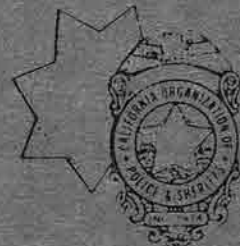




# the San Francisco POLICEMAN

OFFICIAL PUBLICATION OF THE SAN FRANCISCO POLICE OFFICERS ASSOCIATION

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



Member of COPS - California Organization of Police & Sheriffs

VOLUME 17

SAN FRANCISCO, AUGUST 1985

NUMBER 7

## FEINSTEIN MOVES AGAINST POLICE

By Paul Chignell  
Opinion Correspondent

As Mayor Dianne Feinstein increasingly moves toward lame duck status as Chief Executive of the City and County of San Francisco, she has emerged as a strongly anti-police advocate. Feinstein most recently displayed her stripes by promoting Charter amendments that would turn the clock back prior to 1971.

### POA INVOLVED IN INTENSE LOBBYING

Feinstein has introduced Charter amendments eliminating the civil service merit system for exempt positions above the rank of Captain and also a Charter amendment that would increase the Chief's disciplinary powers. Over the past several weeks the POA has been intensively lobbying members of the Board of Supervisors asking them to reject the Charter amendments and not place them before the electorate for a vote.

### FEINSTEIN PRINCIPLES OUT THE WINDOW

The most galling aspect of Feinstein's push to allow the Chief the authority to appoint any member of the Department to the ranks of Commander and Deputy Chief is that she was a main sponsor of the historic Proposition E of 1971 which instilled civil service protections in the San Francisco Police Department. Prior to Proposition E, any member regardless of rank could supervise the other members and the ludicrous situation of sergeants supervising Captains existed. Feinstein wants to turn back the clock. In her memorandum to the Board of Supervisors, she states, "...changes proposed removes language prohibiting a member with a lower civil service rank supervising one with a higher rank..." Madame Mayor goes on "...the intention here is to expand the pool of candidates available for appointment to non-civil service positions by eliminating requirement (sic) that only captains can be considered for appointment to non-civil service positions above captain..."

There is no necessity to "expand the pool of candidates"

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## PROMOTIONS: A VALUABLE RETIREMENT BENEFIT

By Mike Hebel, Welfare Officer

Promotions — new responsibilities and challenges; assignment and watch changes; a pay raise. Yes, promotions most certainly entail these obvious changes. But equally important and often understated is the pension benefits of a promotion. This benefit is most beneficial for those in the Tier I System (police officers prior to November 1976 who did not take the 1981 benefit buy-out) and of much lesser importance to those in the Tier II System (police officers first employed on and after November 1976 and resigned police officers who returned to the Police Department) with its noncompounded 2% annual cost of living adjustment.

### SEE THE FIGURES

In computing contributing rates, the City and County Employees' Retirement System presently assumes, for actuarial purposes, that annual police wages will increase on an average by 7½% while the annual inflation rate will average 6%. These assumptions are used in my computations. While these figures may eventually prove high in the present low inflation (3.7% CPI) economic environment, nevertheless the following monthly retirement benefits do reflect the general retirement benefit differential of the various ranks.

Years After Ret.	Assumed Monthly Salary at Your Rank	Increased in Monthly Salary at Your Rank	Half Of Increase	Tier I Monthly Ret. Allow. (Min. 55%)	Tier II Monthly Ret. Allow. (Min. 50%)
0	\$ 2,754/Q-2	-	-	\$1,515	\$1,377
	3,194/Q-50	-	-	1,757	1,597
	3,651/Q-60	-	-	2,008	1,826
	4,284/Q-80	-	-	2,356	2,142
1	\$ 2,961/Q-2	\$ 207	\$104	\$1,619	\$1,405
	3,434/Q-50	240	120	1,877	1,629
	3,925/Q-60	274	137	2,145	1,863
	4,605/Q-80	321	161	2,517	2,185
2	\$ 3,183/Q-2	\$ 222	\$111	\$1,730	\$1,433
	3,692/Q-50	258	129	2,006	1,661

	4,219/Q-60	294	147	2,292	1,900
	4,564/Q-80	345	173	2,690	2,228
5	\$ 3,955/Q-2	\$ 276	\$138	\$2,117	\$1,517
	4,587/Q-50	320	160	2,454	1,757
	5,241/Q-60	366	183	2,803	2,011
	5,670/Q-80	396	198	3,243	2,357
10	\$ 5,679/Q-2	\$ 396	\$198	\$2,979	\$1,657
	6,585/Q-50	459	230	3,454	1,917
	7,524/Q-60	525	262	3,945	2,196
	8,139/Q-80	568	284	4,479	2,572
15	\$ 8,153/Q-2	\$ 569	\$284	\$4,216	\$1,797
	9,455/Q-50	660	330	4,888	2,077
	10,802/Q-60	754	377	5,584	2,381
	11,683/Q-80	815	408	6,253	2,787
20	\$11,705/Q-2	\$ 817	\$408	\$5,992	\$1,941
	13,573/Q-50	947	473	7,301	2,242
	15,426/Q-60	1,076	538	7,450	2,566
	16,773/Q-80	1,170	585	8,797	3,002

### BELIEVE IT!

The monthly salaries shown, along with the retirement allowances, are my projections. Many persons would not believe that such increases can happen. To show that such increases are more than possible, the salary for a Q-2 police officer in 1941 was \$200 a month. Over this 45 year period, salaries have increased by more than 10 times. Police officers in 1941 would have had difficulty believing a \$2,700 a month salary possible, but it did happen. Inflation today is at a higher level than it was in 1941, so salaries can easily increase by more than 10 times over the next 40 years. Caveat: No one really knows by how much salaries and retirement allowances will advance. However, the certainty of inflation means that retirement planning is a necessity.

The present median retirement age for a police officer is 53. The Internal Revenue Service's annuity life expectancy tables show that this police officer should live another 23 years to age 76. His wife of the same age should live an additional 4 years to age 80.

### PROMOTIONS ARE VALUABLE

These calculations clearly demonstrate the tremendous value that a promotion can bring to a pension plan. At retirement, a sergeant receives 16% more than a Q-2 officer with the same service years. Five (5) years after retirement, a lieutenant receives 14% more than a sergeant with the same service years. Ten (10) years after retirement, a captain receives 13.5% more than a lieutenant with the same service years.

Based on the above calculations, a promotion from police officer to sergeant is worth, over 15 years of retirement, the sum of: \$77,652. A promotion to lieutenant is worth: \$82,172. Then to captain, another: \$90,820.

From police officer to captain: \$250,644 — and all in a short span of 15 retirement years.

### TIER II

The dollar figures speak for themselves. Tier II's restriction

continued on page 7

## SAN FRANCISCO'S AMBULANCE SERVICE NEEDS SHOT IN THE ARM

By Dan Linehan, Secretary

### CRISIS SITUATION

Recently I had the pleasure of meeting Mr. Mike Tragesser who is the public informational officer for the San Francisco Paramedics Association. Mike informed me of a situation that I was unaware of, but could have a drastic effect on a police officer or a citizen of our City. Presently our paramedics are critically understaffed and ill-equipped to perform their tasks — saving lives and caring for the injured. As a police officer, I can't count how many times I needed a paramedic to care for an injured person. I can't estimate how many lives they may have saved over the years, but after discovering the needs of our paramedics, helping solve their problems would be a way of saying thank you for a job well done.

### RESPONSE TIME

Last year our paramedics responded to over 4,000 emergency calls of potentially life threatening situations. Their average response time was 8 minutes. The nationally accepted response time for these types of calls is 6 to 6½ minutes. Twenty five percent (25%) of the time, emergency ambulances in San Francisco would arrive too late to successfully resuscitate patients, if they suffered a heart attack!!! The American Heart Association places an 8 minute paramedic response time to have a chance to save the life endangered by cardiac arrest.

### MORE AND NEWER AMBULANCES NEEDED

Currently our paramedics serve a population of 714,000. Additionally, each work day approximately one million people enter our City. They are serviced by San Francisco Ambulance Fleet of 7.7 ambulances. The critical need of additional ambulances is better focused by the recommendations of the National Fire Academy of Emergency Medical Services. They recommend one ambulance per 50,000 population. Today our paramedics service one ambulance per 93,000 population — almost double the accepted level of protection.

Recently a consultant's report of the ambulance services urged that every ambulance should be replaced at 70,000 miles of service. Our current fleet has an average of 102,000 miles, without benefit of a comprehensive preventive maintenance program.

### CONCLUSION

The Paramedics Association has developed solutions to resolve this crisis. They are seeking to add five (5) 24-hour ambulances, staffed with two (2) paramedics. Only with the additional staff and equipment will our paramedics be able to function within accepted levels of performance. We need their efforts to perform our jobs. We must support the Paramedics Associations' solutions for better public protections. Remember the life they save may be our own.

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# Widows and Orphans

The regular monthly meeting of The Widows and Orphans Aid Association was called to order by V. Pres. Mark Hurley at 2:05 P.M., Wednesday June 19, 1985 in the Traffic Bureau Assembly Room, Hall of Justice.

Pres. Kemmitt, Trustees R. Kurpinsky, John Newlin excused. All other Officers present. The minutes were approved as presented to the membership in writing.

COMMUNICATIONS: Following donations were received and acknowledged by the Secretary:

MRS. JAMES MURRAY — in memory of her husband Lieut. J. Murray and her son Lloyd Enmark,

MRS. IDA EDWARDS — for services from Parking Controlman at Richmond Station,

ALBERT WILLIAMS — for services from members of Mission Station,

WILLIAM FINDLEY — for services by Michael Ferrier, Taxi Detail,

CARLA RUTH ROSENBAUM — Secretary in Fraud Detail who donated money given to her by members of the Detail during Secretary's Week.

KARL SALGHAU — Retired member of the Department who just made a donation,

LARUE GRIM — for services from members of Narcotic Bureau.

NEW MEMBERS: Motion McKee/2nd Jeffery that the following be accepted as new members: ROLANDO CANALES, JR, MARK S. CARROLL, JOHN CONFREY, JAMELA CUNNINGHAM, CARMEL DEBONO, ELAINE ECONOMUS, SHARON FERIGNO, MARK J. GALLEGOS, RENE O. GUERRERO, JR, FAENETTA HUTCHINGS, VINCENT Y. LEE, DAVID L. LEUNG, SUSAN MANHEIMER, JERRY A. NEITZ, JAMESON PON, SUSAN L. ROTH, SUSAN S. SMITH, JOHN S. SOLIS, KEENAN M. SOWELLS, TIMOTHY G. TANG, MARY E. TENNEBAUM, HELENE VALENCIA, CLAUDIA D. WILCOX, THOMAS L. WONG.

SUSPENSIONS: Five members were dropped from the rolls by order of the President under ART III, SEC 4 of The Constitution.

Bills for payment of benefits, salaries and miscellaneous were approved by the members.

Treasurer Bill Parenti reported the following deaths:

WILLIAM J. DOWD: Born in Oakland in 1907, he became a member of the Department in 1933, age 35, after working as a jailer in Alameda. Bill was assigned to Communications and remained there for over 25 years. He was transferred to Co. C and stayed there until his retirement for disability in 1963, at age 57. Bill was appointed a Sergeant in 1950. In 1961 he received a 2nd Grade meritorious for the rescue of occupants from a burning hotel - a 4 alarm fire. Bill was 78 at the time of his death.

EVAN JAMES: Born in Butte Montana in 1898, Evan came to the Bay Area while a young man and after working as a machinist for several years joined the Department in 1898 at age 35. He worked at Ingleside for two years and was then assigned to Co. K working Fixed Post. In 1943 he was assigned to the 3 wheel detail working there from 1943 to 1951. Made an L.T. Sergeant he went to Potrero until his appointment as a permanent Sergeant when he was transferred to Southern. After 4 years at Southern Evan went to Taraval and remained there until his retirement for service in 1962 at age 64. In 1956 he received a 2nd Grade Meritorious for the arrest of an armed hold-up man. Evan was President of The Police Officers Association in 1946 and continued active until his retirement. He was 87 at the time of his death.

