method involving an on-site inspection, to fill out a work order including the requesting person's signature, name, address, driver's license, etc. Failure to do so is a misdemeanor.

SHOPLIFTING ARRESTS — 490.5 P.C.

This section previously permitted a private security guard or agent employed by a retail store or library, to detain a person for a reasonable length of time, if such guard had probable cause to believe the person to be detained had unlawfully taken merchandise or books. Prior to this, however, the guard could not search the suspect unless the property was in plain view. This amendment would allow the guard to first request that the suspect voluntarily surrender the item. Then, if they didn't, to make a limited search for the concealed item. Only handbags, packages, and possessions may be searched, but not clothing being worn by the suspect. Upon surrender or discovery of the item, the suspect may be requested to provide adequate proof of identity. He may not, however, be required to provide identification. After all of this, the suspect must be turned loose, since it was a misdemeanor not committed in the guard's presence.

AEROSOL PAINT CONTAINERS — 594.1 P.C. added

It is a misdemeanor to sell an aerosol paint container to a person under 18 if the contents weigh over 6 ounces. It is also a misdemeanor to buy it if the buyer is under 18. It is also unlawful for a person under 18 to carry any such container over 6 ounces in plain view in a public facility, park, playground, etc., so long as the public facility is posted.

VANDALISM TO CHURCHES — 594.3 P.C.

Makes it a felony to commit an act of vandalism to a church, synagogue, etc.

TRESPASS — 602(r) P.C. added

Misdemeanor to refuse to leave a hotel or motel, where a person has obtained accommodations, upon request of the proprietor or manager.

SCHOOL DISRUPTION — 626-8 P.C. amended

Previously, it was a misdemeanor for any person to remain upon or re-enter, within 72 hours of being asked to leave, school grounds or adjacent areas without lawful business if his presence disrupts any school activity. This law reinforces the old law by making it a misdemeanor to establish a pattern of unauthorized entry, beyond the 72 hours time period. This section defines "pattern of unauthorized entry."

PUBLIC TRANSIT SYSTEMS — 640 P.C. added

Makes it an infraction to misuse transfers, play sound equipment, smoke, eat, drink, spit, or disturb others on a public transit system.

GIFTS - PRISONERS

Prohibits Sheriff's Deputies, police officers, or employees of, from receiving any gift from a prisoner or arrestee, or giving such person a gift, or to have any barter or dealings with a prisoner or arrestee. Violation of this statute would result in termination of employment.

CHILD ABUSE REPORTING STATUTES — 11164, 11166, 11167, 11169, 11170, 11172, 11174 P.C. amended

These sections, which discuss who must and who may report cases of child abuse, have been changed significantly. Officers who deal in this area should read these new statutes well. "Child" as used here still applies to children under 18. Note that certain people who deal with children as part of their job, must report child abuse, and failure to do so may be a misdemeanor crime.

FLARE GUNS NOW ILLEGAL — 12002 P.C. amended

12002 P.C. defines what the word "firearm" means for purposes of enforcing 12025 P.C. (C.C.W.) and 12031 P.C. (loaded firearms). 12001(a) now reads "For the purposes of sections 12025 and 12031 the term 'firearm' shall also include any rocket, rocket propelled projectile launcher of similar device containing any explosive or incendiary material whether or not such device is designed for emergency or distress purposes."

NOTE: 12025 and 12031 are not lesser included offenses; i.e., you can book for 12025 and 12031 if a person is carrying a loaded, concealed firearm.

MINORS CANNOT POSSESS LIVE AMMUNITION — 12021.5 amended

Existing law under this section makes it a misdemeanor for a minor (under 18) to possess a concealable firearm without written permission of his or her parents. The amendment makes it illegal for such minor to possess live ammunition unless written permission is shown, unless the minor is enroute to an organized shooting or hunting event.

Note that technically, a minor could legally possess a rifle without permission from his parents, but not ammunition for that rifle.

LOADED FIREARMS — 12031 P.C. amended

12031(j) allows a person to carry a loaded firearm in a public place if they reasonably believe they are in danger. This amendment tightens up the language and makes the defense apply only to people who reasonably believe they are in "immediate, grave danger". The section defines that term to mean the brief interval before and after the local law enforcement agency has been notified. NOTE: Legally, a person may still possess a loaded firearm on the premises of his own business or his home. (12031(h) and (i))

FLARE GUNS OKAY ABOARD BOAT, ETC. — 12031.1 P.C. added

Allows a flare gun or similar device as outlawed in 12001 to be carried for legitimate reasons.

FALSE STATEMENT ON C.C.W. APPLICATION NOW A FELONY — 12051 P.C. amended

It is still a misdemeanor to make a false statement on a C.C.W. permit, but if the false statement concerns the denial or revocation of a criminal conviction, a finding of not guilty by reason of insanity, the use of a controlled substance, a dishonorable discharge, a commitment to a mental institution, or a renunciation of United States citizenship, the suspect is guilty of a felony.

PEACE OFFICERS BUYING CONCEALABLE FIREARMS — 12078 P.C. amended

States that all peace officers in P.C. 830.1 (Police, sheriff's deputies, etc.) and some officers in 830.2 and 830.3 do not have to comply with the usual rules of buying concealable firearms, such as the 15-day wait.

OFFICERS MAY CARRY TEAR GAS OFF-DUTY — 12403 P.C. amended

Officers may purchase, possess, and transport state-approved tear gas off-duty providing that they have previously completed a tear gas course approved by P.O.S.T. The same rule applies to retired peace officers.

REWARDS FOR INFORMANTS — 4417 Public Resources Code amended

Provides for a \$5,000 reward to any person whose information leads to the arrest and conviction or commitment to a public facility of any person who willfully and maliciously sets fire or attempts to set fire, to any property included in a state responsibility area. Also provides for the informant's anonymity.

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The Peripheral Canal

The Peripheral Canal will be about the size of the Suez Canal — 43 miles long, 400 feet wide, about 30 feet deep. Alone, it will cost over \$4 billion; with all associated dams, pumping plants, and power plants, the total may go as high as \$23 billion. There has never been a cost-benefit analysis conducted on it — but it is clear who the real beneficiaries of this project will be: a handful of giant Southern California landowners.

Some people will stand by and watch. They will watch as the hard-earned environmental quality of the San Francisco Bay disappears.

They will watch as the Sacramento Delta is destroyed, and with it a major Northern California recreation area, and the center of Northern California's sport and commercial fishing industries.

They will sit on their hands while salt-water intrusion damages or destroys the Delta's precious freshwater wildlife habitats. And these people will witness, but do nothing, as some of our state's best farmland is endangered.

Few Californians are familiar with the main features of the Peripheral Canal, its cost, its environmental impacts, or who will benefit from it. Few understand how really unnecessary it is for the health of this state.

Thanks to the support of thousands of citizens, Friends of the Earth has been able to chalk up an impressive record of environment defense. We've fought successfully for the establishment of critical additions to America's National Parks and wilderness systems. We've successfully fought for marine and wildlife habitats. We've fought off assaults on the Clean Air Act, water pollution laws, Alaskan wilderness, and the laws protecting endangered species.

I am confident that the \$700 million Peripheral Canal — one of the most senseless and wasteful projects ever proposed for California — can be stopped. The citizens of this state are, in the main, sensitive and sophisticated. We believe they will make the right decision, given the real facts.

Please help us get out the facts on the Peripheral Canal — please join Friends of the Earth. In so doing, you will not just be joining in against this one project: you will be joining in on all of the battles we are engaged in to protect the Earth.

Your donation of \$100, \$35 or even \$25 will make a big difference in all of our activities. Your benefits will include the privileges of membership in FOE, including a subscription to NOT MAN APART. And you'll be kept informed of major critical votes in Congress and in Sacramento, where letters and phone calls from our members have made big differences in the outcome of environmental battles in the past.

May I look forward to your membership? Environmental progress to date has been achieved by citizens choosing to stand together; it will be all of us standing together tomorrow and in the future that will make it possible to defeat prokbarrel projects like the Peripheral Canal.

Sincerely,
Rafe Pomerance, President
FRIENDS OF THE EARTH
124 Spear Street
San Francisco, CA 94105

12 Propositions Certified for June Ballot

Proposition 1

Provides for the sale of general obligation bonds in the amount of \$495 million for the construction, renovation, remodeling and deferred maintenance of state correctional facilities.

Proposition 2

Would repeal the constitutional provision that the Lieutenant Governor shall serve as President of the Senate.

Proposition 3

Would redefine Proposition 13 of 1978's definition of "change in ownership" to not trigger a revaluation of real property if the new owner is replacing his or her home at a comparable value by reason of having been displaced from their former home due to eminent domain proceedings, by acquisition by a public entity, or by governmental action which has resulted in a judgment of inverse condemnation.

Proposition 4

Would provide exceptions to release on bail for felony offenses involving acts of violence on another person when the court finds that there is a substantial likelihood that a person's release would result in great bodily harm to others, and for felony offenses when the court finds that the person has threatened another with great bodily harm and that there is a substantial likelihood that the person would carry out the threat if released. The measure would further provide that, in fixing the amount of bail, the court shall take into consideration the seriousness of the offense charged, the previous criminal record of the defendant, and the probability of his or her appearance at the trial or hearing.

Proposition 5

Repeals present statutes governing gift and inheritance taxes for transfers made or completed on or after date of enactment; prohibits future imposition of such taxes by state or local government; establishes a new tax to be imposed on decedents' estates at the rate set by the schedule

of credits for state death taxes under federal tax law.

Proposition 6

Repeals existing statutes governing gift and inheritance taxes except with respect to transfers made before January 1, 1981; provides that no gift or inheritance tax is to be imposed after January 1, 1981; establishes new tax to be imposed on decedents' estates at rate set by schedule of credits for state death taxes under federal tax law. (Both initiatives include the same basic provisions except for effective date. If both measures are enacted, the one receiving the higher vote total would prevail.)

Proposition 7

Would provide for full indexing (adjusting the personal income tax brackets to reflect changes in the cost-of-living) of the income tax for the 1980 taxable year and years thereafter.

Proposition 8

Criminal Justice Initiative Constitutional Amendment, would amend the constitution and enact new statutes concerning the right to safe schools; victims' rights to restitution from convicted persons for financial losses resulting from criminal acts; the right of victims to be notified of and appear at sentencing and parole hearings; procedural treatment, sentencing, and release for accused and convicted persons, including the prohibition against exclusions of relevant evidence and the end to plea bargaining in serious felony or drunk driving cases. (This may appear on the November ballot instead of the June ballot.)

Proposition 9

Asks the voters to accept or reject a statute which adds several water facilities to the Central Valley Project, including a *Peripheral Canal*.

Propositions 10-11-12

Congressional Reapportionment. Ask the voters to accept or reject the statutes which *reapportion* Congressional districts, State Senate districts and State Assembly districts.

Senate Local Government Committee Hearings Set

Just like many California families, cities and counties struggle with inflation; their expenses are rising faster than their incomes.

As Chairman of the Senate Local Government Committee, I will be holding two special hearings in Sacramento to explore the effects of the Governor's budget for 1982-83 on local agencies.

After Proposition 13 cut property taxes in 1978, many local agencies needed state money to pay for local services. After this state "bail-out" ended, I authored legislation enabling local governments to keep their budgets balanced. It is through these hearings that I again hope we can accomplish this goal for next year.

by Senator Milton Marks

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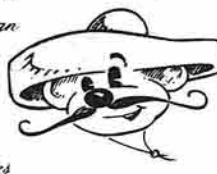
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MEDICAL TREATMENT INVESTIGATION by Mike Hebel

Police officer Stewart Ng was injured in the line of duty on January 8, 1982 when he was involved in a serious automobile accident. His injuries affected his neck, left shoulder and lower back. As a result of this injury, he was hospitalized at St. Francis Hospital from January 8th to January 23, 1982 and then re-hospitalized from February 18th through March 6, 1982. The Police Officers' Association is presently investigating the medical treatment which was afforded to him for this serious injury.

Impropriety

Medical treatment was provided by the City and County of San Francisco since Officer Ng was injured in the course of duty. He was referred to Dr. Bradford DeLong, a neuro surgeon whose professional office is located at 909 Hyde Street. When Stewart Ng was last examined by Dr. DeLong on Wednesday, March 10, 1982, this physician informed Officer Ng that he, the doctor, was going to return him to light duty on March 15, 1982 with restrictions — 5 lb. lifting in left hand, no crouching over a table for extended periods. Dr. DeLong, when questioned by Officer Ng as to why he was being returned to light duty when he was still experiencing significant and pronounced symptomatology, stated that: "Dr. Steiner wants you back to light duty and wants to see you in a couple of weeks." Officer Ng immediately questioned Dr. DeLong as to the involvement of Dr. Norman Steiner, police surgeon, in this case. Dr. DeLong merely reiterated that Dr. Steiner wanted Officer Ng to return to light duty.

Police Surgeon Uninvolved

When Officer Ng brought this to the attention of the Police Association and its Board of Directors, it was quite unusual and unheard of that Dr. Steiner would direct medical treatment as suggested by Dr. DeLong. This was most specially true since Dr. Steiner last examined Officer Ng in January of 1978 for an entry ex-

amination and not for any injuries. Dr. Steiner has never examined nor treated Officer Ng for any injuries.

The investigation revealed that Dr. Steiner in fact had never discussed Officer Ng's case with Dr. Bradford DeLong. Dr. Steiner had not directed Stewart Ng's return to light duty nor had set up any examination for him. This clearly is the case then, when a treating physician making reference to the police surgeon, is not honestly presenting his opinions to the patient. Dr. Steiner's office, as police surgeon, was misused in this case and any references made to him were made without his knowledge or authorization.

Role of Police Surgeon

The Rules and Procedures of the Police Department set forth the duties of a police surgeon at Section 3.239 through 3.257. These rules do not provide for treatment of an industrially injured police officer under the care of a retirement system's panel physician. These rules merely provide for the examination of a police officer only when this officer returns to work following disability leave.

Dr. Steiner was not involved in Officer Ng's case.

Present Status

Officer Ng returned to duty on March 15, 1982. At 0300 hours on that day, he left Central Station on his meal period. At Broadway and Kearny Streets he was hailed by the victims of a robbery. The victims related the details of the robbery and pointed out the suspect who was seen fleeing. Officer Ng pursued the suspect and caught him at Columbus and Vallejo Streets. Upon

being captured, the suspect who was 6'3" and weigh 200 pounds, resisted arrest and had to be forcibly restrained by Officer Ng with the assistance of two other officers who arrived at the scene to help.

During this arrest Officer Ng reinjured his neck and shoulder. When the arrest was made and after the suspect was detained, Officer Ng's left arm was trembling uncontrollably. He was immediately transported to the St. Francis Hospital and given emergency care. He has been placed off duty on a disability status and referred to an orthopaedic surgeon for treatment.

At the time he was returned to duty on March 15th, he was experiencing left shoulder and neck intermittent severe pain and muscle spasms. He was undergoing physical therapy 2 - 3 times a week. He was on pain medication.

His untimely and improper return to light duty by Dr. Bradford DeLong and his subsequent reinjury on his first day back to work is presently under discussion at the Police Association to determine if a medical malpractice suit should be filed against Dr. Bradford DeLong or if, in the alternative, this physician's activity should be reported to the Medical Quality Assurance Board.

Officers being returned to light duty by their treating physicians, supplied by the Retirement System, should be very suspicious when the treating physician informs them that the return is being requested or directed by the Police Surgeon. The Police Surgeon is not and does not get involved in the medical treatment at that level. Any statements by treating physicians to that effect should be immediately be reported to the Association so that a proper investigation can be made.

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LETTERS

Police Morale Booster

S.F. Examiner:

Nothing in the recent rash or depressing news has worried me quite as much as the report (Bill Mandel's column, Feb. 8) that police morale is at all-time low.

Having personally been a beneficiary of superb police performance, I look to them as being the final bulwark against total anarchy in a fast-decaying society. The last vestiges of our personal security, the very ability to be able to sleep without a shotgun cradled in our laps, depends squarely on the existence of a dedicated and proud police force.

I owe much to them personally, as does every other citizen who has not yet succumbed to the belief that anarchy must prevail. It is a paradox that the sectors which generate the most complaints about the police are those where the absence of effective police action would be felt more painfully.

I cannot believe that the generalizations about "police brutality" that are bandied about so freely have any merit. I do not believe that police can be made the scapegoats for the failures of families or schools, or of society itself. The villain in this drama is the loss of personal responsibility for one's acts — the idea that an imposed discipline can never substitute for self-discipline.

If our police are demoralized and ultimately rendered ineffective, as is reported, something else certainly will arise to take their place and we should all stand in terror of that catastrophe.

Let's get off the backs of our police, starting right now! I'm for raising their salaries, even for holding monthly Police Appreciation Days, if that is what is required to keep their morale high.