EDWARD P. O'HAIRE: Born in San Francisco in 1920 and at age 22 in 1942 joined the Department, after working as a radio mechanic. He was assigned to Accident Bureau and worked there until he was granted Military Leave in 1944. Returning from the service in 1946, he returned to the Accident Bureau until 1948 when he was assigned to the Bureau of Inspectors, serving in the Robbery Detail. In 1944 Ed received a 1st Grade Meritorious for the apprehension of 3 armed suspect in a stolen cab who were wanted for Robbery & Kidnap., in 1953 a Capt. Commendation for investigation and arrest of 3 suspects wanted for hold-up of a Safeway store, In 1953 a 2nd Grade for arrest of 3 suspects wanted for Robbery. Ed resigned from the Department in 1959 to enter the practice of law. In this capacity he represented many members before the Retirement Board. When Ed resigned he had attained the rank of Sergeant and had been appointed an Inspector in 1953. He was a young 56 at death.

JAMES PIGOTT: Another San Franciscan, Jim was born in 1919 and after working for the Muni as a conductor became a Police Officer in 1947 at age 27. Assigned to the Accident Bureau, he worked there until he was granted Military Leave in 1951. Returned to the Accident Bureau and was there until his transfer to Bureau of Special Services. remaining in this detail for 14 years. Appointed a Sergeant in 1973 he was assigned to Northern working there until his retirement for service in 1976 at age 57. Jim received two Capt. Commendations — in 1957 for arrest of an armed prowler and in 1962 for protection and search of the scene of a homicide. Jim was Pres. of the Widows and Orphans in 1970. In addition he was an active member of S.F. Police Credit Union. Jim was also young, being only 66 when he passed away.

EARLING P. ROLANDSON: Born in 1917 in Minnesota, Earl became a member of the Department in 1943, age 25, after working as an accountant for the Southern Pacific. After the Academy he went to Richmond and after two years in a radio car was assigned to Mounted Patrol. After three years, Earl was transferred to the Juvenile Bureau. He was appointed Assistant Inspector in 1957, a full Inspector in 1959. Earl retired on a disability in 1963 at age 45. He was awarded 2 Capt. Commendations, one in 1954 for arrest of 2 suspects in a grocery store holdup, and in 1958 for the arrest of nine juveniles who were attempting to start a gang fight. After his retirement, Earl worked at the Police Post Credit Union and then at the S.F. Police Credit Union. Another member who died young, Earl was only 64.

TRUSTEES REPORT: Approved the sale of Fed. Land Bank Bonds and the purchasing of other Govt. Bonds maturing in 1991. Miss Minuth, Hibernia, reported that the realized gain for this year is \$145,000.

NEW BUSINESS: Bro. Hurley brought up the fact that the Housing Police were changed to be members of the Department. Question? Were they eligible to be members of the Widows and Orphans. Committee to inquire of Legal Dept. as to their exact status.

GOOD OF THE ASSOCIATION: Members are advised that the new regular meeting will be held Wednesday July 17, 1985 at 2:00 P.M. in the regular place.

ADJOURNMENT: There being no further business to come before the membership, the meeting was adjourned at 2:45 P.M. in memory of the above departed Brothers.

Fraternally,  
Bob. Mc Kee,  
Secretary



## POLICE POST #456 NEWS

July as far as Post meetings are concerned is a quiet month. No Post meetings are scheduled. The reason for this is to clear up post-convention activities and to allow time for members and their families to take a vacation or do whatever they have to do.

A guy asked a woman friend, "Do you get lonesome living all alone?" "No" she answered. "I live with four guys. I get up in the morning with Charlie Horse. I have lunch with Arthur Ritus, I spend the day with Will Power and I go to bed with Ben Gay.

Now, the foregoing was not intended to be racy, but rather to illustrate a point. The point being lonesomeness. Have you ever given a thought to our veterans in hospitals and rest homes? California has a pretty good program with Yountville and various other facilities but there are so many veterans of all wars who live a very lonesome life with no one to care for them. Your dues are the key to the success of lots of programs geared to helping the aged and infirm veteran. Give that lots of thought next time you are asked to pay your dues. So many programs that the American Legion involves itself in would not be possible without your help. Police Post 456 has the reputation for getting things done. If you have not sent in your dues yet, take the time to send them in. It makes so much possible that would be out of the question without that little bit of help from you. If you haven't paid your dues yet, won't you please get them in?

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

Your Scribe,  
John A. Russell

## Correction

In last month's issue Bill Farac (retired, SFPD), was incorrectly identified in our 'Night to Remember' photos. We are sure that everyone who saw the photo recognized Bill as he was a 31 year veteran of the department. The "Policeman" regrets the error.

The Editor

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- Letters must be accompanied by the writer's true name and address. The name, but not the street address will be published with the letter.
- Unsigned letters and/or articles will not be used.
- Writers are assured freedom of expression within necessary limits of space and good taste.
- The editor reserves the right to add editor's notes to any article submitted, if necessary.
- Articles should be typed, double-spaced.

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## PRESIDENT'S COLUMN

by Bob Barry



### FAIR LABOR STANDARDS ACT

The Fair Labor Standards Act was enacted into law in 1938 and sets minimum wage and maximum hour standards for employees. The regulations fall under the jurisdiction of the United States Department of Labor and violations of the act are remedied in Federal Court.

In 1974, the Act was amended to apply to public employees (including law enforcement and firefighting personnel), but in 1976, the U.S. Supreme Court in "National League of Cities v. Usery" declared the extension of the Act to public agencies as unconstitutional.

However, on February 17, 1985, in another Supreme Court case, *Garcia v. San Antonio Metropolitan Authority, et al.*, the court overruled its prior decision (*Usery* case) and now the Act applies to most public employee classifications.

The Act provides that overtime compensation at time and one-half be paid to employees who work in excess of forty (40) hours in a given week (160 hours within a month).

Congress provides, however, that no overtime compensation need be paid to law enforcement personnel as long as the total number of hours worked in a twenty-eight day cycle does not exceed 171 hours. Once an employee reaches this amount of hours, then the employer, i.e. CCSF, shall pay the employee "in case" — not compensatory time off (CTO). There apparently is no option for the employer and employee to enter into agreement of deciding to select either "pay" or "compensatory time" beyond the 171 hours.

However, the hours worked between 160 and 171 is still controlled by the Charter, City and County of San Francisco. The Charter language mandates that the employee has the option of selecting either "pay" or "compensatory time".

There are numerous other provisions in the act such as "exempting" management personnel, on-call time and some travel time that mandates payment of overtime, but there is nothing definitive on these areas until such time as we meet and confer with the city prior to the implementation of the Act.

We have formally requested a meet and confer and expect to start discussing this issue within a few weeks.

There are efforts underway in congress to alter and quite possibly "exempt" public employees from the Act.

I have sent U.S. Senator Pete Wilson a letter expressing our desire to allow the employer/employee the "option" of selecting time or pay, but we expressly opposed the exclusion of public employees from the Act. Other POA's around the country are applying the same pressure.

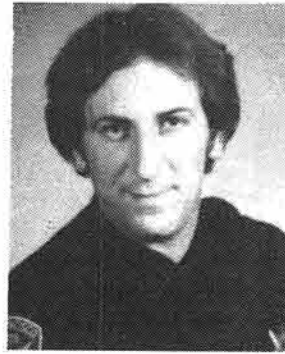
As more information becomes available — it will be disseminated.

## A POLICEMAN'S LOT/Manny Coreris



## VICE PRESIDENT'S COLUMN

by Ron Parenti



In an earlier article, I made mention of my belief that this department's hiring and promotional standards have dropped below an acceptable level. The recent decision by Federal Judge Robert Peckham on the sergeants and assistant inspectors exam reinforces my thinking.

The judge ruled that appointments to the rank of sergeant or assistant inspector could proceed based solely on the results of the oral interview. This promotional process, which has come to be known as 0-0-100, means that the two written portions of the exam would count for nothing. Thus, Phase 3, the oral exam, would constitute 100% of the scoring, and be the only basis for the promotion.

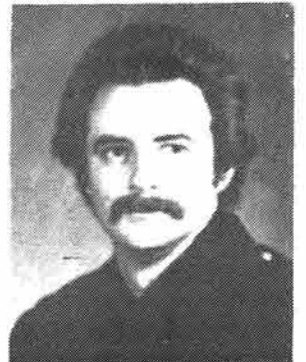
For the life of me, I cannot understand this reasoning! For all other areas of our profession, our standards are comparable to those of our peers around the state. These include such things as our hourly wage, the hours we work and the laws and rules by which we do our job. So, using these standards of practice as a guide, how can this promotional process be acceptable?

This decision becomes more repugnant because the City of San Francisco and the SFPD have failed to support us in our stand against this blatantly unfair decision.

The POA must continue to do everything in its power to stop this foolishness. This is a process which promotes individuals based on the color of their skin. This process dilutes still further our already below standard level of practice. Most importantly, this process has the potential of destroying what little morale remains in our department and pits officer against officer.

## SECRETARY'S COLUMN

by Dan Linehan



### EDUCATIONAL INCENTIVES

The Rules and Legislative Committee of the Board of Supervisors voted 2-0 against placing a Charter Amendment allowing educational incentives for active police officers. Citing a deficit in City spending, the Supervisors voted against this proposal introduced by Supervisor Doris Ward. I would like to thank Supervisor Ward for her commitment of higher educational levels for our Police Department. This issue will not be forgotten and will be placed on the ballot when the City's cash flow problems are lessened.

### NIGHT DIFFERENTIAL

The POA has filed suit against the City as a result of the Police Department not following the provisions of this Charter Amendment. Our area of concern is the non-payment of night differential when our officers elect to receive compensatory time. We believe that the officers' choice of overtime or holiday payment should have no affect on the night differential money. The Department requested an opinion from the City Attorney's office over ten (10) months ago to no avail. I guess Mr. Agnost is too busy fouling the muddied waters of our promotional examinations to render his valuable thoughts.

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# RUMOR CENTRAL

by Tom Flippin

From time to time (sometimes it seems to be non-stop) rumors sweep through the department. Some of these rumors are unrealistic to the point of absurdity, but they are embellished and repeated and often believed. Although a good rumor, like a good joke, can enliven the day, some of them need to be tracked down and to have the truth (if any) shaken out. When the need arises this column will appear. Hopefully, it will be able to clear up the rumor by going to whatever source necessary and getting the truth.

The main rumor lately is that the department has begun to ignore G.O. B-1, physical agility/physical fitness standards, or at least to throw out the section which allows members to exceed maximum weight standards by 10%.

First of all, let's get straight exactly what G.O. B-1 says. Section II.A.3.a. says that members who exceed their maximum weight by more than 10% must be examined by the police physician, who may waive the weight requirement if he so chooses. Section II.A.3.b. says anyone who exceeds the standard by less than 10% *shall not be required* to be examined by the police physician, if he passes the agility standards and his blood pressure is 140/90 or less.

Section III.C.1.d. says that members must comply with the fitness/agility standards within three weeks of the initial test or be subject to discipline.

Past practice at the gym has been that if a member's weight exceeded the standard by less than 10%, he passed the agility, and his blood pressure was O.K., no disciplinary procedure were put in action. Jeff Barker, OIC of the police gym, says the department interprets G.O. B-1 to mandate discipline for *any* member whose weight exceeds the standards (no matter what percent) the disciplinary procedure is laid out in Section III.D., and that discipline can range from a letter of admonition to dismissal. Off Barker also says that anyone who cannot meet his weight standard will be sent to the police physician for evaluation.

These changes in departmental practices have not been the subject of any meet and confer sessions between the POA and the department. POA vice president Ron Parenti says that makes the new procedures illegal. He and other POA members will be talking to department brass about this problem.

If you feel you have been adversely affected by the new procedures at the gym, maybe you should give your station rep a call. You may have a grievance.

# FEDERAL LITIGATION

by Roy Sullivan

As most of you are aware, the U.S. Ninth Circuit Court of Appeals voted 2-0 to deny the POA's request for a stay of Judge Peckham's order directing the city to implement the 0-0-100 formula for the Q-50/Q-35 examinations. The Court did grant the POA a temporary stay of its order until July 15th to allow us the opportunity to seek a stay from the U.S. Supreme Court. There was no explanation given in regards to the Court's order.

The POA attorneys have been directed to file an appeal to the U.S. Supreme Court through Justice William Rehnquist.

If Justice Rehnquist denies our appeal, the city would then be allowed to start opening test envelopes and produce a tentative eligibility list for both Q-50s and Q-35s.

Should Justice Rehnquist accept our appeal, then the production of lists would be delayed.

The Civil Service Commission is presently hearing protests to the second phase of the Q-60 test. It's expected that new appointments to lieutenant should be made soon.

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# POLICE LIABILITY WHEN A DRIVING SUSPECT HURTS SOMEBODY

by Ralph Saltzman

When San Jose police officers George Ingraham and Thomas Harris observed a vehicle driving 49 mph in a 25 mph zone, the officers attempted to effect a traffic stop and issue a citation. Rather than pulling over to receive the citation, the driver of the suspect vehicle sped off. The San Jose officers gave chase at speeds up to 100 mph through a residential neighborhood. The chase concluded when the suspect's vehicle broadsided the vehicle of Ms. Martinez. Ms. Martinez was severely injured in the crash, her two month old fetus was killed in the accident and her minor son was also killed in the accident. Ms. Martinez filed suit against the City of San Jose naming the two individual police officers.

The City of San Jose attempted to have the suit dismissed as to the City based upon Government Code Sec. 845.8 indicating that the City was absolutely immune from liability. On April 10, 1985 the Court of Appeal, First Appellate District, Division 3 (Justices Scott, White and Barr-Deal presiding) concluded that the City of San Jose was not immune from liability but that the individual officers were immune from liability.

The court noted, pursuant to Vehicle Code Sec. 17004: "A public employee is not liable for damages on account of injury resulting from the operation, in the line of duty, of an authorized emergency vehicle in the immediate pursuit of an actual or suspected violator of the law."

However, Vehicle Code Sec. 17001 provides that notwithstanding the employee immunity, a public entity is liable for injuries proximately caused by negligent acts in the operation of a motor vehicle by an employee of a public entity where that employee is acting within the course and scope of his duty or employment.

The court in the City of San Jose v. Superior Court of Santa Clara County (Martinez RPI) quoted a 1978 decision arising in the County of Sacramento cited by the Supreme Court where the court held that the County of Sacramento was subject to liability for injuries allegedly caused by its officers' failure to exercise due care for the safety of others on the road during a high speed pursuit of a suspected felon. In the Supreme Court case, the police were driving the vehicle which did collide with that of the victim. The immunity was provided by Vehicle Code Sec. 17004.

Contrasting with this decision, a 1980 Court of Appeals decision involving the City of San Jose, a victim was struck by a drunk driver who was fleeing in a police car. The officers had arrested the driver but had left the drunk driver unattended in the police car. While driving the police car, the drunk driver struck and seriously injured the plaintiff who brought a personal injury action against the city and a goodly number of police officers. The allegation was that

the officers negligently operated their vehicles both by leaving one vehicle unattended with a drunk driver inside, and also by driving other vehicles in a high speed pursuit. However, both the city and the individual officers argued that they were immune from liability pursuant to Government Code Sec. 845.8, and the trial court agreed thereby dismissing the action.

In the Court of Appeals decision, San Jose v. Superior Court (Martinez) the court recognized that the tort claims act, Sec. 845.8 granted absolute immunity to public entities and their employees. However, Vehicle Code Sec. 17001 created equally unconditional public entity liability. The court recognized that the purpose of Vehicle Code Sec. 17001 was to hold a public entity financially accountable for its employees torts committed with a motor vehicle during the scope of their employment. The court continued by pointing out that the purpose of Vehicle Code Sec. 17001 was to carve out an exception to Government Code Sec. 845.8 thereby specifically holding the public entity financially accountable in these limited circumstances. The court therefore concluded that Sec. 845.8 does not shield the city from liability under the facts of the case even though an escaping arrested person was involved.

In 1984, the California Supreme Court decided *Kisbey v. State of California*, 36 Cal.3d 415. In this case San Francisco police officers arrived at 10:30 p.m. at a service station in response to a call about a serious disturbance. As the San Francisco police officers arrived, a Ford left the premises without lights and against a red light. The San Francisco police officers learned from a witness that the Ford had been involved in the disturbance, and the officers followed the Ford which was at that point weaving through traffic without lights. The San Francisco officers stopped the Ford. The officers parked behind the Ford and got out of the vehicle to investigate. It was the intention of the police officers to question the Ford's occupants and cite the driver for traffic violations. At that point, they were not aware of the nature of the occupants' involvement in the altercation at the service station. As the officers reached the front of their own patrol car, the Ford departed. Within seven to ten seconds, the Ford broadsided another car seriously injuring plaintiff Kisbey. Kisbey filed a lawsuit against the City and County of San Francisco alleging that the failure of the officers to detain and immobilize the driver of the Ford constituted a breach of a duty of care to third persons such as plaintiff Kisbey. The trial court granted a non-suit for the city and the Supreme Court affirmed noting that both the officers and the city were immune from prosecution under Government Code Section 845.8.

The Court of Appeal in *San Jose v. Superior Court (Martinez)* distinguished the factual circumstance of *Kisbey* stating that the only statute applicable to that case was Government Code Section 845.8 because the San Francisco officers were walking toward the Ford intending to ques-

tion its occupants about the disturbance at the station and cite the driver for traffic violations. At that point the Ford sped away and collided with plaintiff Kisbey's car. At that point the officers had not reached the point of physical control over the suspect. Therefore, although in *Kisbey* the city was immune from liability, the City of San Jose in the case before this court, *City of San Jose v. Superior Court (Martinez)* the city was not immune from liability for the conduct of its officers pursuant to Vehicle Code Sec. 17001. The Court of Appeal herein concluded that Vehicle Code Sec. 17001 set forth liability against the City of San Jose, however, Vehicle Code Sec. 17004 left Officers Ingraham and Harris completely immune from liability.

At least because the Court of Appeal deciding the San Jose case is the First Appellate District which is the court overseeing the Superior Court in and for the City and County of San Francisco, San Francisco police officers should be aware that the court is willing to make a fine distinction as between liability created by 17001 and immunity created by Government Code Sec. 845.8 depending upon whether or not the injuries were proximately caused by negligent acts or omissions in the operation of any motor vehicle, 17001 creates liability on the part of the city. In the event that the court determines that it was not the operation of a motor vehicle by a public employee in the course and scope of his or her employment that proximately caused the injuries, then the city is immune under 845.8 of the Government Code. In either case, the police officer himself or herself is not liable pursuant to Vehicle Code Sec. 17004. Please note that it is not the expectation nor the intention of this article to cause a police officer initiating a felony pursuit in his or her patrol car to stop and cogitate on fine points of city immunity or liability. Rather, this fine point of law can be discussed after the inevitable lawsuit is filed in the event that a person is injured as a result of the felony pursuit.

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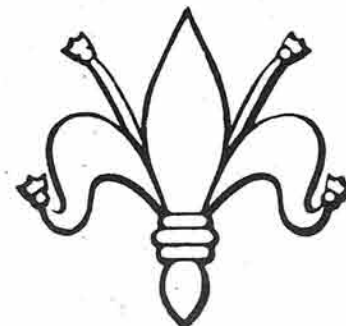
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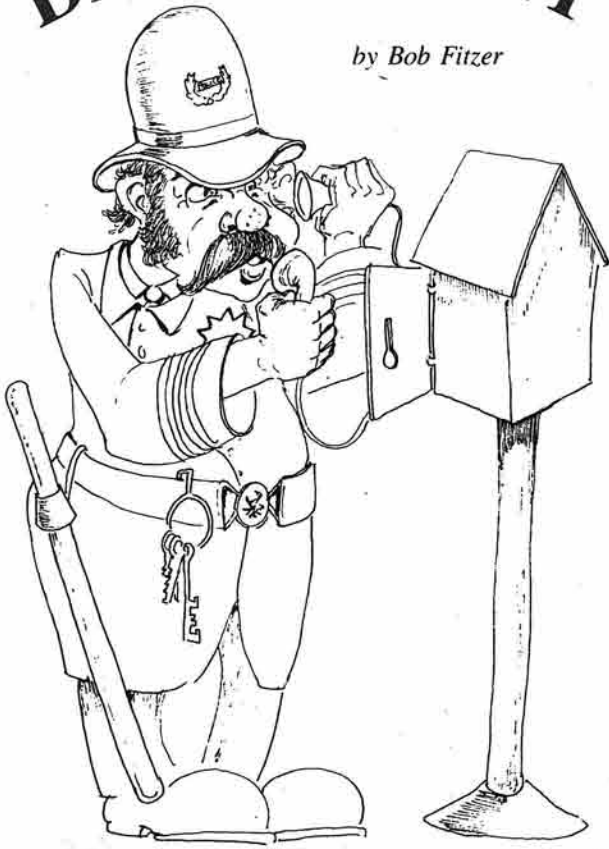
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# AROUND THE DEPARTMENT

by Bob Fitzer



Local boy makes good, as **Rich BENJAMIN** (Co. A), opens his second "Elsie's" restaurant. This one is located at the corner of 10th & Market Streets, and Rich says its San Francisco's finest. I had lunch there the other day and it is.

Speaking of enterprising Central Station officers...**Joe MIGNOLA** and possee would not give up the chase for their 851 suspect last June 26. The bad guy wrecked his car near pier 2 then jumped into the bay, so the cops found a boat and continued the manhunt. Who says we don't have a police boat anymore!

If you're interested, the 1930 vintage San Francisco police boat "D.A. White," is up on the Petaluma river and being restored by its new owner. The old boat was hauling fish for the last forty years, not a fitting end for something so grand.

Latest rumor is that we might soon be wearing ribbons and hash marks on our uniforms similar to the armed forces...Does this mean if you survived "White Night," or S.F. State (for you old timers), you can be a battle veteran with a ribbon to prove it?

While I'm on the subject of ribbons and the military, **Sergeant Vic WODE**, is off to Oregon to receive yet another commendation and medal for his services with the US Air Force. Vic may be looking at another career with the military whenever he retires from the P.D.

Another rangeperson, **Charlie COATES**, is once again planning his group's annual "Cruise." Why? You know why? says Charlie. Just remember guys, tell everybody that you are a fireman, blame it on them. Charlie has a few openings left so contact him if you are interested.

**Lt. Jim DACHAUER**, (ISMD) has been teaching a fantastic course out at the academy which offers its students a certificate to obtain a teaching credential. One of his most recent students, **Barry (Roger) WEAVER**

(Co. C) has been trying to enlighten himself by taking the course. His partner **Rich ANDREWS**, tells me that Roger has also been caught trying to "enlighten" his hair.

By the way, **Lt. DAUCHER**, heads the ISMD section of the department, as the unit affectionately calls it, the **I See Mullen Daily** squad.