Add to that a little backing from our court system, and we can all walk the streets safely again, with a continued friendly wave from the neighborhood cop.

Sanford A. Marcus
Daly City

Chignell

Dear Insp. Chignell:

Judging by a small sampling of what I read in the "POLICEMAN", apparently a few fellow officers resent a small portion of our POA funds being donated to you. Frankly, I am surprised by their invidiousness. I hope that they are a minority. How can we expect any type of favorable representation without our active support of a proper candidate. I am not saying this just because you are a fellow officer, but because we in this department have had the rare opportunity of knowing the quality and hard-working capabilities of a candidate prior to his being elected to office.

Back to the issue of money, if you even had been paid partially for all of the hours and hard work that you have put in for us, I imagine our POA coffers would be empty. What I am trying to say is that there are quite a lot of us "silent majority" who are in full support of what monies have been donated to your campaign. Furthermore, I would like to thank you personally for all the work you have done for our department. Please accept an additional contribution and feel free to contact me if you have any need for my time and services in your upcoming campaign.

With many thanks,
Frank Donahue

One Market Plaza

Officer William Taylor
Officer James Seim
Officer John Sheveland

Dear Officers:

I want to take this opportunity to assure you of my support of your actions in the Contawe case.

I would like to compliment you on your quick-thinking and thank you for putting your life on the line for San Franciscans generally and for all those people in the One Market Plaza Building on January 28 specifically. Your actions represent the finest, most courageous response to duty the police department could hope for. Your bravery and heroism reflect the standards of excellence that people have come to expect from San Francisco's Finest.

The magnitude of the tragedy was great, but you no doubt prevented additional injuries and deaths. Thank you from all of San Francisco.

My warmest personal regards,

Wendy Nelder, Member
San Francisco
Board of Supervisors

Dear Editor:

Enclosed is a copy of a letter sent to the Chief of Police. I believe it would be a good thing to also have it published in the POLICEMAN paper.

It is about time someone says "thank you" to the police officers for what they are doing.

Very truly yours,
Walter H. Kracke
Retired Inspector

Dear Chief Murphy:

The owners of One Market Plaza wish to express their appreciation to you and to all of the police personnel that responded to the emergency here on January 28, 1982. The prompt, efficient and courageous response by member of the San Francisco Police Department was outstanding. The additional support provided during this tragic event by the San Francisco Fire Department and Ambulance and Paramedic Squad was excellent.

In many instances it is clear that the general public does not understand the dangerous situations that police personnel are called upon to handle.

As a result of this incident, I am positive that we here at One Market are much more aware, and appreciative, of the fine efforts of your department in the interest of public safety.

Please extend our thanks to each member of the police department that handled this incident so professionally.

Sincerely,
Richard B. Duffy
Assistant Vice President
The Equitable Life
Assurance
Society of the
United States

Departed Officer William Pfister

Dear Friends:

It is very difficult to express, in these few words, my deep appreciation of your participation in the recent benefit raffle for Bill Pfister.

Bill was made aware of its taking place a day or two before he passed away. He was as overwhelmed as I by your thoughtfulness and great generosity.

Thank you and God bless you all.

Jeanette Pfister

No on a Gun Ban

Editor:

The members of the San Francisco Police Officers' Association evidently are much more in touch with reality on the question of banning private ownership of handguns than their police chief and mayor.

These officers maintain that the last thing we need in a democratic society is yet another law "that is impossible to enforce". Laws, such as the one proposed by Mayor Feinstein, do nothing more than make scofflaws of normally law-abiding citizens.

But obviously the mayor has forgotten what took place in the U.S. when prohibition was enacted.

D.H. Katz
San Francisco

District Health Center #1 is holding a six-week stress management program beginning May 25, 1982. All six sessions will be held at the Center, located at 3850-17th Street, on Tuesday evenings, 7:00 p.m. to 8:30 p.m. The last session will be June 29, 1982.

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

The fee for the six-session program is \$11.00, which includes materials, and is payable by exact change or by check at the end of the first session. For more information and/or to register, please call 558-3905, Monday through Friday, 9:00 a.m. to 4:00 p.m.

District Health Center #1 is one of five city-county centers of the San Francisco Department of Public Health. For information concerning other health services, please call 558-3905 during normal working hours.

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ITINERARY

MONDAY, May 10, 1982,
10:00 a.m. to 2:00 p.m.,
Civic Center Plaza

Displays & Exhibits. U.S. Navy Band Concert, Mayor's Proclamation, San Francisco Police Officer of the Year Award by Chamber of Commerce, Department's National Police Week Poster Award.

TUESDAY, May 11, 1982,
10:00 a.m. to 2:00 p.m.,
Embarcadero Center,
Vaillancourt Fountain

Displays & Exhibits. San Francisco Unified School District Band Concert.

WEDNESDAY, May 12, 1982, 10:00 a.m. to 2:00 p.m.,
Washington Square

Displays & Exhibits. United States Navy Band Concert.

THURSDAY, May 13, 1982, 10:00 a.m. to 2:00 p.m., Stonestown Mall

Displays & Exhibits. United States Army Band Concert.

ANNUAL POLICE/FIRE MEMORIAL MASS

Sunday, May 23rd, 1982

9:00 A.M.

St. Mary's Cathedral
Geary & Gough Streets
San Francisco



Archbishop John R. Quinn will preside at the 36th Annual Police/Fire Memorial Mass scheduled for 9:00 a.m., Sunday, May 23rd, 1982, at St. Mary's Cathedral.

As you know, the Memorial Mass is our way to honoring all members who have been killed in the line of duty and to remember all deceased members who have served the citizens of San Francisco in the police and fire departments. In addition, this is our opportunity to pause and reflect in memory of personal friends and associates who have worked with us through the years. This is also a special occasion to remember Father James A. McGee, a long standing friend and dedicated Police Chaplain for over 35 years who died on January 7th, 1982.

The police and fire department welcome and encourage participation from both sworn and civilian personnel.

Coffee and donuts will be provided in the lower Cathedral Hall immediately after the services, compliments of the combined Police Officers' and Firefighters' Associations.

Please join me on this very special day and bring your families.

CORNELIUS P. MURPHY
Chief of Police

"A Part of America Died"

Somebody killed a policeman today and
A part of America died
A piece of our country he swore to protect
Will be buried with him at his side
The suspect who shot him will stand up in court,
With counsel demanding his rights
While a young widowed mother must work for
her kids, and spend many long, lonely nights
The beat that he walked was a battlefield too,
Just as if he'd gone off to war
Though the flag of our nation won't fly at half mast,
To his name they will add a gold star

Yep, somebody killed a Policeman today,
In your town or mine
While we slept in comfort behind our locked doors,
A cop put his life on the line
Now his ghost walks a beat on a dark city street,
And he stands at each new rookies side
He answered the call, of himself gave his all
And a part of America died.

FAMILY DAY

On October 1, 1962, President John F. Kennedy signed a joint resolution of Congress proclaiming May 15 of each year as "Peace Officers' Memorial Day". The resolution further proclaims the week in which May 15 falls as National Police Week.

During the week of May 10th to May 14th, the San Francisco Police, the California Highway Patrol, the Airport Police and the Federal Park Police will have displays and equipment in various locations throughout the city.

On Saturday, May 15th, our department will host Family Day at the Range. This is an event for the entire family. Bring all of the kids, even a neighbor's kid and enjoy a day in the sun.

The E.O.D. Unit will be there with "Snoopy" the Robot. The Mounted Unit will give a demonstration, as will the Dog Unit. There will also be a shooting exhibit by the Range Crew. The Highway Patrol has requested that one of their "Special Purpose Vehicles", a turbo-charged Mustang, be made available for display that day.

There will be plenty of free food and refreshments, as well as an abundance of toys, prizes, games and entertainment for the kids.

Bring your camera and plenty of film. The kids are sure to want a picture sitting on a solo, standing next to the bomb robot or pitted against the chief in a sack race.

Let them share in a world they've only heard about over dinner.

WHAT ARE POLICE MADE OF?

by Paul Harvey

Don't credit me with this mongrel prose; it has many parents — at least 420,000 of them: Policemen.

A policeman is a composite of what all men are, a mingling of saint and sinner, dust and deity.

Gulled statistics wave the fan over the stinkers, underscore instances of dishonesty and brutality because they are "new". What they really mean is that they are exceptional, unusual, not commonplace.

Buried under the froth is the fact: Less than one-half of one percent of policemen misfit the uniform. That's a better average than you'd find among clergymen!

What is he made of? He, of all men, is at once the most needed and the most unwanted. He's a strangely nameless creature who is "sir" to his face and "fuzz" behind his back.

He must be such a diplomat that he can settle differences between individuals so that each will think he won.

But...

If he hurries, he's careless; if he's deliberate, he's lazy. He must be first to an accident and infallible with a diagnosis. He must be able to start breathing, stop bleeding, tie splints and, above all, be sure the victim goes home without a limp. Or expect to be sued.

The police officer must know every gun, draw on the run, and hit where it doesn't hurt. He must be able to whip two men twice his size and half his age without damaging his uniform and without being "brutal". If you hit him, he's a coward; if he hits you, he's a bully.

A policeman must know everything — and not tell. He must know where all the sin is and not partake.

A policeman must, from a single strand of hair, be able to describe the crime, the weapon and the criminal — and tell you where the criminal is hiding.

But...

If he catches the criminal, he's lucky; if he doesn't, he's a dunce. If he gets promoted, he has "political pull", if he doesn't, a dullard. The policeman must chase a bum to a dead-end, stake out ten nights to tag one witness who saw it happen — but refused to remember.

A policeman must be a minister, a social worker, a diplomat, a tough guy and a gentleman.

And of course, he'd have to be a genius...

For he'll have to feed a family on a policeman's salary.

NATIONAL POLICE WEEK

MAY 10TH—15TH



DESIGN BY SANDRA ESTÉVEZ, 1982

SAN FRANCISCO POLICE DEPARTMENT • PUBLIC AFFAIRS

NATIONAL POLICE WEEK POSTER — S.F.P.D.
PUBLIC AFFAIRS: This poster was designed by graphic artist Sandra Estevez. Sandra holds an A.A. Degree from City College of San Francisco in Graphic

Design and Illustration. This work was prepared as a semester project by Ms. Estever who has continued her art education at City College. All of the artist's time in preparing this work for production was donated.

BOARD OF DIRECTORS MEETINGS

March 4, 1982

Opened with the Pledge of Allegiance at 12:05 p.m. Roll Call: Eighteen present (Swall, Schmidt, Parenti, Bruce, Tennant, Maloney, Grant, Doherty, Wright, Collins, Ballentine, Casciato, Huegle, Bell, Hebel, Rapagnani, Chignell, Barry); one absent (Dempsey); and two excused (Linehan and Nevin).

SPECIAL ORDER OF BUSINESS

Police Olympics

Member Rene LaPrevotte who is the special event coordinator for the Police Olympics Committee made a request for financial assistance for the Police Olympics to be held this year in San Francisco. He requested \$10,200.00 for a dinner cruise to be held on July 8, 1982, a dinner dance to be held on July 9, 1982 and for a hospitality room. He presented a one page proposal explaining this request for monies. Motion by Rapagnani S/Chignell that a POA Committee determine how and to what extent this Board of Directors should get involved in the Police Olympics. Voice vote - approval. President Barry appointed the following to this committee: Bruce, Mollo, Casciato and LaPrevotte.

Retirement Checks

Member Dave Mayer made a presentation to the Board concerning the untimeliness of retirement checks. He indicated that it takes at least three months once a member has retired, for service or disability, to receive his first check. President Barry indicated that Greg Lynch and Ted Schlink are working on this in order to see what the procedure is for these checks and to see if they could be expedited.

Handgun Ban

Member Tom Dickson made a presentation to the Board of Directors concerning the Mayor's proposal on banning handgun possession in the City limit of San Francisco. He has stated his opposition to this proposal and requested the Board of Directors to take action on it and preferably oppose it.

President's Report

President Barry spoke on the department's proposed secondary employment order with the hold harmless clause. He indicated that in his opinion this would gravely jeopardize the ability of approximately 250 POA members to continue their secondary employment which is of a security nature. He indicated that the Chamber of Commerce and other large San Francisco corporations are now getting involved and hopefully will help to oppose it. He indicated that the Police Commission is nearing a vote on this matter and that it is of the utmost concern of POA members to become active on this issue.

He indicated that the Ninth Circuit has yet to rule on our appeal of Judge Peckham's order of Dec. 30, 1981.

President Barry indicated that the Firefighters by a vote of 600 to 333 voted not to go with the collective bargaining charter amendment for June. As a result of their vote and withdrawal and support the Board of Supervisors will not place this matter on the ballot and consequently it will not be on the June ballot. There will be no police or firefighter measure to appear on the June ballot.

President Barry indicated that the City Employee Dental Plan will appear on the June ballot and if passed this will affect police officers and would provide for a partial payment of a dental plan. He encouraged all members to urge the support for this measure.

Grievance Committee:

Vice President Chignell reported on the Grievance Committee and indicated that reprimands were the prime issues. He indicated that notifications for IAB interviews were becoming a problem in that members were not receiving proper advance notification.

Retirement Committee:

Welfare Officer Mike Hebel spoke on the following matters: 1. The Ron Vernali calendaring problem has been resolved in that the Compensation Division has administratively granted to Ron disability pay for the days involved. 2. Hebel indicated that he investigated the new Treatment Room and would document any problems on it; he indicated that the results of his investigation would be published in the March issue of the San Francisco POLICEMAN. M/Ballentine S/Chignell that our attorney send a letter to the Retirement Board requesting a meet and confer conference on this change in view of the fact that this is a change in working conditions under the government code. Passed by a voice vote.

Insurance/Publications Committee:

Gale Wright made a report on the possible move of our insurance to the California Life Insurance Company. He indicated that there are 700 retired members and 1700 active members in the POA's Insurance Program. Any movement therefore could be costly in view of the large percentage of retired members in the in-

surance program. Were the insurance program to concern only active members, the cost would be lower.

Computer Acquisition Committee:

Duane Collins reported on the possible acquisition of a Wang Word Processor.

President Barry reported that the Publications Committee met with Mr. Dave Sneed who publishes the California Organization of Police and Sheriffs' newspaper. Mr. Sneed generated \$64,000.00 in revenue for this organization. He will submit a written proposal and contract to the Board of Directors at the regular March meeting. He would propose a 85%/15% split of revenues with the POA. The Police Officers' Association would control the content of the paper, Sneed proposed to control advertising.

OLD BUSINESS

Jack Ballentine reported on the Military Buy-Out and stated he was obtaining the Charter language from Los Angeles on their buy-out along with the state enabling legislation. In his opinion this would save the City money but would cost the retirement system money.

NEW BUSINESS

Jack Ballentine spoke on a libel suit against F. Lee Bailey for public comments; a letter would be sent by President Barry to Attorney Steve Solomon on this to see if it would be worth filing a suit against Bailey for his public comments.

Paul Chignell brought up the issue of General Order P-1 (Personnel Transfer) and the dual rank system in the Investigator Bureau; he discussed possible changes in this order to allow for four requests instead of two requests for transfer to members of this Bureau. Member Ed Erdelatz addressed the Board about his survey in the Investigations Bureau; the Bureau did not want P-1 because they feel it is not the best selection advice available. Ed and George Huegle will come back to the Board with an amendment proposal after canvassing the Investigative Bureau members in order to get a consensus as to their desires.

A discussion was then held concerning Mayor Feinstein's gun possession proposal written by the Public Defender with POA excluded from any input on it. M/Casciato S/Huegle that the mayor's proposal as written is unenforceable. This motion was withdrawn. M/Casciato S/Maloney that a special committee be formed to draft a POA proposition on Mayor Feinstein's gun proposal. This committee will report back to the Board at its March 16, 1982 meeting. Motion passed 17 yes (Swall, Schmidt, Parenti, Bruce, Tennant, Maloney, Grant, Doherty, Wright, Collins, Casciato, Huegle, Bell, Hebel, Rapagnani, Chignell, Barry). President Barry appointed the following members to serve on this committee: Tom Dickson, Pete Maloney, Al Casciato, Bob Huegle, Bob Swall, Gerry Schmidt, and Woody Tennant.

M/Chignell S/Tennant that this Association provide \$600.00 for District Attorney Arlo Smith's Friends Committee Cocktail Party to be held April 22, 1982 at Maxwell Plum's Restaurant. Motion failed on a vote of 9 yes (Swall, Parenti, Grant, Collins, Ballentine, Huegle, Hebel, Chignell, Barry) and 9 no (Schmidt, Bruce, Tennant, Maloney, Doherty, Wright, Casciato, Bell, Rapagnani).