Last month I asked if anybody knew why Dan McNeill, age 81, joined the SFPD and retired on a regular full pension three months later? **Tony SANTANA** (Co. F), came to the closest with the answer. In fact Officer McNeill, was a member of the San Francisco Park Police, a separate organization from the regular department until January 8, 1900. All members of that unit were blanketed into the SFPD and received full privileges and benefits. Not that the \$100 a month salary police officers were getting at that time was all that great. In any case Tony wins the T-shirts.

**Retired Inspector Walt IHLE**, brought in the 1900 police examination test the other day. (Walt says, no, that's not the test he took to get in!) A twenty-five point question was; divide 8764 by 7....hmmmm, dats tuff!

Not that this job has any stress(Ha), but why is it that most guys look better after they retire. Walt tells me he is doing just fine; I've talked to retired cops pushing 80 and 90 and they tell me it's their outlook on life and keeping your sense of humor that has kept them going. The idea is to make it to retirement. Getting angry, frustrated and stressed out is only going to raise your blood pressure and cause you to be one of those getting heart attacks at 25 and 30 years of age.

On a lighter and brighter note I'd like to congratulate **Bill DARR** (Co. D) and his new bride **Laura** (Communications).

Our newest grandfather is none other than **Deputy Chief Richard TRUEB** (Administrator). Grandson Richard will have quite a career to uphold.

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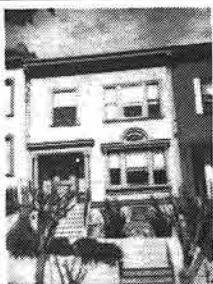
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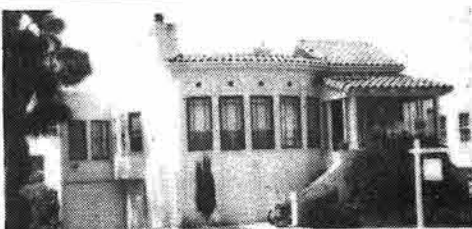
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# POLICE MUSEUM GAINS FASCINATING HISTORICAL MOMENTO

by Bernard Averbuch

Something new has been added to the Police Department Museum in the form of 21 books of San Francisco police mug shots from the years of 1918 to 1923, it was reported today.

Officer **Robert Fitzer**, curator of the police museum, said the books of mug shots were confiscated by the Sheriff's office of El Dorado County following a raid on an antique shop in their jurisdiction.

The sheriff's office notified the chief's office here of the find to inquire if the department was interested in them, and Officer Fitzer immediately drove there to pick up the books for the police museum.

There was no information given as to how the books of police photos came into the possession of the antique shop owner, or how long they had been there.

The most prominent photo in the books is that of Roscoe "Fatty" Arbuckle, a famed silent screen film star of the Twenties, who was arrested in San Francisco and tried here in one of the most spectacular cases in film history.

Arbuckle came to San Francisco in September of 1921 and hosted a fancy party at a Union Square hotel where liquor and women mixed freely. One of the women there, a 25-year-old described as a starlet and other things, died of a ruptured bladder several days later.

Arbuckle, a film star with an income of \$1 million a year and the driver of a \$20,000 Pierce Arrow, was indicted

for murder. He went through three highly publicized trials and was finally acquitted in the third trial.

This was the period of the Jazz Age, Prohibition and "The Front Page" style of journalism. There was at times a dozen stories of the trial on the front page and local papers printed 8 editions a day. The scandal brought about a new morals code in Hollywood and the creation of the Hays Office.

The first ruling by movie czar Will Hays in 1922 was to ban all Arbuckle films and his contract was suspended, and Arbuckle's film career was at an end. He died broke in New York in 1933.

The find of the police mug shots and the Arbuckle photo came to the attention of the San Francisco Boosters, the sponsors of the Court of Historical Review and Appeals. The court meets regularly in an actual court hearing to consider matters of historical interest.

The San Francisco Boosters have petitioned Superior Judge Roy Wonder, who presides at the historical court, for a hearing. The Boosters will seek a court ruling asking the curator of the Police Museum to include a note to be displayed with the Arbuckle police photo saying the movie star had been acquitted.

To this date there are some who still believe a myth that Arbuckle was convicted of either rape, or murder, in the case.

The court session has been scheduled for Noon on Tuesday, July 22, before Judge Wonder in his courtroom at City Hall.

## PROMOTIONS: A RETIREMENT BENEFIT

continued from page 1

tive cost of living provision (a non-compounded 2% per year) will greatly erode a pension in short order. Those in Tier II should study these figures for the alternatives are:

- a Charter amendment improving the cost of living provision;
- yearly maximum contributions to an Individual Retirement Account;
- active participation in the City's Deferred Compensation Plan; and
- a second job paying into the Social Security System.

**PLANNING FOR RETIREMENT IS BEST BEGUN NOW.**

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# RETIREMENT COLUMN

## "Questions that arise when a Member retires"

### "What members should do who are contemplating retirement."

The following is vital information for those police officers who are in the process or contemplating retiring. As coordinators of the Retirement Planning Seminars, numerous questions have been brought to our attention as to exactly what one's responsibilities are when one has set a date for his retirement. The following information should be of great assistance and clear the air and to simplify the proper procedure you should take when you retire. The subjects that will be covered are as follows:-

- (1) Retirement Board
- (2) Insurances — Widows & Orphans & P.O.A. Insurance policies.
- (3) Credit Union
- (4) Pay Roll — Fringe Benefits
- (5) Property Clerk — Clothing & Equipment
- (6) Police Range

1-A Retirement Board — 1212 Market Street — 558-4471

#### Appointment:

If you are planning on retiring or if you are contemplating same, you have to make an appointment with a member of the Board. Appointments can be made up to three months in advance, prior to retiring.

#### Cancellation:

If you have set a date for retiring and for some reason you have changed your mind, notice should be given to the Board, ten days in advance prior to the expiration date of your retirement.

#### Taxes:

Through past experiences and talking to retirees, it will take approximately twelve to thirteen months to use up the monies that you have contributed towards your retirement fund. Once you are put into the position of having to pay State and Federal Taxes on your retirement check, you should contact the Board and designate them to start taking taxes out of your check at whatever percentage you request. This should be done before the 10th of the month in order that taxes can be withheld for the month you so desire.

#### Refund for

#### Dependent Contributions:

Little is known of this benefit and applies only to single Police Officers and Police Women who are single at the time of their retirement. The amount you will receive will vary according to your years of service. The average amount will be between \$2,000.00 and \$3,000.00.

#### Health Service System:

If you are a member of the Health Service System, the Retirement Board will deduct from your check your payments so that you will continue to be fully covered by your medical plan.

#### Waiting Period:

It will vary but the average time that you will wait for your first retirement check will be approximately two months.

#### 2-A Insurance Policies:

I feel that it would be incumbent on all Police Officers who have retired to contact your Insurance Agents and to inform them that you are now retired and to bill you personally for any Insurance Policies now in existence.

WIDOWS & ORPHANS — Secretary Robert McKee 587-4570

The Widows & Orphans Association receives a list of all police officers that have recently retired. You will be contacted by a member of their staff by phone or letter. They will bill you accordingly and preferably it will be on an annual basis.

POLICE OFFICERS ASSOCIATION: — 510 7th St., 861-5060

There are two types of Insurance policies with the Police Officers Association:

Life Insurance — \$2,500.00. This Insurance applies only while you are an active member of the Police Department. Once you have retired, you are no longer a member or entitled to any benefits.

Group Term Life — You are still a member regardless of whether you are active or have retired. If you were on pay roll deductions you will be contacted by a staff member and be billed quarterly.

3-A Credit Union — 20th Ave., & Noriega — 564-3800

A form is available at the Credit Union and all that is required is that you sign this form. This will entitle the Credit Union for the Retirement Board to forward your check to them. They will in turn take monies out for any loan due or if you wish to place monies into your shares. It is to be noted that this procedure will not cause any delay in receiving your check from the

Credit Union on the first date of each month.

4-A Pay Roll Division: — Hall of Justice — Room #575 — 553-1281

On retiring you may be eligible to receive the following so called "fringe benefits."

- (a) Sick Leave
- (b) Deferred Vacation
- (3) Accumulated Overtime
- (4) Yearly vacation.

You have a choice of either taking a vacation in the year you retire or waive same and be compensated for same, etc.

I attempted to contact the Pay Roll Division of our Department in order to ascertain as to the waiting period of receiving checks to no avail. As to my own experiences and other retirees that I have contacted the consensus is that it will take approximately two months before you will receive any checks. The fringe benefit checks are solely the responsibility of our Department.

The other checks, Retirement Check and Refund to the Dependent Contributions lies with the Retirement Board.

5-A Property Clerk — Hall of Justice — 553-1377

#### Individual Clothing:

Only items that are mandatory that you turn in are:

Body Armor

Emblem Cap

All of your other clothing, including rain gear, jackets can be kept as a souvenir or if usable and in good condition returned to the Property Clerks Room.

#### Equipment:

Items that shall be turned in are as follows:

Handcuffs & Cuff Case

Gun Belt & Holster

Ammunition Box

Baton(s) Ring

CN-Mace and Holder

Whistle & Street Guide (Optional)

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6-A Police Range — 553-1200

Police Revolver shall be turned over to the Range Master. Range is open Monday through Friday from 0730 hrs. to 1530 hrs.

We attempted to clear the air as to the problems that arise when an Officer is planning on retiring. If there are any questions you want answered, please don't hesitate to contact us. We are here to serve you.

Gino Marionetti

Michael Sugrue

Retirement Planning Seminar

Coordinators 861-5060

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# "MY FAVORITE COP" AWARD



Once again a San Francisco police officer is being honored through the "My Favorite Cop" award program. Officer Edbert Dare, assigned to the community services division, is the award recipient for the month of June.

The "My Favorite Cop" award is for "daily acts of kindness and friendship which have caught the eye — and the heart — of San Franciscans." The officers are chosen via ballots obtained at any of the United Bank's fifteen branches, published in the neighborhood edition of the San Francisco Progress Newspaper or by letters sent directly to the Chief of Police. The monthly award includes \$1,000 cash provided by major San Francisco corporations (donor: Hunan Village Restaurants), a commemorative trophy from the San Francisco Council of District Merchants Association, as well as commendations from both the Mayor and the San Francisco Board of Supervisors. Mr. Art Blum, of the Art Blum Agency, has coordinated the generous support of the private sector with the efforts of the San Francisco Police Commission and the Police Chief to implement and maintain this program.

Officer Dare received his award at a luncheon on Friday, June 28, 1985, at 12:00 p.m. hosted by the World Trade Club, a major dining facility with over 3,000 membership in maritime and foreign Trade industries.

Officer Dare has been assigned for the past four years to the San Francisco Police Department's Community Services Division. His primary area of responsibility in this assignment is to act as a liaison between our department and the Asian community. Being Cantonese speaking and of Chinese/American ancestry has helped officer Dare understand the needs and concerns of San Francisco's large Asian community. He works closely with social work agency personnel in Chinatown, focusing on youth and the elderly. He developed the idea for a picnic for elderly Chinese people during which they would be matched with a young person as their personal escort for the



day. This has turned into an annual event which fosters goodwill that crosses the generation gap.

Officer Dare works city wide with young people from different communities. Through sports events he attempts to bring together youngsters of all racial and ethnic backgrounds, who might not otherwise mingle peacefully. He also works with young people through the community services division's backpacking, rock climbing, camping, and sailing programs.

The point of all these activities is to develop trust and



cooperation between the San Francisco Police Department and the diverse communities we serve. Officer Dare saw from his own upbringing in the Chinese community that there was a reluctance to deal with the police. In the past, if you were seen talking to a police officer, people assumed you were in trouble or a victim of some trouble, and this was considered to be an embarrassment. This situation impeded the ability of officers to provide necessary police services to the Chinese community. Attitudes have now changed considerably and the outreach efforts of the community services division have been instrumental in bringing about this change.