M/Ballentine S/Schmidt that we table any discussion regarding the political contribution to the candidacy of Mike Nevin. Motion defeated by a vote of 6 yes (Schmidt, Maloney, Doherty, Wright, Ballentine, Casciato); 10 no (Parenti, Bruce, Tennant, Grant, Collins, Huegle, Hebel, Rapagnani, Chignell, Barry); 2 abstain (Swall, Bell).

M/Chignell S/Collins that the Board of Directors expend \$1,500.00 for the candidacy of Mike Nevin who is running for the Daly City Council. Motion passed by a vote of 11 yes (Swall, Parenti, Maloney, Grant, Collins, Ballentine, Huegle, Hebel, Rapagnani, Chignell, Barry); 7 no (Schmidt, Bruce, Tennant, Doherty, Wright, Casciato, Bell).

M/Hebel S/Rapagnani that this Association give \$500.00 to Charles Prandi for Marin County Sheriff. Motion by Ballentine to table this issue. The tabling passed by a vote of 10 yes (Schmidt, Parenti, Maloney, Grant, Doherty, Collins, Ballentine, Casciato, Bell, Rapagnani); 7 no (Swall, Bruce, Tennant, Wright, Collins, Hebel, Barry) and 1 abstain (Chignell).

M/Chignell S/Rapagnani that Mr. Ernest Zanino receive a mailing list of our members who live in Marin County. He is presently a District Attorney there and is running for judge. Motion was withdrawn.

Secretary Hebel read a letter request from Gerald Shauganessy, a retired member, who seeks PAO endorsement for his candidacy for sheriff in Napa County. No motion was made.

M/Bruce S/Schmidt that this Association contribute \$500.00 to a reward fund in Concord for the arrest and conviction of the abductors of Tara Bruke. Motion fail-

ed by a vote of 5 yes (Swall, Bruce, Grant, Bell, Barry) and 11 no (Schmidt, Parenti, Maloney, Doherty, Wright, Collins, Ballentine, Casciato, Hebel, Rapagnani and Chignell).

M/Collins S/Bell that this Association expend \$500.00 to be made payable to the U.S. Fencing Association on behalf of police officer and member Connie Louie. Motion passed on a vote of 9 yes (Parenti, Maloney, Grant, Collins, Casciato, Bell, Rapagnani, Chignell, Barry) and 7 no (Swall, Schmidt, Bruce, Doherty, Wright, Ballentine, Hebel).

M/Wright S/Chignell that when the Board of Directors votes on any motion that the vote be rotated on each succeeding motion by dropping one name down. Motion passed by a vote of 14 yes (Schmidt, Parenti, Bruce, Maloney, Grant, Doherty, Wright, Collins, Ballentine, Casciato, Bell, Hebel, Rapagnani, Barry) and 1 no (Swall) and 1 abstain (Chignell).

M/Hebel S/Chignell that this Association expend \$300.00 to the Arlo Smith's Friends Committee for the April banquet. Chignell withdrew his second after objection made by Jack Ballentine that many Board members had left.

Meeting adjourned at 3:02 p.m.

Submitted by:
Michael S. Hebel, Secretary

March 16, 1982

Opened with the Pledge of Allegiance at 5:20 p.m. with Vice President Paul Chignell presiding. Roll Call: Eighteen present (Linehan, Schmidt, Dempsey, Parenti, Bruce, Tennant, Maloney, Doherty, Wright, Collins, Bell, Casciato, Ballentine, Huegle, Nevin, Hebel, Rapagnani, Chignell) and three excused (Swall, Grant, Barry).

Vice-President's Report:

Vice President Chignell reported on the *Bell v. Duffy* case in which the California Appellate Court held that the Peace Officers' Procedural Bill of Rights found in government code section 3300 through 3311 is constitutional and does apply to charter county.

Secretary's Report:

Secretary Hebel indicated that the minutes of the Board's meeting of February 18, 1982 was printed in the March issue of the San Francisco POLICEMAN which had been distributed just prior to the meeting. By voice vote the minutes were adopted and approved.

Community Services Committee:

Chairman of the Community Services Committee Henry Friendlander gave a report concerning the current status of this committee. He indicated that he would like all Police Officers' Association members to get involved since the requirement is only \$12.00 a year and this is a tax deductible donation. He indicated that his committee has given in donations over \$55,000 in the last two years. He indicated that he would like to get further funds for this committee and possibly a share of the monies which the Association receives from the two annual Dick George Production events.

Federal Litigation Committee:

Attorney Steve Solomon reported that he met with Judge Peckham on March 16, 1982. The judge will consider the staying of his order of December 30, 1981 on March 25, 1982, pending appeal to the 9th Circuit Court of Appeals. This matter had been originally filed with the 9th Circuit but they, rather than making a ruling, sent it back to Judge Peckham for him to decide the stay issue.

Welfare Officers' Report:

Welfare Officer Hebel reported on the following issues: 1. Officer Stewart Ng's case — An investigation is presently underway regarding the medical care which this officer received regarding an occupational injury he sustained in January of 1982. His medical treatment is now being taken care of by Dr. Jensen and is being taken away from Dr. DeLong. There is a questionable involvement of the police surgeon, Dr. Norman Steiner in this case. The Association, depending upon the investigation of this matter, may file a medical malpractice case against Dr. DeLong. Also being considered is a formal complaint to the State Medical Quality Assurance Board, which regulates and investigates complaints against physicians.

2. Hebel explained the change of physicians provision found in Labor Code Section 4600. Essentially any police officer or for that matter any injured employee can request a change of physician designating his choice 30 days after he has notified his employer of an occupational injury.

3. Hebel further reported on the new treatment facility at the St. Francis Hospital and indicated that his preliminary investigations found on page 1 of the March issue of the San Francisco POLICEMAN. He urged all members who had comments or complaints about the new facility to forward them to him since the file is being maintained.

Grievance Committee: Paul Chignell reported on several grievances including the Mike Chan grievance. Member Chan is attempting to become a member of the Solo Motorcycles since his name was reached for that position well over a year ago. His transfer is being denied by Dr. Norman Steiner on the basis of control blood pressure condition. This grievance is two years old and a favorable outcome is expected.

Yearbook Committee:

Gerry Schmidt reported that 30 people have yet to receive their photo package and this is what is holding up the publication of this.

Publications Committee:

It was announced that Mr. Sneed was not able to address the Board at this meeting concerning his proposals to take over advertising and publication of the San Francisco POLICEMAN. A new date for his appearance before the Board has yet to be established.

Insurance Committee:

Gale Wright reported that the Pacific Union term decreasing life insurance presently has 384 active members and 441 retired members or a total of 825 members. In 1981 premiums were paid into this fund in the amount of \$83,129 while claims were paid out in the sum of \$84,500. The Pacific Union \$2,500 life insurance policy which is available, as a matter of courtesy, to all Association active members was paid \$8,800 in premiums in 1981 and paid out \$5,000 in claims. Pacific Union no longer wants to service us. The Insurance Committee, after interviewing over 15 additional insurance firms recommends that we change our policies, with rates remaining the same and that no additional cost form the POA to the California Life Insurance Co. California Life will guarantee its rates for five years. M/Wright S/Schmidt that this Association moves its group insurance policies from Pacific Union Assurance Co. to California Life Insurance Co. under the auspices of the Healy Insurance firm, the POA's agent of record.

M/Dempsey S/Casciato that the issue of change of insurance companies be tabled. Motion passed on a vote of 14 yes (Linehan, Schmidt, Dempsey, Parenti, Bruce, Tennant, Maloney, Doherty, Collins, Casciato, Nevin, Hebel, Rapagnani, Chignell) and 3 no (Wright, Bell, Ballentine).

M/Hebel S/Bell that we rescind the tabling of the previous motion regarding the insurance policy change. Motion passed on a vote of 13 yes (Schmidt, Bruce, Tennant, Maloney, Doherty, Wright, Collins, Ballentine, Casciato, Nevin, Bell, Hebel, Rapagnani) and 2 no (Dempsey, Chignell).

M/Wright S/Schmidt that this Association moves its group insurance policies from Pacific Union Life to California Life Insurance under the auspices of Healy Insurance firm, the POA's agent of record. Motion passed by a vote of 18 yes (Linehan, Schmidt, Dempsey, Parenti, Bruce, Tennant, Maloney, Doherty, Wright, Collins, Ballentine, Casciato, Huegle, Hevin, Bell, Hebel, Rapagnani, Chignell).

The above motion was amended by Rapagnani S/Parenti that this acceptance of change be provisional pending a review by Attorney Bley and for a right for remedy under the insurance contract. This amendment passed by a vote of 17 yes (Linehan, Schmidt, Dempsey, Parenti, Bruce, Tennant, Maloney, Doherty, Collins, Ballentine, Casciato, Huegle, Nevin, Bell, Hebel, Rapagnani, Chignell) and one no (Wright).

At 6:05 p.m. Paul Chignell was excused from the meeting and the Chair was assumed by Secretary Hebel.

Dental Plan:

Gale Wright reported on various dental plans which he is exploring and attempting to get bids from these various companies. This follows a recent vote of the Board to divert its former monies paid to the IUPA into a fund to be established for a dental plan for members and their dependents.

Police Olympics Committee:

Rene LaPrevotte again reported on this request regarding social events to be scheduled for the upcoming Police Olympics to be held in San Francisco. He detailed the boat cruise, the dinner dance and the hospitality room. He requested that under the specific sponsorship of this Association, that a total of \$12,685 be expended by this Association to help the Special Events Committee of the Police Olympics.

M/Casciato S/Maloney that this Association expend \$12,685 for the Special Events Committee of the Police Olympics, with the understanding that the Police Association was to get full and distinctive credit for this donation. Motion passed on a vote of 13 yes (Linehan, Schmidt, Dempsey, Parenti, Bruce, Tennant, Maloney, Doherty, Collins, Casciato, Huegle, Nevin, Rapagnani) and 4 no (Wright, Ballentine, Bell, Hebel).

Treasurer's Report:

Treasurer Rapagnani presented the monthly financial statement for February of 1982 which showed an ending balance of \$302,590.70. This report was approved by voice vote.

Special Committee on Proposed Handgun Ban Legislation:

This committee composed of Tennant, Casciato and Maloney distributed a five page document on the Proposed Handgun Ban and then discussed its contents. Attorney Solomon made statements pertaining to our proposal. M/Wright S/Bell that the Board of Directors adopt the Committee report and recommendations with the exception that all references to the legality and constitutionality be deleted from the report and recommendations. Motion passed by a vote of 16 yes (Linehan, Schmidt, Dempsey, Parenti, Bruce, Tennant, Maloney, Doherty, Wright, Collins, Ballentine, Casciato, Huegle, Nevin, Bell, Rapagnani) and 1 abstain (Hebel).

M/Tennant S/Ballentine that this Special Committee on the Proposed Handgun Ban and any interested others meet to determine how to release this report and recommendations and to so release it in the most time and soon as possible. Motion passed by a vote of 15 yes (Schmidt, Dempsey, Parenti, Bruce, Tennant, Maloney, Doherty, Wright, Collins, Ballentine, Casciato, Huegle, Nevin, Bell, Hebel, Rapagnani) and 1 no (Linehan).

M/Huegle S/Collins that this Association expend \$750 for Police Week. The monies to be used at the Range Picnic and for visual displays. Motion passed by a vote of 13 yes (Linehan, Schmidt, Parenti, Dempsey, Bruce, Tennant, Maloney, Doherty, Wright, Collins, Casciato, Huegle, Hebel) and 1 no (Ballentine) and 1 abstain (Bell).

M/Collins S/Bell that this Association expend \$300.00 to incumbent District Attorney Arlo Smith for the Friends Committee Parties to be held at Maxwell Plums. Motion passed with a vote of 9 yes (Linehan, Parenti, Tennant, Maloney, Collins, Huegle, Nevin, Hebel, Rapagnani), 7 no (Schmidt, Bruce, Doherty, Wright, Ballentine, Casciato, Bell) and 1 abstain (Dempsey).

After much discussion concerning the November General Election and the opportunity this Association will have to place charter amendments on the ballot for the electorate to vote, the Legislative Committee was directed to publicize and hold meetings concerning the November charter amendment proposals and report back with recommendations to the Board of Directors at this April meeting.

General Membership Meeting:

It was noted that there were only four additional members present for the General Membership Meeting which was scheduled at 7:00 p.m. Due to the apparent failure of a quorum this meeting could not be held. It was noted that the special item to have been discussed was the Constitution and By-Laws Amendment regarding voting rights of retired members. This amendment had been published in the San Francisco POLICEMAN and was a result of a petition subscribed by over a 150 members which called for a general election on this matter and also for a Special General Membership Meeting in order to pass it on to the general members. Chairman Hebel, in concurrence of the Board, set a Special General Membership Meeting for Wednesday, March 24, 1982 at noon on the sole issue of the Constitution and By-Laws Amendment regarding the voting rights of retired members.

Meeting adjourned at 7:20 p.m.

Submitted,

Michael S. Hebel, Secretary

SPECIAL BOARD OF DIRECTORS MEETING

March 24, 1982

Opened with the Pledge of Allegiance at 10:45 a.m. Roll Call: Seventeen present (Swall, Linehan, Schmidt, Parenti, Tennant, Maloney, Grant, Wright, Ballentine, Casciato, Huegle, Nevin, Bell, Hebel, Rapagnani, Chignell, Barry) four absent (Dempsey, Bruce, Doherty, Collins).

PRESIDENT'S REPORT: President Barry made initial comments regarding the wage suit for fiscal year 1978-79 in which this Association was seeking five months of additional pay, plus 7% interest for police officers who were denied this as a result of an emergency declaration of Mayor Moscone. The Superior Court has already ruled that the City illegally declared a state of emergency and that any waivers signed by members was not valid in that police officers were entitled to the additional five months rate of pay. The City has appealed this to the Court of Appeals. The amount of money involved for police officers amounts to approximately \$980 per member.

Dan Linehan reported on a March 18, 1982 meeting in the mayor's office with other city employee labor unions. The major proposed that with regard to the 1978 wage suit that the City would drop the original lawsuit if City employees would accept certain conditions; the condition for police officers would be that we would limit our cost-of-living increases provided under the Charter to 1.2% per year. Dan Linehan further explained that this 1.2% limitation lies only to the permissive cost-of-living and does not apply whatsoever to the survey taken to determine the basic way.

President Barry reported that the lawsuit is presently being handled by the law firm of Davis, Cowell & Bowe; the Police Officers' Association is an intervenor with the S.F. Firefighters' Union being made plaintiff.

M/Hebel S/Linehan that the Board of Directors adopt the following policy with regard to the mayor's proposal that if the city and county will settle the 77-78 and 78-79 fiscal year wage suits and pay police officers all monies due, plus interest, within three months of the settlement, the POA will cooperate with the City in its efforts to retain the \$20 million bond money in the General Fund. And that the Board reject the major's proposal regarding a cap on the cost-of-living increase.

M/Casciato S/Chignell that the prior motion be tabled. This tabled motion passed by a vote of 16 yes (Swall, Linehan, Schmidt, Parenti, Tennant, Maloney, Grant, Wright, Ballentine, Casciato, Huegle, Nevin, Bell, Rapagnani, Chignell, Barry) and 1 no (Hebel).

There were further discussions taken on the matters of: 1. light duty policy of the police department; 2. press conference held by Pete Maloney and Woody Tennant on the POA's handgun proposal. The members felt that this press conference was well handled by these two members.

Meeting adjourned at 1:35 a.m.

Submitted by:

Michael S. Hebel, Secretary

SPECIAL GENERAL MEMBERSHIP MEETING

March 24, 1982

Meeting commenced at 12:15 p.m., with the Pledge of Allegiance. A quorum was present.

Motion was made and seconded to approve the proposed constitutional amendment to Article III Section 2 which appeared on the agenda and also in the February issue of the San Francisco POLICEMAN.

Motion was made and seconded to amend this proposal by inserting the word "vested" on the fourth line of the underlined language between the words any and retirement. This amendment was withdrawn by the maker.

Further amendment was made and seconded that the following language be attached to this constitutional amendment: "Under no circumstances shall the Tier I Retirement System be reduced without the vote of the active and retired members." This amendment failed by a show of hands.

A motion was made and seconded that the word "vested" appear in the fourth line of the underlined part of the proposal by inserting the word "vested" between the words "any" and "retirement". This amendment to the motion passed by a show of hands.

The proposed constitutional amendment as amended was then approved by a show of hands by the membership. President Barry announced that the general membership would vote on this issue by a mail ballot during the week of April 19th through 23rd.

Meeting adjourned at 1:15 p.m.

Submitted by:

Michael S. Hebel, Secretary

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Criminal's Justice

NEVER DISCLOSE THE IDENTITY OF YOUR INFORMANT

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

"What's the name of your informant?"
"Your honor, I refuse to answer based on the privilege afforded by Section 1040 of the Evidence Code."
"But your honor, if the officer doesn't tell me who the informant was in this case I'm not going to get a chance to ask him what his involvement was. How do I know the informant or the officer didn't plant the narcotics that were found in my client's home? How do I know he didn't set this whole thing up because of some promise that was made to the informant? I don't even know what kind of pressure was put on the informant to get him to tell the police what he told them. In fact, all we have to believe that there is an informant involved in this case is what this officer has told us. All I am asking for is an opportunity to confront and cross-examine the alleged informant in this case, a right that's guaranteed to me by the California and United States Constitutions!"
"It appears that the informant is a material witness as to the guilt or innocence of the defendant," the judge states, "I order that you disclose his identity."
"I'm sorry your honor. I can't do that," responds the officer. "I gave my promise."
"Charges against the defendant are dismissed."
The above scenario is not uncommon in courtrooms where a confidential informant has been used in a case against a defendant. Quite often, informants will not disclose information if they believe that their identity will be made known to the defendant. The reasons are obvious. At a very early age they develop the habit of breathing.

So what's the use of using confidential informants if you have to disclose their identity or else the case is dismissed? Why should a defense lawyer's speculation about what an informant might say be enough for a court to rule that the informant is a material witness on the defendant's guilt or innocence? We never heard anything from the D.A. Where was he? Was there something that he could have done?
The problem begins with the right to confront and cross-examine witnesses by a defendant. The whole idea behind this constitutional right is to determine whether the witness is lying. Obviously, if a lawyer can determine that a witness is untruthful it can be very important in a trial. However, some witnesses are more important than others. A witness who is material to the guilt or innocence of the defendant, i.e., what he has to say could either convict or exonerate a defendant, should be available for cross-examination. But when we're dealing with an informant, a confidential informant, the benefit that the informant gives to the community may be more important than the benefit he may give to a defendant.

In 1958, the California Supreme Court ruled in the case of *People v. McShann*, that if the informant could not testify to anything that would prove the guilt or innocence of the defendant than his identity didn't have to be disclosed. Specifically, his identity had to be disclosed if he was a participant or an eyewitness to the crime that was charged. On the other hand, if he "merely pointed the finger of suspicion," then his identity did not have to be disclosed.
This rule lasted up until 1967, when the California Supreme Court changed the rule to require the identity of the informant be disclosed if the lawyer could merely speculate that the informant might testify to something that would prove the guilt or innocence of the defendant. In the case of *People v. Garcia*, the defense lawyer told the court that if the informant was present the informant might testify that he planted the dope in the defendant's house and this would exonerate the defendant. The California Supreme Court required disclosure of the informant's identity because the defense counsel had indicated he was a "material" witness.

The legislature responded by passing Evidence Code Section 1042(d) which requires a hearing out of the presence of the defendant or his lawyer to determine if the informant really is material to the defendant's guilt or innocence. This is called an In Camera Hearing and it usually takes place in the judge's chambers with only the investigating officer, the D.A., the informant, the judge and the court reporter. The date, time and place of the proceedings are kept secret from the defense. At a later time he merely gets a chance to hear the results of whether or not the court finds that the informant was material on the issue of the defendant's guilt or innocence. If the court finds that the informant is material then, of course, his identity must be disclosed.
What do you think happens when we get the informant into the judge's chambers? I have conducted several of these In Camera proceedings and funny thing, none of the informants said they planted the dope on the defendant, none of them said that they were tortured by the police to become informants, and none of them indicated they were made any outrageous promises. When they were asked if they would give any information that would assist the defendant in proving his innocence, the universal reply was "No," and that it would be a very big mistake of the defendant if the informant were placed on the witness stand. Consequently, in every case where there has been an In Camera Hearing, and the judge has had an opportunity to talk to the informant, the conclusion has always been that if the defendant had the informant in court, the informant would assist in his conviction rather than assisting the defendant in proving his innocence.
Unless your informant has lied to you, and you know that he has lied to you, and the informant is willing to tell the court that he has lied, it should never be necessary to disclose the identity of an informant.
The big problem today is that many D.A.'s are willing to rely on the findings of a trial court that it is not necessary to disclose the identity of an informant without an In Camera Hearing. As a result, if the defense lawyer has speculated that the informant may be material, and there has been no In Camera Hearing to prove that the informant is not a material witness, than the trial court's finding that the informant is not material and therefore, does not have to be disclosed will probably be reversed on appeal. This means that the court of appeal will send the case back in order to have an In Camera Hearing. But, by this time, the informant, who is usually only one step removed from the defendant in terms of his criminal behavior, is probably long gone. As a result, even if we do get a second chance to have an In Camera Hearing, since our informant is no longer with us, we may not be able to prove that the informant is not material, and so we may have to end up dismissing the charges anyway.
Evidence Code Section 915(b) permits us to have an In Camera Hearing without the informant, but judges don't like to determine the materiality of an informant without the informant being present. This doesn't mean that you can't have the In Camera Hearing, it just means that without the informant, it's going to be more difficult to convince the judge that the informant is not material to the defendant's guilt or innocence.
The lesson is that you should have an In Camera Hearing at the earliest possible opportunity. For example, after you have filed the charges involving a confidential informant, the D.A. should call up a judge and arrange for an In Camera Hearing

about ten days after the arraignment. The defense lawyer at the time of arraignment should be told that an In Camera Hearing is going to take place and the defense lawyer should be given an opportunity to submit questions that the judge might ask the informant at the In Camera Hearing. Whether or not the defense lawyer takes advantage of the opportunity to submit questions, the In Camera Hearing should proceed. Unless the informant tells the judge that he's a liar, and he planted the dope on the defendant, and the defendant is really innocent, and the informant was tortured by the police to become an informant, etc., etc., etc., it is not likely that the judge will find the informant will assist the defendant, and therefore, the identity of the informant will not have to be disclosed.
Since you now have a record that the informant is not material, he never will have to be disclosed, not at the preliminary hearing, not at the pretrial motions nor at the defendant's trial in the Superior Court. The issue has been resolved. It is on the record, and if any judge wants to know the reasons, all he has to do is read the In Camera transcript, which is sealed and not available to the defense.
Some of the obvious benefits of having you informant ruled not material and therefore, his identity need not be disclosed, at early stages of the proceeding, are that you don't have to ever keep track of the informant from then on. You don't have to wait until a judge in the Superior Court or maybe some judges in the Court of Appeals have determined that he is not material before you decide to release him or stop keeping tabs on him. But the best benefit of all is that you can maintain your promise to informants not to disclose their identity and still win your cases. In this day and age, where informants are playing an increasing role in the detection of criminal conduct, the importance of maintaining their confidentiality becomes imperative.

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A "PROPOSED" HANDGUN BAN — MAYOR FEINSTEIN'S "MEDFLY" CAMPAIGN!

Recently, Governor Brown gambled the welfare and economy of the state against a seat in the United States Senate. He could have gained votes by attempting to boost the welfare and economy of the state with an enlightening and meaningful campaign. A campaign for advanced space age desalting plants. A campaign in direct opposition to that monstrosity dreamed up by those with bankrupt imaginations — the peripheral canal — a plan to rob Peter in order to pay Paul. This would have given him the status of being in the "Big Leagues". A position he has early sought with all his talk of space age technology. Instead, he chose the spraying/non-spraying "medfly" farce. A more emotional issue for the poor uniformed and misinformed voter.

Presently, Mayor Feinstein is seeking votes via an emotional issue with a campaign that should be confined within the fantasies of "Alice in Wonderland". No doubt, the mayor can get any type of legal opinion from the city attorney that suits her fancy. Replacing substance with imagination can work wonders.

Still, to champion a cause whose defeat is not only predictable, but a foregone conclusion, is not only a fraud but a waste of the taxpayer's money as well. Even if there were the slightest possibility of this "ban" withstanding a court challenge, it would be unenforceable and therefore a bad law. Prohibition proved that, as it gave birth to organized crime as we know it today.

Then, how does all this hocus-pocus stack up alongside the cold logic? For instance, there are several laws on the books that were intended to control handguns as well as other firearms pertaining to the criminal element. Just how successful they have been may best be summed up by the recent case in Oakland where a convicted and freed cop-killer pulled a gun on yet another cop. If the criminal element is that fearless in the face of uniformed police, what chance does the unarmed citizenry have?

Criminals will always have handguns, as well as other weapons, even if they must break into military stockpiles in order to obtain them. Something that they have already done on numerous occasions. So why should law abiding citizens be stripped of any kind of defense that is available to them? Especially, in the face of ever increasing residential break-ins and the inability of politicians to prevent them.

The politicians are ever anxious to tell us how we should run our lives as they enact legislation to protect themselves for their failure to protect the rest of us. A case in point, is the legislation created to protect them from lawsuits for paroling killers and repeat sex offenders who continue to do "their thing". Many of these creeps, who get more attention, service and care than their victims, were suppose to be doing life. But then, what else is new!

If the mayor gives up her facsimile of the instrument responsible for her elevation to the position she now holds, it will be a symbolic gesture only. After all, she has all the police protection that she desires — and deservedly so — of course.

Senator Kennedy, who has been sucking up certain votes over the years due to his stand on gun control is not wanting for protection either. Why then, should other citizens be without protection?

I think most of us are aware that the Polish citizenry is without handguns. The post-war citizenry of Hungary and Czechoslovakia were also without handguns, as are the present citizenry of Russia.

The police usually arrive after the "dirty deed" has been done. In case of a riot or other large scale emergency, you cannot depend on the police responding at all. So why should the citizenry be at the mercy of those who show no mercy? Unless, of course, you wish to drive the criminal element into sheer ecstasy!

The Oakland case that I mentioned is only one example of how laws that were intended to control criminals in relation to guns are really enforced. Even though this "loser" had a handgun on his person, and another one in the glove box of his revhicle, he was OR'd (own recognizance) by a judge. The mere fact that he was trying to shoot another cop didn't even count!

If the mayor is truly interested in the welfare of our citizens as well as their votes, a campaign for strict enforcement of the gun laws already on the books would be a good place to start. While the criminal element does not obey them, they could be put away for awhile when caught violating them. This would be worthy endeavor. An endeavor untainted by the fraud of disarming the decent citizens and leaving them defenseless against those who thrive outside the law.

Any gun control that relates to handguns only, is without merit. Perhaps the mayor never saw a cut down rifle to shotgun that fits neatly in one's waistband. Most assuredly, she does not realize how many of her innocent neighbors may be killed if we start using rifles for home defense.

Of course, there are people besides criminals who should not possess guns. Those that are irrational, or psychologically unable to handle a gun under stress, should never touch one. Then, there are unthinking and careless people who are not responsible enough to have a gun in their home, or any place else. These are the types who let their kids skateboard in the street and never know of their whereabouts at any given time.

A sensible and worthwhile campaign would try and weed out those not suited to the possession of guns instead of taking them from those who are law abiding, responsible, and ever ready to come to the aid of all decent people.

If the mayor would devise a test that all gun owners and gun applicants must pass in regards to safety and responsibility; a meaningful test, designed to insure the safety and well-being of all except the criminal element, she would have a real vote getter. If she does it on a national scale, she may yet get to Washington.

However, she would have to get hold of some real talent for this worthy (even noble) endeavor. The talent of those on hand, while all-encompassing, is largely self-assumed. Whether that talent lies in the movement of naval munitions, or the running of the United Nations. (You may as well start at the top if you don't mind working your way downward — I guess!)

The mayor's statements do not fall into the realm of logic. Therefore, it is difficult to follow her train of thought. However, if she is motivated by "carnage", per se, she should check into the rate of vehicular manslaughter/murder. That is where the real carnage is taking place, but then, there is no gun mystique involved and perhaps not glamorous enough for politicians. After all, it was not politicians who spearheaded the move to enact tougher penalties for drunk drivers; it was an "angry mother" who put the heat on those who cost the taxpayers more each year than our space program. Vehicle accidents, whether they are unavoidable, or caused by (drunk drivers - suicidal drivers - inept drivers - inconsiderate or uncaring drivers) are responsible for the loss of more lives each year than we lost during the entire "Vietnam War". These people are a constant menace to everyone, twenty-four hours a day. Even the mayor stands a better chance of succumbing to a vehicle than a handgun. Surely, a commitment to reduce this "real carnage" would be a great vote getter.

Yet, the mayor has not created headlines by trying to "ban" vehicles from the hands of everyone. Could it be that the City would go broke without all the revenue created by said vehicles? The revenue created by tickets for illegal parking only (in a campaign considered by many to be nothing less than parking entrapment) is staggering.

On the other hand, if curbing crime appeals to the major in relation to the gun mystique, she could have made her "favorite role as San Francisco's Chief Crimestopper" more believable if she had taken the necessary steps to correct the two biggest crime-fighting deficiencies faced by the police department.

Those deficiencies are as follows: the police department does not have a computerized fingerprint system. Lacking this modern technology that has been available for years; we are not even in the arena when it comes to fighting crime. We may as well be playing football against the Forty-Niners.

The police communications system has been antiquated for twenty-five years regardless of so-called improvements and shows signs of further deterioration. The gross disregard of this, the most vital operation of any police department, is nothing short of scandalous!

These deficiencies were pointed out to all who should have been concerned by this writer in May of 1979. However, with the exception of Supervisor Wendy Nelder, they have gained little worthwhile interest from those in charge of running the city. Indeed, the correction of these deficiencies met political resistance until very recently when certain politicians felt there was political mileage to be gained by that correction.

Efforts to correct these insurmountable problems were left to Sergeant Ken Moses of the Crime Lab. And those in the private sector of the community. Those who show more concern for their community than their fleeting position in it.

The correction of these two glaring and unpardonable deficiencies would give us an opportunity, at least, to assume the posture of a professional police department — maybe — even a progressive one! Perhaps, after a time, we could even be placed in the same league as the Forty-Niners.

What a shame that such forward and effective action does not have the attention-getting appeal of the gun mystique.

Of course, if, in the end, creative confusion fails and logic should prevail, gun owners could be charged a licensing fee; as the politicians add to their ever-hungry-coffers.

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KEVIN STARR

The readers respond

S.F. Examiner

As I expected, my two recent columns on police misbehavior — and the provocation by punks of such misbehavior — during the 49ers celebration-riots has provoked an articulate and impassioned response.

Opinions range from violently pro to violently con regarding my assertion that while many punks misbehaved, so also did a number of police officers acting out contempt for the entire citizenry of San Francisco.

"Do you suppose allowing police, firemen and other city employees to live out of town," writes William Lockhart of San Francisco "has anything to do with our problems? Most likely you do not. Your columns seem to reveal a dim and tenuous view of real life in the city. You remind me of the French aristocracy who mounted the scaffold, not understanding what had happened.

On the other hand, San Francisco attorney J. Joseph McGovern believes that I have correctly identified the problem. "The issue is," McGovern writes, "how do we regain control of San Francisco from street punks if we wish to continue to reside in the city in which we have spent our lives?"

A faithful reader, Reed Vernon of San Francisco, tells me that on that Monday evening he received phone calls from as far away as Chicago and Pocatello, Idaho, from friends asking him what in thunderation was going on in San Francisco. Watching television, Vernon's friends were seeing images of San Francisco police beating senseless a citizen already restrained, the policeman's club rising and falling across the camera as if the policeman had gone into berserk rage.

On the other hand, Vernon writes, he was walking home from shopping at 7 p.m. a few Wednesdays ago when three young thugs popped out of a hiding place in a nearby alley, knocked him down, and ripped off his wallet. A gentleman of some years, he suffered a broken rib and a severely dislocated right shoulder. The feeling has not yet returned to two fingers of his left hand.

"So many persons I've encountered," Vernon writes, "have suffered similar experience, some far worse than mine, especially those who were knifed. One of my friends was robbed and beaten up on Washington Street by four youths. He went into such a state of psychological shock that he refused to leave his apartment for over three weeks. Other tenants in the building had to do his hoping for him."

James Andres Nicholas of San Francisco has some pertinent comments regarding the whole question of public celebrations, the police and misbehavior as they relate to the gay community.

"I am amazed to observe the 'average San Franciscan' suddenly awakening to the presence of 'licensed thugs' on the SFPD," Nicholas writes. "The sort of

treatment many citizens suffered at the hand of the SFPD 49er night is the sort of treatment the SF gay community has experienced for decades. If it's just the 'faggots' and their getting their 'just deserts' for misbehaving, it's no big deal. If it's the 'regular guys' suffering the same treatment while in macho ecstasy, then 'Mr. and Mrs. Average San Franciscan' are shocked."

Nicholas points with pride to the fact that the 49er celebrations in the Castro did not get out of hand. Gay volunteer monitors, he says, encouraged everyone to keep cool. "Look at the facts," Nicholas asserts, "talk to gay San Franciscans and you'll find that gay gatherings are uniquely trouble-free."