Officer Dare feels that through his work he serves all residents of San Francisco and the truth of this was definitely reflected in the letters and votes he received that made him the "My Favorite Cop" award recipient. They came from people of all ages, races, and ethnic backgrounds. A quote from one of these letters sums up

how many San Franciscans view officer Dare: "A protector, friend, and a good guy."

"My Favorite Cop" award recipient for June 1985 — Officer Edbert "Eddy" Dare #625 — Community Services.

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June 18, 1985

## Board Of Directors Meeting

The Board of Directors meeting was called to order at 1520 hours with the pledge of allegiance.

Roll call was taken. Present were Ackerson, Goldberg, Lindo, Novello, Dempsey, Murphy, Suslow, Doherty, Woolard, Friedlander, Sullivan, Fagan, Flipping, Cole, Linehan, Collins, Parenti and Barry. None absent. Excused Keys, Garcia, McAlister and Dito.

### SECRETARY'S REPORT

Secretary Linehan informed the Board that the salary projection for fiscal year 1985-86 was approximately five (5) percent. This figure includes a one point six (1.6) percent cost of living adjustment (C.O.L.A.). The average dollar amount increase based on a top step Q-2 officer is \$139.00 per month.

Additionally, Secretary Linehan stated that the list identifying non-members of our Association was being updated.

M/Collins S/Flippin to adopt the Secretary's report. Motion passed unanimously.

### TREASURER'S REPORT

Treasurer Collins advised that the building located at 502 - 7th Street was purchased by the Association for \$365,000.00. Financial terms of the loan were still being negotiated. The Board congratulated Treasurer Collins for his artful skill in real estate purchasing in the name of our Association.

Treasurer Collins also advised that the Association had a balance on hand, after expenses, of \$50,770.13.

M/Linehan S/Parenti to accept the report from the Treasurer. Motion passed unanimously.

### REPORT OF THE COMMITTEES

#### Federal Litigation

President Barry informed the Board that Judge Peckham allowed a three week stay on his ruling allowing the reweighting by the Civil Service Commission of the Q-35/Q-50 test to stand. This stay will allow the Association to file appeal papers with the Ninth Circuit Court of Appeals. Director Sullivan pointed out that Judge Peckham denied a permanent injunction on his own decision, as was requested by the Association.

#### Insurance Committee

Mr. Frank Kalafate presented additional information on the insurance services offered by Public Safety Officers' Services, Inc. He is seeking the endorsement of his plans from the Board of Directors. After his presentation no action was taken due to a lack of a motion.

Mr. Andy Hauer of Coopers & Lybrand presented a comprehensive study of all current insurance policies offered by the Association. This study was authorized by the Board to determine the level of protection afforded our membership. Mr. Hauer recommended that the Board consider a waiting period before adding additional policies.

#### Dinner Committee

Director Friedlander presented a letter to the Board outlining the expenses of the 40th Anniversary Dinner Dance. The letter showed that the highly successful dance was held to its budget and in fact was under budget by \$970.18.

M/Linehan S/Fagan that a letter be sent to Mrs. Pat Barsetti and Henry Friedlander commending them for their outstanding efforts to make the 40th Anniversary Dinner Dance so delightful. Motion passed unanimously.

#### O.C.C. Report

President Barry provided the rules of the O.C.C. to the Board. The rules were to be adopted, along with a Memorandum of Understanding concerning the new O.C.C. procedures, by the Police Commission. Mr. David Clisham, of Carroll, Burdick and McDonough law firm was credited with the successful outcome of the O.C.C. procedural problems experienced by the Association. Mr. Clisham pointed to the efforts of the bargaining team from the Association as a main contributing factor to a favorable ending. M/Parenti S/Flippin to accept the O.C.C. Rules and Memorandum of Understanding as presented. Motion passed unanimously.

#### Publications Committee

Treasurer Collins informed the Board that the POLICEMAN newspaper operated in the red last year. He stated that the Committee would negotiate with the firm that conducts advertising campaigns for our paper, seeking an additional percentage.

M/Linehan S/Murphy that the Association renegotiate the contract seeking additional money from the advertisements, that a position of Assistant Editor be created with a monthly salary of two hundred dollars (\$200.00) to be funded from the additional money created by the renegotiations, and that the Assistant Editor position be filled by Director Tom Flippin. Motion passed unanimously with Flippin abstaining.

### NEW BUSINESS

#### Teflon Bullet

This bullet is outlawed in California, Kansas, Oklahoma, Alabama, Rhode Island, Illinois, Florida, Texas and Indiana. The basis for the ban is that the bullet has no sporting value and presents a danger to law enforcement officers as it can penetrate bullet-proof vests. H.R. 953 would ban the teflon bullet through the United States.

M/Linehan S/Fagan to support and urge passage of H.R. 953. Motion passed unanimously.

### OLD BUSINESS

#### Charter Amendment

Secretary Linehan advised that the educational incentives charter amendment for police officers will be heard in Committee at the Board of Supervisors soon. This charter amendment was authored by Supervisor Doris Ward at the request of the Association.

#### Seal Beach

Secretary Linehan advised of the delay of the State Attorney General's decision in our request to sue the City for violations of the meet and confer law, is due to the late filing by other concerned parties. The new projected decision date is July or August.

The Board declared the General Membership Meeting cancelled at 1800 hours due to a lack of quorum.

A discussion was had with Brother Gary Elsenbroich, Howard Kyle, Don Lucy and Mike Williams about the Q-60 examination and the civil service rights to review examination papers and their appeal process. Additional information was needed and no action was taken.

Motion to adjourn at 1830 hours.

Daniel J. Linehan  
Secretary

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## Correspondence...

July 12, 1985

Supervisor Doris Ward  
Board of Supervisors  
City Hall Room #235  
San Francisco, CA 94102

Dear Supervisor Ward:

On behalf of the San Francisco Police Officers' Association I would like to thank you for your efforts on our Educational Incentive Charter Amendment. Although we did not win approval of the Rules and Legislative Committee, your introduction and support is greatly appreciated.

I would like to commend your staff, Mr. Brandy Moore and Ms. Cheryl Towns, for their assistance. Their professionalism speaks well of your office and provides quality services to the citizens of San Francisco.

In the event our officers may be of service, please do not hesitate to contact us.

Respectfully,

Daniel J. Linehan  
Secretary, SFPOA

Dear Senator Wilson:

I wish to inform you and members of the Joint Economic Committee that the San Francisco Police Officers' Association, representing 1900 officers, is opposed to the Fair Labor Standards Act restriction which imposes the ceiling (171 hours within a 28 day work cycle) in which overtime in excess of such ceiling must be paid in "cash", rather than allowing the employee the option of accruing compensatory time off or cash payment at the rate of time and one-half for the overtime worked.

There is no doubt that other provisions of the act, as they relate to the Garcia decision, will impact municipalities and employees in negative ways, and steps should be taken to "balance" the affect of the decision for all concerned.

I would like to emphasize that we are in agreement with the Garcia decision in that governmental employees fall within the provisions of the Fair Labor Standards Act, however, there are certain provisions within the Act that are detrimental to my membership and to local government, and I would support legislation to change certain provisions of the act so long as there is equity in those changes.

I would ask that your staff advise this organization of any proposed legislation or any further hearings in regards to the F.L.S.A. as my membership and other law enforcement officers and agencies throughout the State of California are as equally concerned as to the changes currently being proposed by the Congress.

Sincerely  
Bob Barry  
President  
SF POA

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# SAN FRANCISCO POLICE OFFICERS' ASSN.

## BULLETIN

#85-54  
June 28, 1985

TO: ALL MEMBERS  
FROM: BOB BARRY, PRESIDENT

### FAIR LABOR STANDARDS ACT

The Fair Labor Standards Act was enacted into law in 1938 and sets **minimum wage** and **maximum hour** standards for employees. The regulations fall under the jurisdiction of the United State Department of Labor and violations of the act are remedied in Federal Court.

In 1974, the Act was amended to apply to public employees (including law enforcement and firefighting personnel), but in 1976, the U.S. Supreme Court in "National League of Cities v. Usery" declared the extension of the Act to public agencies as unconstitutional.

However, on February 17, 1985, in another Supreme Court case, Garcia V. San Antonio Metropolitan Authority, et al., the court overruled its prior decision (Usery case) and now the Act applies to most public employee classification.

The Act provides that overtime compensation at time and one-half be paid to employees who work in excess of forty (40) hours in a given week (160 hours within a month).

Congress provides, however, that no overtime compensation need be paid to law enforcement personnel as long

as the total number of hours worked in a twenty-eight day cycle does not exceed 171 hours. Once an employee reaches this amount of hours, then the employer, i.e. CCSF, shall pay the employee "in cash" — not compensatory time off (CTO). There apparently is **no option** for the employer and employee to enter into agreement of deciding to select either "pay" or "compensatory time" beyond the 171 hours.

However, the hours worked between 160 and 171 is still controlled by the Charter, City and County of San Francisco. The Charter language mandates that the employee has the option of selecting either "pay" or "compensatory time"

There are numerous other provisions in the act such as "exempting" management personnel, on-call time and some travel time that mandates payment of overtime, but there is nothing definitive on these areas until such time as we meet and confer with the city prior to the implementation of the Act.

We have formally requested a meet and confer and expect to start discussing this issue within a few weeks.

There are efforts underway in Congress to alter and quite possibly "exempt" public employees from the Act.

I have sent U.S. Senator Pete Wilson a letter expressing our desire to allow the employer/employee the "option" of selecting time or pay, but we expressly opposed the exclusion of public employees from the Act. Other POA's around the country are applying the same pressure.

As more information becomes available — it will be disseminated.

CYRIAN B. TABUENA  
ATTORNEY AT LAW

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# SAN FRANCISCO POLICE OFFICERS' ASSN. BULLETIN

#85-55

JULY 8, 1985

TO: ALL ASSOCIATION MEMBERS  
FROM: BOB BARRY, PRESIDENT  
RE: 035-050 APPEAL

On Wednesday, July 3, 1985, the United States Ninth Circuit Court of Appeals denied the POA's request for a stay on Judge Peckham's order directing the city to implement the 0-0-100 percent weighting on the examinations.

The court issued its one time order without explanation. Our attorneys have now been directed to appeal that decision to the United States Supreme Court. Briefs are now being submitted to U.S. Supreme Court Justice William H. Rehnquist.

In the meantime, the Ninth Circuit Court did grant us a temporary stay of its own order until July 15th thus allowing us the opportunity to seek a stay from Justice Rehnquist.



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# 26 APRIL 1985

## MEDAL OF VALOR AWARDS

The Awards Committee met in Room 551, Hall of Justice, on Friday, April 26, 1985 at 0930 hours in Regular Session.

### OFFICER KIM M. HENNESSY GOLD MEDAL OF VALOR

For services rendered on Sunday, July 29, 1984, at 2110 hours, while off duty and dining at the Peppermill Restaurant in Daly City, she had occasion to use the restroom facility. While doing so, she overheard a conversation between three females — two were conversing in Spanish and the other, a black female, objected and told them to speak English. When the women continued to speak in Spanish the black female assaulted them. Officer Hennessy then broke up the altercation and the situation appeared to be dispersed. However, as she finished washing her hands and turned to leave the restroom, she saw the black female holding a gun to the head of one of the women. Identifying herself as a police officer she asked if the gun was real? The female suspect, without comment, immediately pointed the gun at Officer Hennessy. Without hesitation, Officer Hennessy grabbed for the gun. During the struggle for possession of the weapon, the suspect pulled the trigger shooting Officer Hennessy in the right upper thigh. The suspect then ran from the restroom still in possession of the gun.