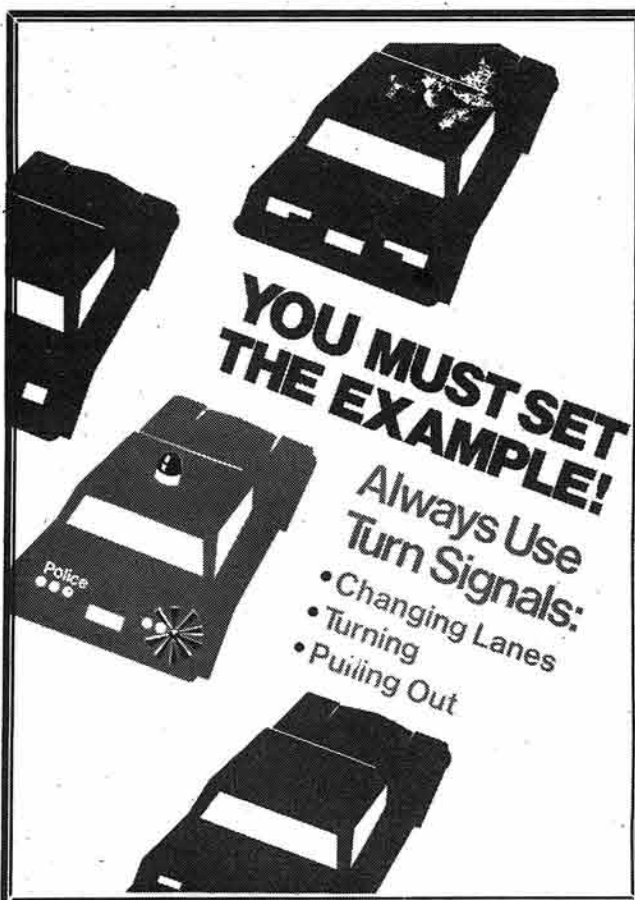
From Barbara Northrop of San Francisco I received a brilliantly written, single-spaced four-page letter that is in and of itself testimony to the intellectually high-level citizenry of San Francisco. After making a series of excellent recommendations regarding riot training for police and how to behave when caught in a riot, Northrop comes boldly to the defense of the Police Department. "We have to start dealing with the problem that the criminals, nuts and kooks are getting the upper hand," Northrop writes, "because the justice system is in shambles and because the law-abiding citizenry passively or actively aids and abets criminals because it does not actively and aggressively support the police in maintaining law and order."

There are some bad police, writes San Franciscan Dean Lipton, but there are also a lot of good ones and they are in the majority. "I have been ambivalent about cops most of my life," Lipton writes. "Unlike you, I have been arrested many times and juggled more than a few. This was easy to achieve if you were on the road at 14 during the Great Depression, young, vulnerable and without a thin dime in your pocket when the laws of most states made you guilty of vagrancy unless you had \$2."

Picked up in Tucson at the age of 15, Lipton was beaten up in prison after he protested the mistreatment of an older prisoner. For several days he was worked over. At one point, a lighted cigarette lighter was held

to his naked stomach until he fainted.

On the other hand, arriving by freight train in Billings, Mont., he was so weak from his Tucson prison treatment and from not eating from four to five days that he wobbled as he walked down the street. A kindly policeman bought him a meal. Police are people. Lipton concludes, like the rest of us, they sometimes misbehave — and they are also often brave beyond the call of duty.



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Mary J. Brown, Manager

DA of the Month

by Don Jacobson
Chief Assistant District Attorney

Candace J. Heisler has been selected by team leaders and department heads in the district attorney's office as April's "D.A. of the Month". Candy's selection recognizes her many significant contributions to the public safety of San Francisco and the important role she has played in working with her police counterparts in numerous successful prosecutions.

Candy came to the district attorney's office in April, 1973. She is a graduate of Hastings College of Law and a Phi Beta Kappa graduate of UCLA. Before becoming a San Francisco assistant district attorney, Candy was a research assistant for the National Labor Relations Board Division of Trial Examiner, a law clerk for the San Francisco Superior Court, and an assistant court commissioner for the San Francisco Superior Court. She has devoted almost all of her professional career to criminal prosecution. She is a member of the Case Digest Board, California District Attorneys Association; Alumni Association Board of Governors, Hastings College of Law; Judge, Hastings College Moot Court Program; Board of Directors, Queen's Bench Rape Foundation and a member of the 1980 Curriculum Committee, National College of District Attorneys. Candy has also lectured before various community groups on crime prevention and taught at the police academy.

Candy is very active in the National College of District Attorneys and most recently served as a faculty advisor for the "Experienced Prosecutor Course" given in Pacific Grove, California, March 28 to April 1. She also assisted at the Trial Advocacy for Prosecutors Seminar held in San Francisco during February.

Candy is presently assigned to the new Felony Intake Unit of the district attorney's office. This unit was established by District Attorney Arlo Smith at the end of last year to facilitate rebookings by enabling the office to improve efficiency and consistency in charging procedures. Candy and the three other senior district attorneys in the unit are available fulltime on a daily basis for rebookings, questions, search warrants and any other problems which come up during the investigation and charging of felony cases.



CANDACE J. "CANDY" HEISLER

In addition to this assignment, Candy also prepared specially assigned cases for preliminary hearing and trial. She is presently working on a very difficult multiple victim case involving a defendant who always drugged his victims before robbing them. The defendant preyed principally on gay victims he picked up in bars, a pattern he employed in many cities throughout the country. "This is a case of nationwide interest. If I were the defendant, I would be alarmed simply knowing that it was Miss Heisler who would be prosecuting," observed Inspector Sam Hamilton of the Burglary Detail.

Candy is also putting the finishing touches on a complex multi-county and multi-defendant case involving a city employee who, with certain confederates, was engaged in the theft of vehicles, tools, police radios (including that from the mayor's limousine) and other equipment from the City Shop, as well as the fencing of that and other stolen property.

Candy has also held many other positions in the office ranging from the Burglary Team to Juvenile Court. Candy has been involved in many major cases in the district attorney's office. She prosecuted Jack Llewellyn and John Iezaru, local locksmiths who would later burglarize their customers. Both were convicted and sentenced to State Prison. She was recently the prosecutor in *People v. William Sturdivant*, a case involving a \$40,000 nighttime burglary at the Fairmont Hotel.

The victim, a building contractor, and his family were attending a convention of sash workers. After they had retired for the evening, the defendant — a cat burglar — entered their room and made off with their jewelry. Sharp police work during a routine traffic stop in the Tenderloin disclosed the stolen property. The case is also noteworthy because Candy succeeded in convicting Sturdivant of the far more difficult burglary (1st Degree) rather than on receiving stolen property theory.

Candy also prosecuted Geraldine Curley, a nurse at Children's Hospital, who over a course of several years had drugged many patients and then stolen their jewelry.

Candy is known among the staff for her legal acumen and particularly as a search warrant expert. Other attorneys regularly seek her advice on complex issues, and often these questions involve warrants. Inspectors and officers at the stations have come to depend on Candy not only for her expertise in this field, but also her willingness to help them out on cases regardless of the hour.

"Candy is a terrific D.A. She is willing to write a warrant any time you need the help," observed Sgt. Arthur Gerrans of the Vice Crimes Unit.

Rich Leon of the Burglary Detail adds, "Candy is the best prepared district attorney that I have ever worked with. Even when she was incapacitated with injuries, she was always available to write search warrants or assist in any other matters."

"Candy is outstanding in her ability and willingness to share her expertise with all the members of the staff. She is particularly adept in communicating that knowledge to others," notes District Attorney Smith.

"Candy lives in San Francisco and likes to spend her spare time in the kitchen or in her garden. In addition, she is a devoted fan of the San Francisco Opera. Candy is also a baseball fan and roots for the Dodgers!"

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Police Officer Paranoia Toward L.A. Citizens

L.A. Times, March 10, 1982

Re your article (Feb. 25). "Paranoia in Police Training Films Seen," in which researchers criticize some police training films as resulting in officer paranoia toward citizens. The study was nationwide, and the local angle was not well developed. Perhaps your readers should be aware of some local perspective on the subject.

In March, 1963, Los Angeles Police Department officers Ian Campbell and Karl Hettinger failed to exercise an appropriate degree of what the researchers call paranoia when they approached a suspicious vehicle in Hollywood without drawing their guns. We buried Campbell.

In April, 1970, four California Highway Patrol officers on the Ridge Route failed to exercise an appropriate degree of this "paranoia" when stopping a car containing two more "citizens". All four officers were shot to death in the ensuing 90 seconds, setting a modern American record. (One of the suspects later told

police that the reason the suspects started shooting is because the officers were not pointing guns at them.)

In July, 1973, an LAPD motorcycle officer, working alone in the (then) mostly middle-class San Fernando Valley, failed to exercise an appropriate degree of "paranoia" while stopping a "citizen" for a traffic violation. The "citizen", armed with a stolen weapon in a stolen car, shot and killed the officer.

In February, 1976, an LAPD officer failed to exercise an appropriate degree of "paranoia" as he walked into a McDonald's restaurant robbery with his gun safely pointed downward instead of pointed at the people he saw standing by the safe. They were the last people he ever saw.

In August, 1979, an LAPD officer failed to exercise an appropriate degree of "paranoia" when stopping a "citizen" in a vehicle for reckless driving. The "citizen" was an armed robber. The officer is dead.

Paranoia? During the past 18 years, 20 LAPD officers have been murdered in the line of duty. In 1980, assaults with firearms in LAPD officers increased a staggering 53.8% over 1979; 160 assaults with firearms were committed, more than any year in recorded LAPD history. (More than the year of the Watts Riots, more than any of the years of the "off-the-pig" activities of the Black Panthers and Weather Underground).

The highest increase in the number of assaults with deadly weapons against LAPD officers occurred in the middle to upper class West Los Angeles area, which had a 680% increase (from five incidents in 1979, to 34 in 1980). The crime-ridden South Los Angeles divisions did not experience such dramatic percentage increases; however, they're already at the top of the scale, accounting for 174 such assaults in 1980.

The reporting of the researchers' conclusions in your story suggests a lack of restraint on the part of police officers in dangerous situations. If that were true, LAPD of-

ficers would have shot 528 people in 1980, instead of three or four dozen, because 528 people attacked LAPD officers with deadly weapons (including the 160 guns mentioned earlier) that year. There is, in fact, an assault with a deadly weapon against an LAPD officer each and every 17 hours, round the clock; but officers in this city return fire and wound or kill their assailants only once every nine days. (Figures are for 1980.)

The researchers suggest that police develop psychiatric help and peer counseling programs for officers involved in shootings. That may be a helpful suggestion for some cities, but your story should have mentioned that LAPD has both those programs, in addition to removing an officer from street duties for some time after a shooting.

As for the researchers' idea that citizens need training to know how to act when stopped by police, you can thank the American Civil Liberties Union and other such organizations, including much of the media, for

fostering in unsophisticated people the idea that they somehow have a "right" to resist the directions of law enforcement officers in the street.

Example: Eulia Love and several other less celebrated knife-wielding people would be alive and well today if only they had put down their knives when first ordered to do so. Anyone who mouths off or runs or otherwise resists when an officer orders them to stop, is a fool. It is questionable that anyone who exhibits such a total disrespect for duly constituted law enforcement authority could be "trained" in how to act when confronted.

As for the training films mentioned in the article, any police agency that fails to aggressively teach officer safety tactics is asking for a lot of fancy funerals, complete with flag-draped coffins, "taps", and several hundred thousand dollars of tax money going to the survivors of each dead cop.

This ivory-tower research group's Monday morning quarterbacking will probably be applauded

ed by someone, sometime (namely people who are looking for "evidence" to confirm their beliefs that cops are a bunch of loonies out there with guns and badges). Well, if researchers out there in Never-Never Land ever start meeting violent death at the same rate as to cops, firefighters, liquor store owners, and old ladies carrying \$4 in their purses, maybe we'll see some real world conclusions in these silly, federally funded reports your newspaper frequently publishes.

If the surviving researchers write a report on the collective death of their colleagues, I guarantee they wouldn't apply the term "paranoia". They would call their feelings and self-protective actions "aggressive survival instincts, tempered with healthy doses of caution, in the face of obviously increasing danger."

Greg Meyer
Los Angeles

Meyer is an officer with the Los Angeles Police Department's tactical planning section.

Police officers' self-defense actions termed 'paranoia'

by Fred W. Kline Capitol News Service
San Francisco BANNER

Law enforcement officers have been under almost constant bombardment by the public and the press in recent years over actions they must take to protect society and guard against losing their own lives.

It's almost as though certain members of the media, and even some prosecutors, have been lying in wait for that rare situation where a citizen is shot or otherwise injured because of some inappropriate police activity.

As it has turned out, it is extremely rare that complaints against police activity lead to any kind of prosecutable circumstance.

But it doesn't keep the few loudmouths and certain anti-police special interest groups from crying "foul" every time an officer is forced to take decisive action, whether there was a "foul" or not.

So we read with great interest a recent long, articulate letter in the "Los Angeles Times", written by a police officer in response

to a report in which researchers criticize some police training films as resulting in officer paranoia toward citizens.

The officer, Greg Meyer, is with LAPD's tactical planning section, and he made some excellent points.

For instance, perhaps if officers Ian Campbell and Karl Hettinger had exercised a greater degree of what is now called "paranoia" in March, 1963, Campbell might be alive to talk about it today. Instead, Campbell was

shot to death in an onion field near Bakersfield and Hettinger had to leave the force because of resulting problems, although he escaped with his life.

In April 1970, four California Highway Patrol officers failed to exercise enough "paranoia" when stopping a car containing two "citizens" and all four were shot to death in the next 90 seconds. A suspect later said the shooting started because the officers weren't pointing guns at them.

The same thing happened to an L.A. motorcycle officer in July, 1973; to another policeman in August 1979, and to the point that 20 LAPD officers have been killed in the line of duty in the past 18 years.

In 1980, Meyer pointed out, assaults with firearms on LAPD officers increased 53.8 percent. That's outrageous!

But law enforcement officers aren't the only targets out there, perhaps only more visible than the rest of us.

We ask these people to form what has been termed a "thin blue line" between law-abiding citizens and the criminals. The line is thinner than ever today, because of budget cuts in the wrong places.

No, we don't think law enforcement officers display paranoia when they have to protect themselves against "citizens" who would do them harm. When a police officer has been killed or wounded, all of us have suffered grave damage.

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Guy Wright / Nightmares every spring



Because the monster of her nightmares is now eligible for parole, once each year Annette Carlson must relive the night of horror when Angelo Pavageau wrecked her life and left her for dead in a flaming house.

If she kept silent, she fears the parole board might turn him loose. "And I live in fear of that," she said.

One April night in 1973 Pavageau broke into a Victorian house that Annette and her young husband were renovating on Potrero Hill. Brandishing a knife, he demanded money. They gave him all they had. He demanded a hammer. They gave him one.

He tied them in chairs and began beating the husband, first with the hammer until it broke, then with a chopping block, a vase, a penny jar. Frank Marion Carlson's head literally disintegrated before the eyes of his wife.

Next the blood-smeared killer

raped the horrified woman. Then he set out to beat her to death, breaking her jaw, shoulder, arms. He slashed her wrists and tightened a telephone cord around her neck. Leaving her for dead, he emptied a can of paint thinner and set the house on fire.

Miraculously she dragged herself from the flames and called for help as her house burned. Pavageau was caught, convicted and sentenced to death. But when the state Supreme Court abolished the death penalty, he was among the dozens of condemned killers who automatically became ordinary lifers, eligible for parole.

With his altered status he has been allowed to attend college, marry and father a child, all while in San Quentin.

Annette Carlson hasn't fared so well. "I still sleep with the lights on," she said. "I still have nightmares. When I brush my hair I can't help seeing the scars on my face and scalp. I can't get away from it."

She would be better off if she could forget. But if she forgot, who would remember? The tables are now turned. On the parole board scorecard, the bestiality of Pavageau's crime counts less and less. His good behavior in prison counts more and more.

And so each spring when his annual parole hearing comes up, Annette feels obligated to reopen the painful wounds in her memory

in order to refresh the memory of the parole board.

The board refuses to let her appear in person (Paul Gann's crime initiative would change that) but each year she writes a letter relating the horror of that night.

There is something grotesque about a criminal justice system that requires this woman to make an annual plunge into psychological pain as the price for keeping her tormentor from returning to her world.

While her case is dramatic, dozens of people share her dilemma as a result of the state Supreme Court decision that turned condemned killers into potential parolees.

Since the court was determined to find an excuse to end capital punishment, it had a duty to deal with this consequence, most logically by changing death sentences to life without parole.

Parole board members say privately that they shouldn't hold a parole hearing each year for these killers.

That leaves the Legislature, where, as Willie Brown observed, money is the best catalyst. People like Annette seldom have enough cash to whet the appetite of our elected hucksters.

So we are stuck with a rotten criminal justice system and an officialdom content to feed on the rot.

Treating Rape Victims

As professionals engaged in the identification, apprehension and prosecution of rapists, as well as treatment of their victims, we are concerned about the portrayal of treatment and experiences of sexual assault victims in recent movies made for television. "Cry Rape", "A Case of Rape", and "Victims" are the latest of this genre.

While these productions serve to educate the public about the trauma experienced by victims of sexual assault, they do a grave disservice by inaccurately depicting the police and related personnel as insensitive and callous.

While in the past one could argue that the experience of reporting a rape and following it through the judicial process was tantamount to yet another assault upon the victim, times have changed, at least in San Francisco. Point of fact:

- The Sexual Trauma Service, part of Central Emergency Hospital, provides free 24-hour medical and psychological crisis intervention and treatment to victims of sexual assault. It's staffed by experienced and sensitive professionals who provide follow-up services and will accompany victims to court.

- The San Francisco Police Department has recognized the special needs of victims of sexual assaults. Police recruits receive training in investigative techniques and evidence collection and presentation. They also receive education in special interviewing techniques and sensitivity training for dealing with

the rape victim.

- Inspectors of the Sex Crimes Detail of the police department are among the most respected and qualified members of the Bureau of Inspectors. Specially trained, concerned and experienced, they understand the special needs of the rape victim and see that she receives the support necessary to ensure successful prosecution of the rapist.

- The San Francisco District Attorney's Office has a separate unit of attorneys specializing in the prosecution of rapists. They deal with the victim on a one-to-one basis and follow the case from its initial filing through trial.

No longer will prosecuting attorneys or police officers make the victim feel that she is responsible for what happened.

The combined efforts of Sexual Trauma Services, the police department and the district attorney's office have led to the successful prosecution of rapists in San Francisco. Victims are treated with deference and respect by members of all three agencies. We are working together to reach the combined goals of protecting the interests of individual victims through sensitive, considerate treatment.

William Louis Fazio
Assistant District Attorney
San Francisco

J. Peter Otten, Inspector
Sex Crimes Detail
S.F. Police Dept.

Linda Eberth
Executive Director
Sexual Trauma Services
San Francisco

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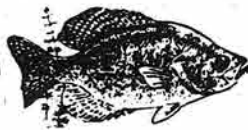
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HEALTH SERVICE COSTS HIT BY INFLATION ALSO

by Harry Parechan, Member
Health Service Board

New rates have just been established by the Health Service System and it should not come as a surprise that increases are facing us.

Health care costs have exploded — soaring 12.5 percent in 1981 on top of an astounding 15.2 percent in 1980, an all time record. Hospital room rates are up 19 percent in the city.

No other segment of our economy has gone through so sharp a rise in recent years as health care.

The Health Service Board has done everything possible to keep rate increases to a minimum for the members of Plan I, which they administer, by subsidizing the plan by \$1,200,000, taken from reserves. For example, without this a family member would be facing a \$46.76 a month increase instead of a \$16.67 increase.

It should be noted that each group, i.e., member, member plus one, family, etc., is actually surveyed separately. This means that the group increase is based on the usage for that group only. Rates for the other plans, II, III, IV, and V are set by those plans and the Health Service Board has no control over them. The Health Service System is merely a collection agency for those plans on your behalf.

Along with the rate increases will also be benefit increases for Plan I. Basically they will be:

Under Basic Benefits

Initial office visit from \$20 to \$25 per visit
Extended office visit from \$18 to \$22 per visit
Initial hospital visit from \$20 to \$30 per visit
Hospital room & board from \$140 to \$150 per visit

Under Major Medical Benefits

Covered Psychiatric charges from \$30 to \$50 per consultation.
Maximum hospital room & board set at \$300 per day.
Major Medical co-payment for catastrophic problems set at 100 percent after \$20,000 of covered charges.

Benefit increases or changes for the other plans will be shown on the comparison sheet. The comparison sheets will be available to all departments prior to the May sign-up. Remember, this is the only period that members can change from one plan to another or add new dependents. Because of this, I strongly urge you to look over the comparison sheet and see which plan best suits your needs.

The Health Service offices will be moved out of their present location to new quarters at 1212 Market Street. This move is suppose to take place the beginning of April. Notices will be sent to all departments so keep this in mind for the May sign-up period.

The Health Service Board has introduced two charter amendments on the June ballot. They are a dental plan, for employees only, and the city's contribution (subsidy) to be carried over to the surviving spouse of a member in the system. As it stands now, when the employee dies, the city's contribution dies with him. Thus adding an additional burden to his survivor to pay the full contract rate for health coverage. And this after a decrease in pension benefits. These are two very important benefits for all of us to make sure get passed. In conclusion, the following are the new monthly rates for each plan.

	From	To	Variance
PLAN I			
Member	\$11.10	\$ 12.81	+ \$ 1.71
Member + 1	\$58.70	\$ 68.84	+ \$10.14
Family	\$93.80	\$110.56	+ \$16.76
PLAN II			
Member	- 0 -	- 0 -	- 0 -
Member + 1	\$45.48	\$50.50	+ \$5.02
Family	\$86.46	\$95.92	+ \$9.46
PLAN III			
Member	\$ 4.84	\$ 5.88	+ \$ 1.04
Member + 1	\$54.29	\$ 62.85	+ \$ 8.56
Family	\$88.69	\$102.63	+ \$13.94
PLAN IV			
Member	- 0 -	- 0 -	- 0 -
Member + 1	\$46.69	\$54.28	+ \$ 7.59
Family	\$84.82	\$98.23	+ \$13.41
PLAN V			
Member	\$ 5.14	\$ 4.79	(- \$.35)
Member + 1	\$60.17	\$59.81	(- \$.36)
Family	\$89.54	\$99.29	+ \$9.78

REMEMBER

1. Read your comparison sheet.
2. The month of May is the only time you can change plans.
3. New location for the HSS, 1212 Market Street.
4. Pass the ballot amendments in June.

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A hard look/ When cops crack up



By Scott Winokur
Examiner staff writer

There was a cop in a tree with a gun in his hand and a mind to kill himself. A psychologist talked him out of the roost and into a hospital. He was a good cop. His marriage was falling apart and he just snapped.

This happened in Los Angeles, but it could have been San Francisco or Oakland or San Jose — any city in the nation. And it happened recently, but police officers have had strange episodes before and they'll have them again.

The difference today is that law-enforcement insiders are increasingly willing to talk about the problem of police mental health, and outsiders — mainly psychologists — are willing to see what can be done about it.

Why cops crack up and what may be done to avert the toll in human anguish, public safety and tax dollars spent on disability pensions will be the subjects of an unusual gathering of law-enforcement officers and mental-health

—From Page A1
practitioners in San Francisco Friday and Saturday.

"Psychotherapy and Law Enforcement," sponsored by the University of California at San Francisco's Department of Psychiatry, is expected to bring together police officers and psychologists from throughout the state in a mutual effort to set aside longstanding biases each group has toward the other and to lay the groundwork for increased cooperation in the future.

"As police departments become more aware and accepting of mental-health problems in the ranks and as they seek help, we find that damn few people in the mental-health profession are aware of the cultural issues involved," said UCSF psychologist A. Michael Rossi, a former police officer. "If you're treating a black patient or an Asian, you should know something about their subcultures. Police are definitely a subculture, too. Its members aren't supposed to show any kind of softness or weakness. It's based on a very strong 'buddy system' like any paramilitary group where your life may depend on your buddy. It's a rather closed system. And it's macho."

Added Fresno County Sheriff's Department psychologist Richard Blak:

"We've been evolving over the last decade and California has been the pioneer. The attitude is changing from, 'If it's too hot, get out of the kitchen,' to 'It's normal for a human being in a stressful occupation to have some problems.'"

As a group, police officers are in better shape psychologically than the general population, because most of the bad apples are screened out during the recruitment process. But they're made of flesh and blood and sometimes they break down under the inordinate pressures of their extremely demanding jobs.

"Their suicide rates are about 6.5 times the normal rate, their divorce rates are higher than normal, and they're more likely to have alcohol and substance-abuse problems," Rossi said.

"The job is damaging. Cops often have to be society's garbage men, clearing the streets of undesirables for politicians and businessmen, dealing with pee-soaked winos instead of capturing arch-criminals," said Sgt. Alan Benner, the San Francisco Police Department's personnel-retention supervisor.

"You can't interact with society's failures for years and not be depressed and have a sense of futility. Cops change their uniforms in the locker room, but the self-controlling portion inside goes home with them and over a period of time it can cause them to lose contact with their feelings.

"Then if some life trauma occurs — the death of a loved one, the breakup of a marriage — all of a sudden that myth of total control is exploded and you read about it in the newspaper."

According to Blak, the individual cop may also be a walking compendium of stress-related physical disorders.

"A guy with 10 to 12 years on the job begins breaking down physically. Out of 100 cops, at least one third will have some significant physical problem after 10 years that could result in their going off duty," he said. "The average cop in the average department has serious problems he may not even be aware of."

Trained to present a dispassionate front to the public, the cop typically suppresses his feelings on the job, making them unconscious as a matter of habit. The feelings don't obligingly go away, however.

"They are held in the body in a physical sense," Blak explained. "Cops get pumped up, but they're not good at coming down again. You get a situation where the body is being continually excited and it becomes chronically tense.

"This leads to elevated blood pressure, migraine headaches, arthritic problems, lower-back problems, colitis, diarrhea, excess gas, ulcers, aching jaws and misaligned teeth from grinding. I just saw an officer who had \$3,000 worth of orthodontic work done."

Mostly, they drop dead. "The biggie is cardiovascular disease," Blak said. "More officers across the country die from heart attacks and heart disease than assaults or vehicular accidents in the line of duty. From 1971 to 1974 in California almost 70 percent of all job-related police deaths had cardiovascular causes."

A reasonable presumption would be that police science and behavioral science are natural allies with respect to the problems of law-enforcement personnel. That hasn't been the case.

"The shrink thinks the cop's a sadist," said Oakland psychologist Paul Berg, a consultant to several Bay Area police departments, who added that the cop thinks the shrink is less than a he-man. "They both have power associated with their roles and when they come together there's a tremendous struggle."

Berg will argue at the symposium that it's up to mental-health practitioners to change first.

"Cops are not what psychologists tend to see as attractive patients," he said. "They aren't very verbal or open — and they usually aren't women. Shrinks are much more comfortable treating women because women are more willing to ask for help and more

willing to assume positions of dependence, and because they're nicer to look at."

Therapists must understand and learn to respect — perhaps by experiencing it directly — the hard-nosed world of the street inhabited by the cop, Berg said.

According to Berg, up to 10 hours of one-on-one meetings with distressed cops are necessary for a complete evaluation of emotional problems, followed by therapy that may last from a few weeks to several years.

Benner of the San Francisco Police Department agreed that the mountain must come to Mohammed — therapists have to take the first step.

"A lot of police doubt the veracity, competence and motivation of mental-health professionals. They see how shrinks interact with the criminal-justice system. And they see them as entrepreneurs," he explained. "Cops have said for a long time that mental-health folks aren't aware of down-and-dirty, punch-you-in-the-face reality."

Los Angeles and Fresno have devised programs designed to identify problems in their early stages and provide avenues of relief, including peer counseling, professional counseling and physical-fitness counseling.

UCSF psychologist Richard Delman is developing plans for a 100-officer peer-counseling group in the San Francisco Police Department. Under the program, a disturbed officer would be able to go to a quiet place with a trained police counse

lor and talk in private for up to 45 minutes with a guarantee of confidentiality.

In Los Angeles, some 700 police supervisors have been trained to recognize the so-called four stages of disintegration, described by staff psychologist Bebe Jacobson:

- Common nervousness and anxiety caused by routine life problems, such as a child's sickness or a letter from the Internal Revenue Service.
- Increased tension caused by ostensibly serious problems — for example, financial difficulties or the death of a loved one.
- Self-imposed isolation, intoxication and possible displays of profound disturbance. It is at this stage, Jacobson said, that a Los Angeles police officer is "pulled off the street."
- Suicidal or homicidal acting-out. Several times a month, according to

Psychologists learning more about police burnout

Jacobson, Los Angeles cops will tell their supervisors something to the effect of, "I'm so angry, I'm afraid I'll hurt someone. I don't think I should be on the street." But instances of fourth-stage disintegration on duty — tree-climbing, for example — occur only rarely, Jacobson said.

Female police officers have all the stress-related problems of male cops — plus a few others, noted Los Angeles psychologist Susan Saxe.

"People see them in a man's job. They have to find a way to still be feminine," she said. "They're more likely to cry as a defense mechanism, but hey can't do that in front of a suspect, so they have to find new ways of coping. They drink more, but not as much as the men because they're not invited along."

Male cops who view their female partners as officers requiring protection do a great deal of harm, Jacobson said. "The most important weapon an officer has is his or her self-confidence. If your partner doesn't feel you can handle a call successfully, that gets to you after a while."



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SNOW TRIP

by Walt Scott & Tim Foley

Do you remember the first time you saw the snow? With eyes opened wide you gazed out at the soft white blanket of snow that covered the country side, and your mind was filled with the wondrous beauty of a crisp, clean winter paradise. Such was the splendor of our latest trip as we took 12 Asian and Latino youths on a trip to the snow at Pinecrest. Officers Nick Sepich, Al Wong and Bruce Powell accompanied these youth during their three day/two night stay. This trip was a joint venture with the Recreation Center for the Handicapped whose staff and 8 disabled youthful participants shared in the experience.

The first day was spent mostly driving, enjoying the scenery in the Central Valley and the beautiful Sierra mountains. Once the young people spotted the first patch of snow, their enthusiasm peaked and never came down. After settling in at the Pinecrest Lodge, there was just enough time to have free play in the snow, an exciting new experience for all the youth, as this was their first trip to the snow. Officer Sepich said "it was interesting to see their reaction and enthusiasm."

The evening meal was prepared by Al Wong with the help of several of the youngsters. We ate a delicious meal of giant garlic sausages and homemade chili beans. After dinner everyone talked, played games, and sang some songs.

After a good night's sleep, the second day was a full day of cross-country skiing, sledding and tubing down nearby hills, and building snowmen. The day's activities were delayed slightly by snow flurries. This was another first, as most had never seen falling snow. Before too long the snow fall stopped and the fresh snow and activities were enjoyed by all.

Officer Nick Sepich got started on his day's activities a little late as he tried in vain to put chains on the two vans, only to find one set too small and the other was missing parts. He still had plenty of time to enjoy the day and came home laughing about the experience. That evening Nick, Bruce and some of our guests prepared homemade minestrone soup while Jim, a member of the Recreation Center staff, and others baked homemade bread. "The dinner was a tremendous success, a real cooperative event," Al said.

Following dinner the entire group gathered to talk and play interaction games. Possibly the highlight of the evening was the guitar playing of Florence, a lovely lady from the Recreation Center for the Handicapped. Officer Powell noted how well the young people participated in the games and songs, some of which were silly. Bruce said, "The kids really started to loosen up that last night. They were having a lot of fun and weren't afraid to join in."

The last day provided its own brand of excitement. The total snowfall during the stay was in excess of three feet. The roads were still covered with snow and the van's chains were unuseable. Luckily a snow plow began clearing the road and the crew of concerned travelers hurriedly packed to go home. As the tension raised, time was taken for a few last pictures. The young people, obviously feeling better about getting out, conspired together to bomb the officers with snowballs as they posed for a picture.

After the long trip home, the officers had a chance to reflect on the past three days. Officers Wong and Sepich were particularly impressed with the way the young people helped the disabled people, aiding them upstairs, escorting a blind participant through the snow-covered woods and carrying a wheelchair-bound participant out through the snow so she could enjoy the snow too. Officer Powell liked the easy way he got to know the young people and the youth were able to see that police officers are nice people. Officer Powell said, "This trip really made me feel good!"

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MC ATEER HIGH SCHOOL STUDENTS AND TEACHERS TESTIFY BEFORE THE POLICE COMMISSION

by Walt Scott & Tim Foley

In a moving presentation, a group of McAteer High School students and teachers spoke to the Police Commission meeting of March 31 about the positive effects of their involvement with the San Francisco Police Department Youth Program. Vice Principal Luisa Esquerro stated, "In twenty years as a teacher, I have never seen such direct positive results from any program as I have seen from the San Francisco Police Department Youth Program."

She told of dramatic turnarounds in the young peoples' educational and social performance after being involved in the program; of students who were cutting and failing classes who are now regularly attending classes and achieving passing grades; and of students who have gained much more positive feelings from the

society they live in and for the humanity of their police department.