Officer Hennessy, bleeding profusely and on the verge of passing out, bravely pursued the suspect, who during her flight, threw the weapon under a table. The suspect was captured while still in the Restaurant by another off duty San Francisco Police Officer without further incident. Because Officer Hennessy recognized a deadly situation where two women's lives were hanging in the balance and at great personal risk took immediate action which nearly cost her her life, The Police Commission, after conducting its own investigation under General Order 0.5 of the San Francisco Police Department, granted her, by unanimous vote, the San Francisco Police Department's Gold Medal of Valor.

### OFFICERS SHERMAN L. ACKERSON AND VINCENT C. NEESON GOLD MEDAL OF VALOR

For services rendered on Sunday, January 27, 1985, having completed their tours of duty (day watch) and returning to their homes in Contra Costa County, they observed two men fighting. One was lying on his back, bleeding from the head and attempting to fend off another who was on top of him. The officers stopped and as they approached they could see that the man on top was holding a stainless-steel Magnum revolver in his left hand and a small blue-steel handgun in his right hand trying to point them at the man on the ground, who was desperately struggling to keep the guns away. The man then pointed the Magnum at the approaching officers telling them he was a cop and to stay away. Officer Neeson then told him that he would help subdue the other man. The officers then again approached the two men and Officer Ackerson grabbed for the Magnum and Officer Neeson grabbed the other hand holding the other revolver. The man on the bottom then stated that he was a sheriff and the man holding the guns again stated that he was a cop. The officers identified themselves as police officers and the armed subject, struggling violently, pulled the trigger of the blue steel revolver but it did not discharge. He then bit Officer Ackerson on the right arm, fired the .357 magnum and the bullet struck the sidewalk approximately 12 inches from the head of the subject lying on the ground. The officers continued to struggle with the suspect and was able to disarm him and get him off the victim who was a Deputy Contra Costa County Sheriff. The Deputy then assisted in subduing the suspect. Officer Ackerson was taken to the hospital and treated for a human bite and for shrapnel wounds to his left hand. The Deputy Sheriff was treated for a large laceration to his forehead which the suspect had inflicted with one of the two guns he had been holding. Because these officers displayed outstanding bravery, in disarming a wanted felon who was attempting to escape arrest and who demonstrated that he would shoot to kill anyone who tried to stop him, they were granted, by unanimous acclaim, the San Francisco Police Department's Gold Medal of Valor.

### OFFICER JOE E. WILLIAMS SILVER MEDAL OF VALOR

For services rendered on Saturday, February 23, 1985, at 1:50 p.m. on-duty in uniform and walking his beat, he observed a citizen in foot pursuit of a male suspect fleeing west on Market Street from Church Street. The citizen shouted, "he robbed me," and continued chasing the suspect. Officer Williams took up the foot pursuit and broadcast it to headquarters. Along the way he commandeered a Yellow Cab in order to cut off the suspect. At 15th and Church Streets, he observed the suspect and citizen locked in a furious struggle. As he exited the cab, he heard a gun shot. The suspect had tried to shoot the citizen and was now surrounded by a large group of onlookers. Officer Williams, noting the extreme danger to

innocent bystanders, declined to use his service revolver and confronted the suspect virtually unarmed. At great risk to his own life, he wrenched the loaded pistol from the suspect's hand and took him into custody. Because Officer Williams courageously confronted this armed robbery suspect who had not hesitated to shoot at his pursuers, and successfully disarmed and arrested the suspect without injury to anyone involved, he was granted the San Francisco Police Department's Silver Medal of Valor.

### OFFICER BRUCE D. LOVELL BRONZE MEDAL OF VALOR

For services rendered on Thursday, July 5, 1984, at 10:30 a.m. while working as a police teller at the Wells Fargo Bank at 1750 Divisadero Street, he observed two men wearing ski masks attempting to overpower the bank guard outside the bank door. One had a revolver at the guard's head and the other was attempting to pull the guard's .357 Magnum out of his holster. When the suspects pulled the guard inside, Officer Lovell decided not to pull his revolver because it would endanger the lives of approximately 25 customers present at this time. Instead he jumped at the suspect who was tugging at the guard's revolver and a struggle ensued. The other suspect then reached for the guard's revolver and the guard then engaged him in a vicious struggle. Officer Lovell released his suspect and jumped the suspect who was now struggling with the guard. He was able to force the suspect to the floor where he was handcuffed and taken into custody. The other suspect escaped. Because Officer Lovell unhesitatingly came to the aid of a guard held by a suspect who had a gun at the guard's head and accomplished his objective by preventing deadly injury to all involved and arresting one of the suspects, he was granted the San Francisco Police Department's Bronze Medal of Valor.

### OFFICERS RICHARD ANDREWS AND BARRY WEAVER BRONZE MEDAL OF VALOR

For services rendered on Wednesday, October 17, 1984, at 9:40 a.m. when they responded to a radio call of a serious disturbance in progress with weapons involved at 6202 Third Street. Upon arrival they observed a crowd of people including a black male adult who was bleeding from the front and back of his shoulder. People in the crowd pointed to an Asian male adult with a revolver in his hand as the person responsible. The officers ordered the suspect to drop his weapon. The suspect reacted by pointing his weapon alternately at people in the crowd and the officers. The officers found themselves in a deadly situation where they were advancing on an obviously upset and dangerous individual pointing a loaded .38 caliber revolver at them and the citizens. The danger to the officers was compounded by the fact that citizen safety was foremost in their minds and it required them to refrain from using their service revolvers as long as possible. At the opportune time they rushed the suspect, disarmed him and took him into custody. Because at great personal risk, they chose to physically disarm the suspect without resorting to the use of their own weapons and successfully accomplished their objective without further injuries or death, they were granted the San Francisco Police Department's Bronze Medal of Valor.

### OFFICERS DONALD R. READ, DONALD T. ROSS AND EDWARD J. WYNKOOP BRONZE MEDAL OF VALOR

For services rendered on Wednesday, October 17, 1984, at 9:15 a.m. when they responded to a call of a man brandishing a handgun at Montgomery and Commercial Streets. They located the suspect walking on the sidewalk among a crowd of pedestrians. They immediately alighted from their vehicle and approached the suspect. Upon seeing the officers the suspect pulled the gun, a .38 caliber revolver, from his right pants pocket. Officer Read lunged for the gun and Officers Ross and Wynkoop joined the fray. The suspect, after a vicious struggle, was successfully disarmed and taken into custody without injury to the suspect, Officers or the numerous citizens nearby. Because they displayed outstanding bravery and professionalism in removing this dangerous criminal from the streets of San Francisco, they were granted Bronze Medals of Valor.

### OFFICERS DAVID SEID AND GEORGE LOZANO BRONZE MEDAL OF VALOR

For services rendered on Monday, February 4, 1985, at approximately 4:30 a.m. while driving eastbound on Fulton Street to Friendship Way, they observed smoke emanating from the second floor window of an apartment building on the eastside of Friendship Way. They notified Communications and then proceeded to try and awake the sleeping tenants by using the radio car P.A. System. Unable to enter the premises because of a locked iron gate, they climbed up a drainpipe to gain access to the second floor corridor. There they encountered an elderly man who was dazed and

disoriented and began to walk and stumble into the area where the flames and heavy smoke was billowing. Officer Seid then went after him and carried him to safety. Officer Lozano then joined Officer Seid and at this time they heard a woman screaming for help from across the living room of the apartment. Because the thick black smoke made it impossible for them to see her, they crawled on their stomachs into the burning room toward the sound of the woman's voice.

After a few terrifying moments of searching they located her and carried her down stairs to safety. While doing so they discovered that she was handicapped and an amputee. Because they displayed exceptional courage by entering a building engulfed in flames and rescuing two elderly citizens who probably would have died if not for their swift actions, they were granted the San Francisco Police Department's Bronze Medal of Valor.

### OFFICERS RICHARD P. JANESE AND MICHAEL D. BECKER BRONZE MEDAL OF VALOR

For services rendered on Friday, January 25, 1985, at 7:10 p.m. when they responded to a call of a man creating a disturbance at 1746 15th Street #140. When the Officers spoke to the female victim they observed the suspect sitting in the front room. The Victim requested no police action and when the Officers left the suspect left with them. As they approached their radio car, another male subject came over to them and stated, excitedly, that the man the Officers had just finished speaking with had pulled a gun on the subject and threatened to "blow him away". The Officers then went after the suspect and observed him to be carrying a revolver in his right hand. They notified headquarters and then ordered the suspect, several times, to drop the gun. The suspect refused and quickly turned and pointed the gun first at Officer Becker and then at Officer Janese. The Officers with their weapons drawn were unable to fire due to a large group of citizens who had gathered close by. Finally, after being commanded to drop the gun several more times, the suspect complied and was taken into custody. Because they exhibited outstanding bravery in the face of a life threatening situation choosing not to use deadly force and accomplishing their objective, without injury to the parties involved, they were granted the San Francisco Police Department's Bronze Medal of Valor.

### OFFICERS JEREMY ZATKIN AND KENNETH SUGRUE BRONZE MEDAL OF VALOR

For services rendered on Friday, February 17, 1984, at 10:30 p.m. when they responded to 80 Montcalm Street on a report of a burglary in progress by two suspects. Upon arrival they quickly secured a perimeter around the house. Once in position the Officers requested backup assistance. However, before the back-up could arrive, the two suspects attempted to escape from the rear of the house. One suspect slid down the drain pipe to the confined yard area where Officers Zatkun and Sugrue were quietly waiting. Lighting their flashlights, the Officers identified themselves and ordered the suspect to put his hands up. The suspect failed to comply, instead, he reached into his waist band and removed a loaded .38 caliber revolver which he had stolen in the burglary. The suspect then pointed the weapon at the Officers and attempted to shoot them. Officer Zatkun, first to see the gun, warned Officer Sugrue who struck the suspect knocking him off balance. The suspect also tried to remove Officer Sugrue's service revolver. The suspect was finally subdued and taken into custody.

The other suspect attempted to escape over the roof top but was apprehended by other units without further incident. Because each Officer bravely and unselfishly placed his own life in extreme jeopardy by electing to subdue the suspect without the use of deadly force, they were granted the San Francisco Police Department's Bronze Medal of Valor.

### OFFICERS LOUIS K. ESPINDA AND ERIC B. QUEMA MERITORIOUS CONDUCT AWARD

For services rendered commencing Tuesday, November 20, 1984 and concluding on Wednesday, November 21, 1984, when after a thorough and painstaking investigation they apprehended a burglary suspect who had burglarized the "Now and Then" furniture store at 900 Valencia Street. The Officers gathered and cultivated all relevant evidence which revealed the location of the stolen property. Further investigation provided them with the name of the suspect and an address of 525 Grandview Avenue. The officers confirmed that the suspect was a resident at this location by researching him in the Department's Computer and by checking the mailbox. Armed with this information they obtained a search warrant. Upon responding to the suspect's address and announcing their intentions, the suspect attempted to escape over the rooftops in the 500 block of Grandview Avenue. Officer Espinda who had went to the rear of the residence immediately pursued and arrested the suspect. In addition to recovering the stolen items, they



# MEDAL OF VALOR AWARDS

observed and confiscated numerous narcotic items and paraphernalia. Because they displayed outstanding investigative skills not normally seen in officers at this stage of their careers, they were granted Meritorious Conduct Awards.

## SERGEANT DAVID ROCCAFORTE INSPECTORS ALBAN WEATHERMAN AND EDMOND PAASCHE

### MERITORIOUS CONDUCT AWARD

For services rendered on Thursday, August 16, 1984, upon recovery of a completely stripped Chevrolet Camaro by this Department, these Officers conducted an extensive investigation into two other vehicles, one on the premises of the suspect and all three registered with the Department of Motor Vehicles as salvage junk. The Inspectors believed they had three stolen vehicles that had been "Salvaged Switched", and they knew it was extremely important that all vehicles be recovered during this same period. A search for the vehicles was initiated. The investigators weighed and evaluated all the clues and circumstances at their disposal. Eventually all three vehicles were located by the team and search warrants were obtained. The vehicles were recovered and it was then confirmed that they were stolen. Numerous interviews and interrogations were conducted by the investigators and upon collection and examination of all the facts Greg Rios, the leader of this car theft ring was arrested. Because this investigation conducted by these officers clearly demonstrates a distinguished quality of work, they were granted Meritorious Conduct Awards.