The students stated that they learned trust and self-confidence from the experiences provided by the SFPD Youth Program, and they expressed their heartfelt thanks to the San Francisco Police Department for providing this program for them. Mrs. Chuk and Mrs. Martinez, two teachers in the English as a Second Language Program at McAteer, gave moving presentations of their experiences with the program.

The entire Police Commission was deeply touched by the presentation given by the students and teachers. Commissioner Daly stated that it brought tears to her eyes, and that she was very pleased to hear about such a

positive program for the youth of San Francisco and their police officers.

We wish to thank Officers Art Tapia and Luis Duran, whose hard work and dedication in teaching a weekly class to these students introduced the youth program to these students; Officers Susan Meyer, Ron Artale, and Luis Duran who took part in the ropes course, rock climbing and rappelling and backpacking with the students; the students themselves and their teachers for the kind and encouraging words before the Commission; and finally Vice Principal Luisa Esquerro who had the courage and the foresight to try something new and unique to help her students and for her sincere, kind and moving presentation to the Police Commission.

San Francisco Police Department Youth Program

YOUTH ENDING HUNGER FOR SENIORS

The San Francisco Police Department Youth Program is beginning an exciting new program called Youth Ending Hunger for Seniors.

The project is one of making food available to senior citizens who don't get enough to eat. Interested citizens, young people who have been involved in the SFPD Youth

Program, and San Francisco police officers are spearheading this program.

This will become an integral part of the post-wilderness experience for Youth Program participants.

The first planning meeting took place on April 4th at the China Basin Yacht Club, as 40

young people and five police officers form our previous outings volunteered their time to begin this worthwhile project.

They joined with six volunteer coordinators from the community to form four committees which are already hard at work on the different aspects of the project.

The young people will direct and run this program. They will fill key positions in this project as a part of the community service aspect of the SFPD Youth Program. In this way, the good feelings that the young people have after completing their wilderness experience can be brought back to the city through a valuable community service.

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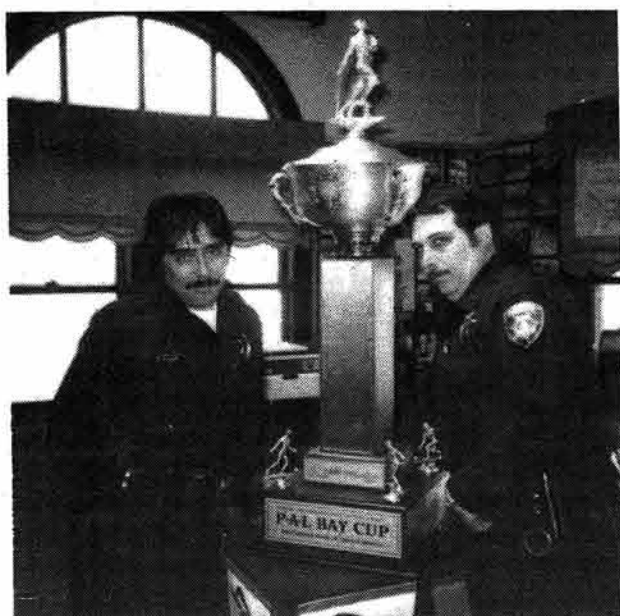
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POLICE ACTIVITIES LEAGUE

by Herbert P. Lee
Director of Activities



Officers Manny Aquino (left) and Bob Souza of the Oakland Police Activities League posed in mock dejection as they delivered to the San Francisco PAL the PAL BAY CUP trophy after the San Francisco Giants swept their two exhibition games against the Oakland A's recently. That means that the trophy will be in the custody of Chief Con Murphy's office for a year. The proceeds of a fund drive will be divided between the two PALs.



The PAL San Francisco Bay Cup Trophy was recently unveiled at Treasure Island. In attendance were Mr. Pat Gallagher, Vice-President in charge of Promotions, San Francisco Giants, Chief Con Murphy, and two PAL Pee Wee Baseball players in S.F. Giants Uniforms Tory McDonald (left) 9 years old, and Paul Otenbreit, 10.

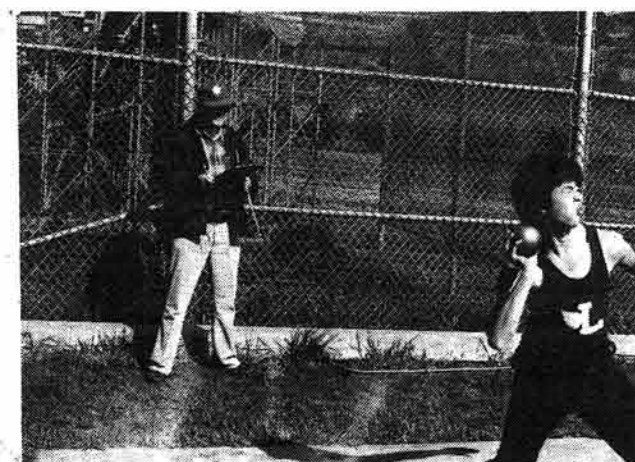
PAL SOCCER
The 1982 PAL Soccer season kicks off on Saturday, April 17, 1982 with 72 teams participating in 6 age divisions: Under 8, 10, 12, 14, 16 and Under 19. PAL Soccer Director Guy Milano will be assisted by Con Keighran, Referee Coordinator Chris McGarrigan (Beach Chalet), and Sean McNulty, Balboa Park Field Coordinator. The PAL is grateful to these individuals for their time and effort on behalf of the youngsters of San Francisco.

PAL SAILING
If you've ever thought about sailing on a boat, but don't know how or who to contact, the PAL Sailing Program for beginners will again be offered at Lake Merced in June. All youths between the ages of 13 through 18 interested are to call PAL Headquarters the first week in May for signups. Hurry, there are only a limited number of spaces available.

PAL BOXING
PAL Boxing is in full swing. The workouts are scheduled Mondays through Thursdays from 4 p.m. to 7 p.m. They are held at the old National Guard Armory located at 14th and Mission Streets. Call PAL Headquarters (567-3215) for signups. Workout rooms, coaches, and equipment provided at no charge.

PAL BASEBALL
PAL Baseball for youths 15 through 18 will begin in June. For signups, call PAL Headquarters (567-3215) for signups the first week in May.

PAL GAL SOFTBALL
PAL Girls Softball Season is almost upon us. All girls between the ages of 12 through 14 interested in playing softball are to call PAL Headquarters (567-3215) the first week in May for signups.



Looking on closely as a member of the Lowell High Track Team is about to unleash a mighty heave of his shotput is none other than Deputy Chief Jim Shannon. Chief Shannon volunteers his services with the PAL Track and Field Events yearly. (photo by Herb Lee)

PAL TRACK AND FIELD
The PAL Track and Field season kicked off with the AAA WCAL High School Relays held in March. The next event will be the Junior Olympics and All Comers scheduled for June. All interested youths between the ages of 8 and 18 are to call PAL Headquarters (567-3215) the first week in May for signups.

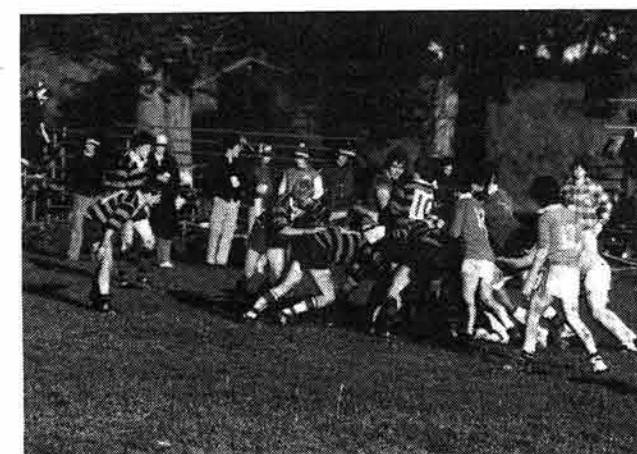
PAL LAW ENFORCEMENT CADETS
The PAL Law Enforcement Cadet Program is winding down after a long semester beginning in October 1981. On the agenda in May and June are the Ride-along Program, plans for graduation, graduation dinner/dance. In addition, the Cadets stand ready to participate in the celebration of National Police Week and the Chief's Picnic plus numerous other police related events. Anyone in the 10th, 11th, or 12th grades interested are to call PAL Headquarters (567-3215) for signups.



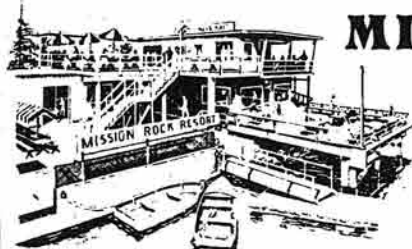
Chief Murphy recently hosted a visit by the Giggleswick Rugby Team from North Yorkshire, England, in his office. Flanking the Chief is Off. Bill McFarland, Co. D, Coach of the PAL Outcasts, and Off. Dale Allen, PAL Rugby Commissioner.



Members of the Giggleswick School Rugby Team from England are shown with members of the San Francisco PAL Outcasts Rugby Team after a recent hard fought game in which the team from England won 28 to 4. Also shown are PAL Rugby Commissioner Officer Dale Allen (Dog Unit) (right), and Rugby Coach Officer Bill McFarland (Co. D, 2nd from left). Photos by Herb Lee.



High School Rugby at its finest. The Giggleswick School Rugby Team has not lost a game in six years as they played the PAL Outcasts.

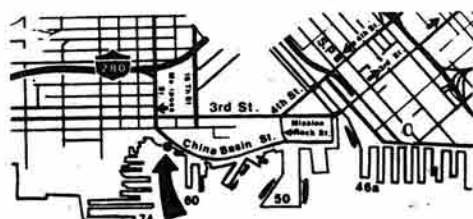


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POLICE ACTIVITIES LEAGUE

by Herbert P. Lee
Director of Activities



Chief Murphy is shown hosting the Coach of the Giggleswick School Rugby Team Andy Majalik. The coach and his team are playing a series of games in the United States and the Bay Area. Also in the photo are (left) Officer Bill McFarland, Co. D, PAL Rugby Coach, and PAL Rugby Commissioner Dale Allen, Dog Unit. (Photo by Curt Cashen)



Flanking Mayor Dianne Feinstein are (left) Kevin Mack and Sabrina Allen, the PAL Boy and Girl of the Year. Also in the picture are (left) Jim Wheary, Chief Murphy, Jack Immendorf and Sgt. Herb Lee. (Photo by Curt Cashen)

PAL BOY AND GIRL OF THE YEAR

(Reprint from S.F. Progress) Kevin Mack, a 16-year old student at St. Ignatius College Prep, and Sabrina Allen, a 13-year old student at Potrero Hill Middle School are this year's Police Activities League (PAL) Boy and Girl of the Year.

The two, who were selected from among approximately 5,000 youngsters, were honored recently at a press conference in Mayor Feinstein's office. A dinner was held in their honor at the Italian American Social Club on March 25, 1982.

"Their athletic prowess and their academic excellence demonstrate clearly that San Francisco's future leadership is being developed skillfully", said Mayor Feinstein in paying tribute to both.

"I'm most grateful to the Police Activities League for providing such marvelous opportunities for our City's youth over the past 21 years".

Sabrina Allen was selected for her excellence in sports, academics and service to her community. She is a member of the honor society at Potrero Hill and serves as treasurer for the eighth grade.

In addition to excelling in school, she serves as a member of the Potrero Hill Neighborhood Youth Program and works at the Potrero Hill Recreation Center during the summer assisting with the lunch program and field trips.

She also assists younger children with crafts, music, cooking classes and keeps the scorebook for the Potrero Hill Recreation Center basketball league. She loves music and was awarded the Bayview/Hunters Point musical award in piano.

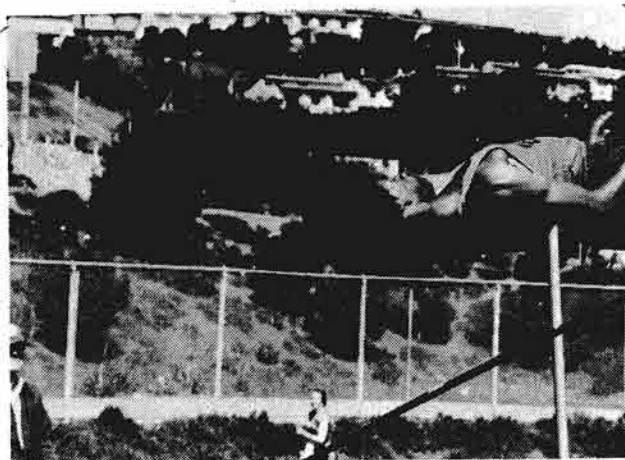
Kevin Mack was nominated and unanimously approved by the PAL Awards Committee as the PAL Boy of the Year.

Mack is a very active person in school, having served as class vice-president in his freshman year. He was recently named to SI's prestigious Hugh O'Brien Youth Foundation. In addition he assists with the school's stage crew, does volunteer work with the Service Club. When Kevin is not in school, he is a very involved person in sports and community work.

In sports he excels in baseball, basketball, soccer, track, and volleyball. When Mack is not playing, he is either coaching, umpiring, or refereeing games. In community work he serves with the Christian Life Community organization as well as with the Pro-Life Coalition.

PAL AAA-WCAL RELAYS

The annual PAL AAA-WCAL HIGH SCHOOL RELAYS held recently at McAteer High Field, produced some top notch times and records. (Reprint from the S.F. Progress). Galileo's James McClanahan stole the thunder from Mission's Ken Frazier and Balboa's Maurice Crumby at the 10th annual San Francisco PAL High School Relays. McClanahan, a senior, was voted the Outstanding Athlete of the meet after leading Galileo to the boys varsity team title. Galileo also won the girls team title while Riordan edged the Lions, 50-48, for the boys frosh-soph team title. Frazier turned in an impressive leap of 50 feet, 4 inches in the triple jump and 23 feet, 8 1/2 inches in the long jump. Crumby, a junior at Balboa, cleared 7 1/2" in the long jump.



Maurice Crumby of Balboa enroute to a new AAA-WCAL Track Record of 7 1/2" in the high jump. Crumby is setting his sights for the 1982 U.S. Olympics.

But, McClanahan had an even more impressive day. He had a 14' pole vault, a 6'3" high jump, ran an 8.5 leg for 70 yards in the 440 meter high hurdle shuttle relay, and had a 52.0 clocking in his quarter mile leg of the mile relay. Galileo won all the events in which McClanahan participated. Teammate Angelo McNeil also had an impressive day. He ran a swift 48.8 leg on the mile relay, an outstanding time for this early in the season. He also ran a 50 flat in the sprint medley and anchored the 400 and 800 meter relays. Galileo's strongest team effort came in the triple jump. Although Frazier had the best individual mark, Galileo won the event by taking the next three places. Justin Brown turned in a 44-2, Lane Hawkins a 43-8 and Ken White a 43-7, all impressive marks at the high school level. The biggest individual standout in the girls competition

was Elyse Duckett, who had the top marks in the long and triple jumps and the shot and discus. Her efforts, however, weren't enough to help Lowell overcome Galileo in the girls team competition.



Participating in the recent Chinese New Year's Run were (left) Sgt/Insp. Morgan Peterson (Juvenile), and Inspector Eddie Preston, Retired. PAL Cadets assisted in crowd control.



Another runner was Off. Nelson Lum, Co. A.



Mayor Dianne Feinstein is shown reading a commendation for Kevin Mack and Sabrina Allen, the PAL 1981 Boy and Girl of the Year as Chief Murphy looks on.

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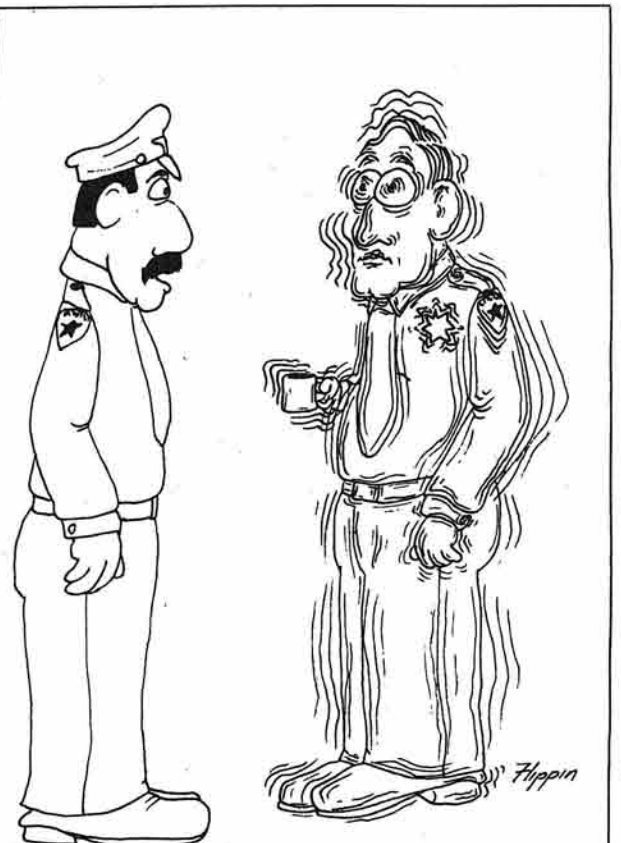


L to R: Claudia, David (at Co. E), Cynthis (at Co. H), Bob (Retired SFPD Inspector), and Dorree (Airport Police).

GLAUCOMA

Glaucoma is one of the leading causes of blindness among adults in the United States. Because it often strikes without noticeable symptoms, it is called the "Sneak Thief of Sight". Sight destroyed by glaucoma cannot be restored. However, early detection and treatment can check its progress. The best defense against glaucoma is an eye examination at least once every two years.

If you are near or past thirty-five, you have a direct interest in being screened for this blinding disease. District Health Center #1, located at 3850 - 17th Street, is holding a Saturday morning glaucoma screening clinic on May 22, 1982. The fee is \$1.00. For an appointment, call 558-3905, Monday through Friday, 8:00 a.m. to 5:00 p.m.



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SPORTS

S. F. CENTURIONS' DINNER SET FOR APRIL 29

The San Francisco Centurions, fresh from their season-ending victory over the LAPD football team, will hold their annual awards dinner on Thursday, April 29, 1982, at the S.F. Police Athletic Club at Hunter's Point.

The roast beef dinner will also include salad, french bread, vegetable, baked potato, coffee and dessert for the very reasonable price of \$10.00 per person. Drink tickets will be on sale for \$1 each, or 6 for \$5, beginning at 5:30 p.m.

The evening will also include the presentation of awards as voted by the team members themselves, and a combined auction/raffle of complimentary dinners and sporting goods items to benefit the "Wounded Ankle" Fund.

Reservations may be made by contacting Sgt. Don Carlson, at 641-8827 between 9:00 a.m. and 5:00 p.m., any weekday prior to April 26th.

Golf Club News

With the arrival of spring, it appears the threat of wet weather has diminished enough to bring out the fair weather golfers.

On Wednesday, March 24, 1982 the San Francisco Police Golf Club held our monthly tournament at Skywest Golf Course in Hayward. We had ninety-one players show up to play golf. Under fair but windy skies the golf course was once again victorious. Only three players broke ninety, with two guests leading the way. Larry Sylvestri had a seventy-eight and Bill Lee had a seventy-nine.

Dave Minner ended a fairly long absence by taking low gross honors with a seventy-nine. The low net winner was Nick Eterovich Jr. who had a net sixty-seven (85-18) and won the playoff with two others (Larry Minasian and Ronny Rhodes) who also had sixty-sevens.

The flight winners were: first, Joe Buckley, Paul McGoran, George Gamble and Jerry Cassidy; second, Larry Minasian, Ronny Rhodes, Nick Eterovich Sr. and Bill O'Connor; third, Jim Kerr, Ed Castiglioni, Jack Southern and Joe Allegro Jr.; fourth, Al Sonoda, Buzz Jones, Dick Sanden and Jack Daly.

The guest flight winners were: Joe Rosset, Joel DuBose, Art Kissel, Jack Gibson, Larry Sylvestri and Bob Lall.

The hole-in-one winners were Bill Lee at the second hole with a nearly perfect shot 2'4" from the hole and Paul McGoran at the twelfth hole when he put one 8'9" away.

Many things are in the planning stages right now.

The San Francisco Police Golf Club is having a weekend golf trip to Reno the weekend of June 18, 19, 20, 1982. Any S.F. policeman who is interested, get in touch with me for details. Most of our members are bringing their wives and it really looks like a good time.

Also in the planning stages at this time are the Sixteenth California Police Olympics to be hosted by our department this year. Any S.F. policeman who is interested must let me know by May 1st, 1982. This year's Olympics will cost the golf participant \$106. Please don't sign up if this is too much for you as, if we have too many players, we will have to have tryouts and not much time to have these tryouts.

We also have the PAL Golf Tournament coming up July 16, 1982 and our annual barbeque tournament against the Oakland Police on July 26, 1982.

Any S.F. policeman, either active to retired, interested in belonging to the Golf Club, give me a call and I will give you further information.

Jerry Cassidy, Secretary
San Francisco Police Golf Club
Co. K Solo's, Rm. 150, Hall of Justice
850 Bryant St., S.F. (553-1245) or
237 San Marin Dr., Novato 94947 (897-0226)

DAN NILAN TENNIS TOURNAMENT

The SFPOA is sponsoring this year's Dan Nilan Tennis Tournament to be held May 19-21, 1982. This tournament will be open to all S.F. police officers, S.F. sheriffs, S.F. district attorneys, Highway Patrolmen and the local F.B.I. office for singles, doubles and a special mixed doubles event that will be open to con-

testants and their spouses.

Top police finishers in this tournament will be invited to compose a police olympic team to compete in the California Police Olympics, July 6-10, 1982. Any officers interested should contact Jeff Barker, 553-1243 at the Police Gym.

WOMENS' BASKETBALL TEAM PHOTOS



Monica Fields, who led the All Stars to a triple overtime victory, shoots the first of two free throws in the 1st quarter, as Leslie Chong, Willa Brown and Vicki Quinn look on.



A Piglet finds herself "penned in a corner" by Pat Jackson and Vicki Quinn; defensive play like this keyed the victory for the All-Stars.



The SFPD All-Stars, S.F. Rec. & Park "C" League Champs. (Kneeling, L to R) Leslie Chong, Jeanne York, Vicki Quinn, Pat Jackson. (Standing, L to R) Coach Don Carlson, Monica Fields, Willa Brown, Dolly Casazza. Not Present: Chris Lee, Marlene Willhoite.

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

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SPORTS

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WOMAN CAGERS WIN 1ST TITLE

by Don Carlson

When I first thought about writing this piece, I couldn't decide whether to write it strictly as a "news" article ("On Thursday, March 25, the 'All-Stars', the SFPD's Women's basketball team, defeated the 'Piglets', 30-27, to capture the San Francisco Rec. and Park 'C' League title."), or whether to write in a conversational, first person style. I decided upon the latter for various reasons, but primarily because I've coached the team during its two years of existence.

Additionally, I was too involved in that Thursday night game to objectively step back and do a totally balanced article. Ask anyone who was there: it was an emotional game to say the least, and one of four or five athletic "experiences" which I've looked back at and felt privileged to have taken part.

Over 100 fans (a big turn-out for this type of game) cheered steadily throughout the game, and saw a brief fight break out which caused the two players involved to be thrown out of the game. It finally ended after three overtimes, almost two hours after it began!

During our 6-0 season, we had beaten the Piglets, who represent Co. K's metermaids, 21-20, a game which I had to miss. In that game, the Piglets pressed full-court and scored a lot from our turnovers. For the two practices prior to the title game, the All-Stars worked on breaking the press in a very structured way. Our hard work paid off: Leslie Chong, Vicki Quinn, and Monica Fields, the three most consistent players on the

team, continually frustrated the Piglets by getting the ball up court with minimal trouble.

As is always the case with our team, everyone contributed. Defensively, Pat "PG" Jackson and Jeanne York shut off the Piglets' best guard; Willa Brown, in addition to scoring a key basket in the first OT, had a super rebounding night; and Dolly Casazza played well while allowing our other guards to get the rest they really needed during the game.

But Monica Fields was the key to the win. Monica is the type of player every coach looks for: talented, dependable, unselfish, and observant on the court. Time and again, especially in the overtimes, Monica took charge, scoring baskets with two or three defenders literally hanging on her!

I've found this to be a unique coaching experience. All double-entendres aside (my wife did mention something about me watching ten women in short pants, running around, getting hot, in a large poorly lit room!), I'd never been involved in women's sports. I found these players to be very "coachable", both in wanting direction and having the ability to execute what I asked them to do.

To the All-Stars: Thank you, and stay in shape — I'm already looking forward to next season when we should be even better! Now if we can just convince Mollo to get women's basketball into the Police Olympics

Photos on opposite page.

SFPOA BASKETBALL

Team Captures Pair of Third Place Trophies

by Bob Puts

During the first week of March, the SFPOA Cagers brought home two third place trophies. The first was in the seventh annual L.A.P.D. Basketball Tournament, which was held at the Los Angeles Police Academy. Because of football and family commitments, the San Francisco team sent a small but talented seven basketball players to represent our department.

Led by "All-Tournament" players Steve "Sky" Venters and Charley Mahoney, the SFPOA team defeated the L.A. Jailers, 84 to 72 in the tournament opener. The POA Cagers returned to the gym that night, and behind Jeff Barker's 17 points, turned back the L.A.S.O. 70 to 67.

After a night of celebration, the team returned the following morning to the gym, only to be put down 99 to 80 by a tall and talented Orange County D.A. Team. The following morning was just as disastrous as the SFPOA's front line of Venters, Colonico, and Puts were outbounded by the Riverside Probation Deptment's six-foot-six front line. Despite playing against two former all-American collegians, Jim Deignan, Jeff Barker and Dave Ambrose played deliberate and patient in a hard fought loss, 104 to 89.

The second third place trophy came a week later in the finals of the Eureka Valley Basketball League. In this league, we saw the fine teamwork of years of practice, which combines the ball handling of Jim Deignan, Curt Bruneman, and Charley Mahoney with the inside play of Jerry Langford and the always reliable Gerry Calgaro. Steve Venters (Mr. All-Tournament) and Ed Rodriguez supplied the outside shooting, while Tony Rodriguez, Leon Sorrhondo, Andy O'Mahoney, and Bob Puts supplied the needed bench strength. After finishing with an impressive 9 win, 2 loss record, the POA Cagers were defeated 98 to 85 by Devo, a team they earlier beat.

The SFPOA Basketball Team, along with Dale Allen and Ed Chow's P.O.A. II Team, will now prepare themselves for the annual San Francisco Police-Fire Basketball Tournament, which will be held at Kezar Pavillion on May 7th, 8th and 9th.

L.A.P.D. TOURNAMENT STATISTICS

Name	G	Pts.	Avg.
C. Mahoney *	4	59	14.7
S. Venters *	4	58	14.5
J. Barker	4	53	13.2
R. Puts	4	51	12.7
J. Colonico	4	38	9.2
J. Deignan	4	32	8
D. Ambrose	4	24	6

* Selected to the LAPD All-Tournament Team

SAN FRANCISCO POLICE DEPARTMENT RUN FOR YOUTH

by Walt Scott & Tim Foley

Attention all runners, joggers and walkers:

The SFPD Youth Program will hold the First Annual "SFPD Run for Youth" on Saturday, June 12 at 5 p.m. This will be a twilight run around Lake Merced.

Spearheading the run organizing committee are three of the nation's best run organizers — Ron Markillie, Len Wallach and Tom Benjamin, who organize the Bay to Breakers as well as many other major runs. Sergeant Dennis Gustafson (Senior Escort) and Officer Mike

Dempsey (Co. D) are taking an active part in organizing the run, as is a large group of citizen volunteers. With all this first quality experience we know the "SFPD Run for Youth" will be a first class event. We expect this to be the first of many springtime runs. If you would like to help plan and/or help on race day for the June 12 run, please call us at Extension 1348.

The run registration forms will be coming out soon. The run is open to all

with the proceeds going to support the SFPD Youth Program. Even if you are not a runner, register as a supporter and be eligible for the giant drawing which will feature many prizes such as dinners for two at many of San Francisco's finest restaurants and gift certificates for running equipment. All runners will also be eligible for all prizes as well as receiving a souvenir T-shirt. Registration fee is \$5.00 with \$7.00 on race day.

We expect many sports celebrities to be on hand, including Fred Biletnikoff (Oakland Raiders) and Bruce Gossett (49ers). Supervisor Wendy Nelder will be there also to participate in race day festivities. So mark your calendars and plan to participate and bring your friends. As far as we know, this is the first ever SFPD sponsored run for the general public. If you have any information on this matter, please let us know. See you there!

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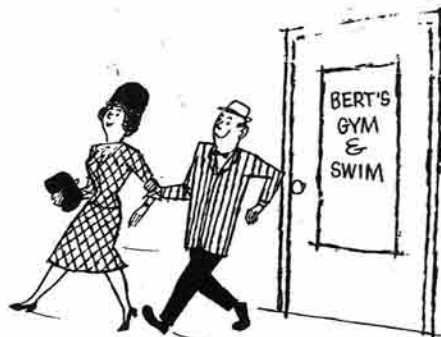
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EMPLOYMENT Continued

In two California Supreme Court cases, *Cervantez v. J.C. Penney* and *People v. Cory*, the court held that while privately employed in the area of security work, the officers do not have the same powers as sworn on-duty peace officers, and that such powers are limited to that of private citizens. Additionally, assault committed against such officers, even though the off-duty officers may be in full uniform, are not subject to the protections of Penal Code Section 243.

Having these cases in mind, as well as the legislative intent enumerated in Government Code Section 1127, it is quite clear that the administration is embarking in to an area of over-regulating off-duty employment activity that the California Supreme Court has clearly stated is that of a "private citizen" and not that of peace officers as previously defined.

This secondary employment proposal is "overkill" and will do nothing but prohibit employment, cause great economic hardship for a vast number of police officers, generate an incredible amount of calls for service for on-duty personnel that would otherwise be handled by the off-duty officer, and it will, without a doubt, instill tremendous dissension amongst our ranks.

No other jurisdictions impose such wide ranging restrictions on off-duty employment, and there is no sound, valid reason why our administration should request or adopt this proposal.

Although there have been numerous postponements on this issue at the Police Commission during the last year (all at the request of the POA), I fully expect that the issue will be heard by the full commission on April 28th at 5:00 p.m.

During the last three years, I believe that the Police Commission has been quite fair in the manner in which they deal with POA issues and disciplinary matter, and I would fervently hope that the commission employs that same fairness and reason on this issue and rejects it.

I strongly urge all members so employed in secondary employment to make it your business to attend this hearing, as I do not believe that any other single issue could be of such importance to our membership.

GUN CONTROL Continued

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Off. Pete Maloney concluded, "This official position of the SFPOA has received substantial support from members of the Board of Supervisors since its adoption. The SFPOA stands ready to assist in each and every stage of implementation to insure that our San Francisco becomes a safer place for each of us."

Off. Pete Maloney
SFPOA Director

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The **Split Roll** does so by taxing all commercial/industrial property differently than residential and agricultural property. Residential and agricultural property will continue to receive the full benefits of Proposition 13. The benefits to renters and homeowners moving since 1975 will be increased. The amount of Proposition 13 relief given to commercial and industrial property would be reduced.

Specifically, Split Roll will:

- Cut property tax assessment increases in half for all homeowners moving since 1975 or in the future.
- Continue Proposition 13's tax rate limit of 1% and assessment protections for all homes, apartments and agricultural property.
- Increase the renter's credit to \$100 for single people and \$200 for couples.
- Reassess commercial/industrial property to full value.
- Increase the commercial/industrial property tax rate to 1.33%.
- Raise 1.6 billion dollars for police, fire protection, schools and other public services.

SPLIT ROLL MAKES PROPOSITION 13 WORK FOR ALL OF US

THE FACTS ABOUT SPLIT ROLL

FACT: Proposition 13 protects homeowners who haven't moved, but when homeowners move, their taxes often double or triple in a single year.

SOLUTION: The Split Roll Initiative cuts the tax increase due on homeowners who have moved in half (by exempting 50% of the assessment increase from taxation).

FACT: Renters got no property tax relief from Proposition 13.

SOLUTION: The Split Roll Initiative increases the renter's credit to \$100 for single people and \$200 for

couples, giving renters over \$200 million in tax relief.

FACT: Proposition 13 was supposed to be for homes but big business got almost two-thirds of all the relief.

SOLUTION: The Split Roll Initiative decreases the amount of relief given to big business by reassessing commercial/industrial property to market value and increasing the maximum tax rate on these properties from 1% to 1.33%. **Commercial/industrial properties would still pay less than half of the tax rate they paid before Proposition 13 passed.**

FACT: Local governments throughout California are cutting police protection, closing firehouses, shutting down schools, dropping health programs, etc. because now the state surplus is gone so there is no money to pay for these services.

SOLUTION: The Split Roll Initiative raises \$1.6 billion to fund fire and police protection, schools and other important public services.

FACT: The increasing use of user fees and service charges on new homes has added up to \$10,000 to the cost of a new house when the price of housing for everyone, especially young people, is already almost prohibitive.

SOLUTION: The Split Roll would reduce the necessity for those fees and charges on new homes, therefore reducing the price.

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