## INSPECTORS CALVIN NUTTING PAUL RYAN, INOCENTE CISNEROS, & OFFICERS JOHN PAYNE AND PETER SIRAGUSA

### MERITORIOUS CONDUCT AWARD

For services rendered after conducting a thorough and painstaking investigation into a series of armed robberies which occurred over a period of one(1) year culminating in the arrest of two (2) male and two (2) female suspects. These Officers tirelessly sifted through bits and pieces of information, i.e., physical descriptions of the suspects, their methods of operation, clothing and vehicles used in the perpetration of the crimes. The first breakthrough came with the arrest of one of the female suspects whose clothing and description matched that in prior robberies. Information obtained from her led to the Identification of one of the male suspects and latent prints found at the scene of a robbery were developed and positively identified as his. The remaining trio of suspects continued their robbery spree and latent prints left at the scene of those crimes positively identified them also. The second female was arrested in the Northern district and she voluntarily identified the two male suspects. Acting on reliable information and with the assistance of Oakland Police Department Detectives they responded to 2518 35th Avenue #32 in Oakland, located the subjects and ordered them out of the premises. It was necessary to use a dog unit to flush out one of the suspects from his place of concealment. Because of their dedication, devotion and team work coupled with demonstrated gifted investigative abilities, they were granted Meritorious Conduct Awards.

## OFFICERS STEPHEN TACCHINI AND DENNIS A. MAFFEI

### MERITORIOUS CONDUCT AWARD

For services rendered commencing Thursday, November 8, 1984, when through research and investigation, they discovered a connection between a known narcotics user and the victims listed in three burglary cases. Continued investigation of the suspect led to his confessing to all three burglaries along with information they responded to a television repair shop where with the permission of the proprietor a search was conducted and numerous items of stolen property was found. Other property, not related to the original cases were also confiscated and the Proprietor was subsequently arrested and booked. Continuing their investigation on Monday, November 12, 1984, the Officers were able to also recover other stolen property at the Mission Loan Company tying the arrested suspect to several other burglaries. Because they diligently and expertly investigated a series of burglaries which were plaguing several neighborhoods and successfully arrested the suspect, his fence, and recovered all the property, they were granted Meritorious Conduct Awards.

## OFFICER PETER CANNAN

### POLICE COMMISSION COMM.

For services rendered on Monday, June 18, 1984 at 4:21 p.m., having been informed of an armed robbery at the H. C. Stern Company Jewelry Store, observed the fleeing suspect in the 900 block of Market Street. Officer Cannan pulled his motorcycle into the path of the suspect, jumped off, and grabbed him as he was reaching into his right pants pocket for a .25 caliber automatic. The suspect during the robbery had attempted to shoot the clerk as she stated she

heard the weapon click several times but it did not fire.

## OFFICER JOHN MURPHY

### POLICE COMMISSION COMM.

For services rendered on Monday, January 7, 1985, at 11:30 p.m., when he observed five (5) male suspects chase and attack a lone victim at Taylor and Eddy Streets. The victim fell to the ground, was kicked in the head by one of the suspects and stabbed in the back by a second. When Officer Murphy intervened, the suspect with the knife stood up and with the bloody knife in his hands, turned towards Officer Murphy briefly, and then fled north on Taylor Street accompanied by one of the other suspects. Officer Murphy pursued them, captured them a short distance away and took them into custody. Other police units responded and were able to apprehend the remaining suspects.

## OFFICERS ALAN J. CRESTETTO AND WILLIAM J. MARING

### POLICE COMMISSION COMM.

For services rendered on Monday, August 20, 1984, at 10:57 a.m., when they responded to Children's Hospital on a woman with a gun assignment. The woman armed with a .25 caliber automatic and with her baby in her arms pointed the weapon at two pediatric nurses and stated that she had children taken away from her before and nobody would do so this time. The Officers donned hospital gowns, approached her, and attempted to console her. They slowly approached her from different sides. They then lunged at her, simultaneously attempting to secure the weapon, protect the infant and neutralize the woman. They were successful in accomplishing all three. The woman was booked at City Prison and the child was transported to a foster care facility unknown to the mother.

## OFFICERS ROBERT ROBERT W. BARNES, JOSEPH P. CURTIN, RICHARD A. HOM, MICHAEL L. KELLY, ROBERT J. PUTS, ROBERT G. SUDANO AND VICTORIA A. WALKER

### POLICE COMMISSION COMM.

For services rendered in Wednesday, January 2, 1985 at 12:06 p.m., when they responded to a bank robbery alarm at Bank of America, 1275 Fell Street, and observed the suspects running in a lane of traffic northbound on Divisadero Street. The suspects boarded a bus but then jumped from the rear window at Pierce and Hayes Street as the Officers pulled alongside. The suspects split up but were shortly thereafter captured at different locations. One at Fillmore and Fulton Streets, and the other, who had in his possession \$6,923.00, the entire amount stolen from the bank, was found hiding under the stairs at 931 Fulton Street.

## OFFICERS JEFFREY C. GREENLAW AND DAVID BARDONI

### POLICE COMMISSION COMM.

For services rendered on Tuesday, May 15, 1985 at 2:27 a.m., when they exhibited exceptional bravery and courage upon responding and entering a house at 6 5-A 29th Street where flames and smoke was billowing out of the structure from all sides. Both officers knew the risk involved; yet without hesitation, they entered and re-entered searching for victims. They were finally driven out for the last time by the thick smoke and intense heat. After the fire had been extinguished, the fire department found one badly burned deceased victim in an area that had been inaccessible to the officers.

## OFFICERS JOHN LOFTUS, MATTHEW CASTAGNOLA AND INSPECTOR ROBERT CHECCHI

### POLICE COMMISSION COMM.

For services rendered when they observed a subject in the area of Hickory and Octavia Streets who matched the description of a robbery suspect whose modus operandi was to stop pedestrians in this area and present them with a note asking for directions to 247 Oak Street. He would then produce a knife and proceed to take anything of value from the victims. The officers, working in close conjunction with Inspector Checchi of the Robbery Detail, contacted several victims who positively identified the subject as the suspect

who had robbed them. The suspect pled guilty to the charges in Superior Court on September 7, 1984 and was sentenced to four (4) years in State Prison.

## OFFICER THOMAS R. TAYLOR

### POLICE COMMISSION COMM.

For services rendered on Monday, March 26, 1984 at 2:43 p.m., while on Honda Patrol in the area of 20th Avenue and Judah Street, he observed a large amount of smoke coming from the rear of 1385 20th Avenue. He notified the Fire Department and upon responding he learned from a resident that there were tenants trapped on the second floor. He proceeded to the second floor but was unable to reach them due to exploding glass, flames and heavy smoke. He then yelled to the victims and directed them to the rear of an apartment overlooking the backyard. He exited the building and directed the Fire Department to the rear of the building where a ladder was placed and six (6) victims were brought to safety.

## OFFICER MILAN KANGRA

### POLICE COMMISSION COMM.

For services rendered on Sunday, November 4, 1984, at 5:55 p.m., when he responded to a Communications call of a man swimming in the bay, appearing to be retarded, groaning, and in distress. Officer Kangra found a ladder leading to the water which was near the man. Wrapping his legs around the ladder, he was able to extend himself far enough out to reach the man. During this effort his foot slipped and his lower body became immersed in the water. However, he overcame this problem and then pulled the man and himself to safety.

## OFFICERS GARRETT A. TOM, DANIEL A. GALLAGHER, WILLIAM D. MCINTOSH, DOMINIC M. CELAYA, VINCENT J. VAGO, ROBERT L. FORD, ROBERT H. GLEMBOT AND ERNEST C. WILBERG

### POLICE COMMISSION COMM.

For services rendered on Sunday, May 20, 1984, at approximately 5:00 a.m. when they responded to a Communications broadcast of a 528 (fire) in progress at 1280 Fulton Street. Upon arrival they found the fire spreading to adjacent buildings on the 800 block of Divisadero Street. The officers immediately separated into teams and began searching for possible trapped victims. Although most of the flaming and smoking flats were empty, one team of Officers located a 16 year old boy and escorted him to safety. Ten flats were gutted and no injuries were sustained by either the officers or occupants.

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AT MASON

# LETTERS

**An Eternal thanks  
to the members of  
Northern Station:**

On March 13, of this year officer Larry Barsetti and I responded to a 100-s alarm at 2150 Washington St. After determining that it was a false I walked down an interior staircase when all at once I was stricken with a tremendous case of chest pains. The first coming to mind is here comes a heart attack. After resting for a time the pain seemed to have subsided. Later a routine check at the Franciscan Room was made. While doing the paper work at the hospital I could again feel the pressure in my chest. At this time I was rushed into the examination room where the attack hit me again only harder this time. I thought it was the end for me. Tears welled in my eyes as scenes of the past flashed by me. I was given medication and transferred to a room in the hospital for further tests. Later in the afternoon I was advised that my blood count was low. I had lost over 4 pints of blood through a bleeding duodenal ulcer. This had apparently caused an extra workload on the heart. I remained in the hospital for a week and the damage was repaired and sent home.

Now during the month of April I was turned over to a cardiologist who wanted to check on these original chest pains. I was given the thallium treadmill test and an angiogram catheterization x-ray Scan. Results: 95% obstruction of two Coronary heart arteries with no possibilities of use of the balloon dilation procedure to clear these arteries due to their risky and dangerous locaiton. After a second opinion it was decided that open

heart surgery double by-pass leg vein graft would have to be used. According to the cardiologist if this condiiton is not corrected by this surgical procedure my time on this earth could be 1 to 10 yrs.

On June 4, at 0645 Dr. E. Hana and his heart team began their procedure at St. Mary's Hospital and in 3 hours I was out of surgery and in the intensive care unit where I remained for six days. The last three days I had my room on the sixth floor and on Wed. June 12 I went home.

Now that I am home it looks like it will be a long painful road on the way to recovery. Thank God for pain pills and sleeping pills. I'm on D.P. status at this time and must visit the doctor in the City every month or two but I cannot drive the machine so my wife does this. Even so it sure tires me out. When I get home I have to lay down like a little kid and take a half hour snooze.

Now the real reason I wrote this letter is to extend my thanks to the members of Company "E" who did so much for me during my ulcer-heart illness in the form of blood donations, visits, telephone calls to cheer me up, get well cards and other miscellaneous details. I'll never forget this.

Thanks also to the P.O.A. for the nice fern plant and get well card, also get well card from Co. B and numerous phone get well calls from various details in the Hall of Justice, Coronor's Office and cards from the Chief Off.

Thanks again, till we meet again,  
Officer Gus Stremme #1847  
S.F.P.D. Northern Station  
434 San Carlos Way  
Novato, Calif. 94947

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**A Night To Remember —  
Was**

July 9  
Bob Barry, President  
San Francisco Police  
Officers  
Association  
510 - 7th Street  
San Francisco, CA 94103

Dear Bob,

I wish to congratulate you and the members of the San Francisco Police Officers Association for your very successful 40th Anniversary Celebration, "A Night To Remember." It was great to see so many familiar faces and renew old acquaintances. Needless to say, it was a most enjoyable evening.

Looking forward to next years event.

Sincerely

Don Brown, President  
California Organization  
of Police and Sheriffs

**The Band had a good  
Time Too!**

July 10, 1985

Robert Barry  
President of the Police Of-  
ficer's Association  
510 7th Street  
San Francisco, California  
94103

Dear Bob,

The boys in the Band and myself wish to thank you for the engagement for the Police Officer's Association Dinner-Dance on May 31, 1985 at the St. Francis Hotel. It was a fabulous affair, and everyone seemed to be enjoying themselves. You seemed to be having a great time, and I hope you were happy with the dance music.

Would you kindly extend my best wishes to Henry Friedlander for putting it all together.

Looking forward to seeing you at another occasion soon.

Yours truly,  
Sal Carson

**Thanks**

SF Police Officers Assoc.

The name of your business as written above is the way it will appear on the chart that we will hang in the lobby of the YMCA, thanking business donors to our Campaign.

We are extremely grateful for your contribution to help children, families, and senior citizens here in the Tenderloin. We are pleased to be able to offer this kind of recognition.

Sincerely,

James A. Raines  
Executive Director  
Central YMCA

**Independant  
Observer**

Dear Bob,

I just received a copy of the May issue of the San Francisco POLICEMAN. In it was your open letter to the Chief of Police.

I thought it was a very well written letter and I like your philosophy of "people before tasks".

Keep up the good work.

An independent observer.

Sincerely,

Kenneth Kelly

**Thanks**

San Francisco Police  
Officers Assn.  
510 7th Street  
San Francisco, Ca. 94103  
Attn: Robert Barry  
Dear friends:

Thank you for the contribution to my campaign committee.

Your support is important to my efforts to provide leadership in the California Senate.

My staff and I look forward to the continued strengthening of our relationship.

Sincerely,

David Roberti

**Thanks**

Mr. Bob Barry  
President, Police  
Officers Association  
510 7th Street  
San Francisco,  
CA 94103

Dear Mr. Barry:

I am writing to thank you and the members of the San Francisco Police Officers Association for your gift of a video recorder. It will provide us the opportunity to further develop our cancer treatment program. I will be in touch with you concerning the questions you had about nutrition and exercise. I will send you the picture as soon as it is available.

Thanks again for your interest in the program. I know I speak for all of our veterlar cancer patients when I express my personal gratitude for your efforts on our behalf. Please do not hesitate to call me if I can be of help to you or your organization in any way.

Sincerely,

Albert B. Deisseroth,  
M.D., Ph.D.

Chief, Hematology/  
Oncology Section (111H)  
Professor of Medicine,  
UCSF

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## FEINSTEIN MOVES AGAINST POLICE

*continued from page 1*

as the Chief currently has the authority to choose from permanent lieutenants and above (ninety people) to exempt positions. With the current frustrating civil service debacle we can ill afford a dismantling of the Charter for specious reasons. If the motivation is to allow a patrol officer or a sergeant to become a Commander or Deputy Chief, then that motivation is wrong.

### DISCIPLINE SHAM

In addition, Feinstein proposes an increase in the chief's power to suspend from ten to thirty days and other procedural changes that act against officers' rights. Again, the ten day suspension power with stronger discipline to be imposed by the Police Commission is wholly appropriate. Chief Murphy has utilized his present power more than any Chief of Police in modern SFPD history and no justification exists for change except to act punitively against our members.

### LACK OF SUPPORT BY FEINSTEIN

Lame duck Mayor Feinstein's lack of support for members of the San Francisco Police Department and her reversal on key civil service protections has been ongoing since her election in 1979. She was endorsed by the POA in 1979 while engaged in a close race with Supervisor Quentin Kopp. Since then she has consistently opposed our economic well-being but continues to send requests for us to contribute to her birthday parties. It appears quite apparent that we will not be attending any birthday parties for some time.

### NIGHT DIFFERENTIAL

Most police officers in Bay Area police departments receive premium pay for working nights. **THE POA PLACED A CHARTER AMENDMENT ON THE BALLOT WHICH THE PEOPLE VOTED FOR DESPITE FEINSTEIN'S OPPOSITION.**

### TIME AND ONE-HALF FOR OVERTIME

Most police officers in Bay Area police departments receive time and one-half for working overtime. **THE POA PLACED A CHARTER AMENDMENT ON THE BALLOT WHICH THE PEOPLE VOTED FOR DESPITE FEINSTEIN'S OPPOSITION.**

### PENSION UPGRADE

The POA placed a Charter amendment on the ballot to upgrade officers appointed after 1975 so that their retirement would be consistent with officers working with them who were appointed prior to 1976. Feinstein opposed that Charter amendment and it was defeated.

### BINDING ARBITRATION

The POA placed a Charter amendment on the ballot calling for binding arbitration for economic conditions and it was defeated with strong Feinstein opposition.

### FEINSTEIN'S PUBLIC STATEMENTS

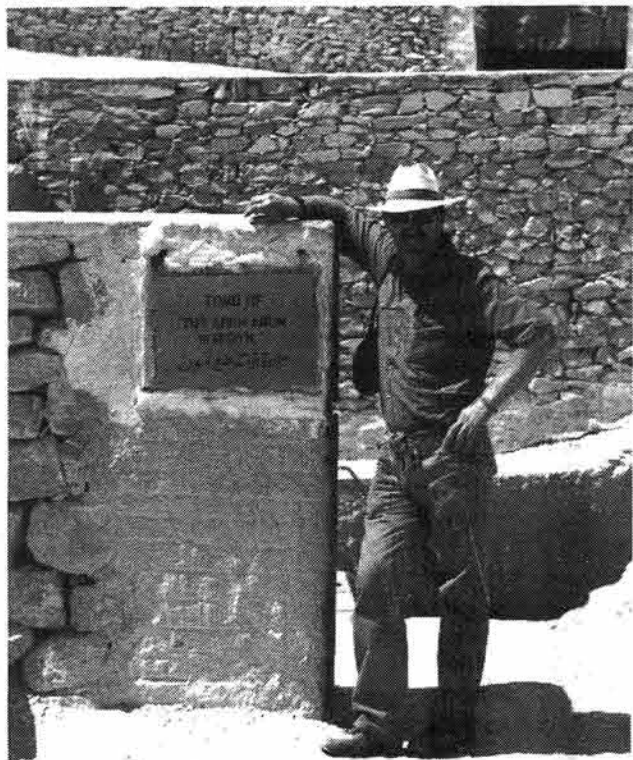
Lame duck Mayor Feinstein has consistently made public statements about conduct in the Police Department prior to hearings thereby jeopardizing officers' due process rights while members of her administration commit indiscretions and she waits for the verdict to come in. It appears that her support for the San Francisco Police Department is intensely political and relates to support for the Chief and not the rank and file.

## A VISIT WITH KING TUT

Returning from a recent desert sojourn to the ancient land of the pharaoh's, Mike Hebel (POA Welfare Officer) was asked to comment on the "curse theory" which has been widely circulated in the popular literature as a possible explanation for numerous deaths, injuries and unexplainable phenomenon involving persons involved with the discovery, exploration and handling of the fabulous 18th dynasty tomb of Tutankhamun (14th century B.C.).

Mike learned from Egyptologists that, to this day, scientists do not know what medium was used with ground pigments to produce the luminous, brilliant and durable colors used on the tomb wall and ceiling paintings. There is a current school of thought that the medium used was composed of harmful particles which produced poisonous gases during the long incubation period between sealing the tomb and its eventual reopening by tomb robbers or archaeologists which led to deadly results for those susceptible.

To date, the "golden pharaoh's" tomb is the only one in the Valley of the Kings that managed to stay intact (for over 3,000 years) until discovered in 1922. Did this extraordinarily long incubation period cause the objects (over 3,000 pieces of which 55 toured the U.S. in 1981) in the tomb, as well as the chamber itself, to become infused with poisonous gas particles?



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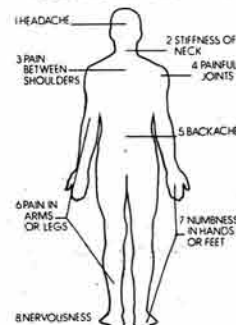
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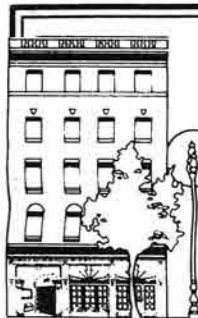
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I am writing to thank you for your continued interest in the development of the Cancer Treatment Program at the San Francisco VA Medical Center. As you know, we are in need of funds to finance the purchase of a video cassette recorder and player for our Hematology/Oncology Outpatient Clinic. We would use this VCR to enable us to present to our cancer patient medical information which would help them cope with their disease and its treatment. We would also plan to provide the patients with entertainment while they were awaiting their visits with our nurses, physicians, nutritionists or social workers. As you know, our clinic is a very busy one, and the VCR would help us create the supportive arrangement which we all know can be so helpful for cancer patients and their loved ones.

I would appreciate any help you and the San Francisco Police Officers Association could give us with this problem.

Sincerely,

ALBERT B. DEISSEROTH, M.D., Ph.D.  
Professor of Medicine, UCSF

Chief, Hematology/Oncology Section (111H)  
VA Medical Center, San Francisco

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# POLICE ACTIVITIES LEAGUE

by Herbert P. Lee  
Executive Director



## PAL BOXING AND JUDO SIGNUPS

The PAL Boxing and Judo Programs are being offered for the summer at the old National Guard Armory, 14th and Mission Streets. All interested boys and girls between the ages of 10 through 18 are asked to call 552-7495 for signups.

## PAL CHILDREN' FINGERPRINTING

The PAL is sponsoring Children's Fingerprinting at PAL Headquarters, 2475 Greenwich Street. Any parent or guardian interested in having their child fingerprinted are to call PAL Headquarters 567-3215 for an appointment. The program is free. All fingerprint cards are kept by the parent or guardian. Any group interested in co-sponsoring PAL Fingerprinting Sessions are to call the PAL Headquarters for signups.

## PAL TACKLE FOOTBALL

PAL Tackle Football will be starting in July. Although the schedule has not been finalized as of this writing, San Francisco PAL will be sponsoring a midget and a junior midget team in the Pop Warner League of Marin County. Out of town games will be scheduled for San Francisco Teams, according to Inspector Kelly Waterfield (Recruitment and Retention), PAL Football Commissioner.

## PAL LAW ENFORCEMENT PROGRAM

(by Jeff Levin)

The PAL Cadet Ridealong program recently concluded with more than 50 Cadets participating. The ridealong extended for five nights over a six week period provided a significant part of the Cadet's learning experience, and affording them an opportunity to relate their classroom lectures and training to their on view observation of actual police work on the street. Under supervision, the Cadets saw officers performing day to day duties, observed officers in action in serious incidents, and assisted in traffic



Officer Jeff Levin Co E (left) showing PAL Cadets Chris Parente and Julie Torres the inside of a patrol vehicle during a recent PAL Cadet Ridealong Program. Officer Levin has been the Director of the Program for the past four years.

direction throughout the City. Supervision was provided by officers Glenn Allen, Marshal Ashe, Andy Blackwell, Pat Correa, Jeff Levin, Greg Lynch, and Steve Quon, all of Northern Station. Although not a primary goal of the ridealong program, these officers wrote 28 parking citations, 23 moving citations, effected nine arrests, and handled numerous runs in the course of the program with the PAL Cadets. As in years past, the Cadets were highly impressed with the large volume of calls and the high quality of services provided by our Department. The ridealong program also allows the Cadets to ask any questions of the officers and thus gather much information.

The PAL Cadets are also assisting in the children's Kid-Kar Rides. The Program consists of electric motorized



The goal of the ride-a-long program is for the cadets to learn. Here Officer Levin shows the cadets the proper way to use the computer.

tricycles decorated to simulate tiny police vehicles under the direction of PAL Cadets. The Program will visit day

school nurseries for children between the ages of 3 and 6. The Program is sponsored by the PAL and is free as a public service.

For the next two months, PAL Cadets have been assigned to the Hall of Justice as part of their Inservice Training. They have been placed in various details and bureaus. Besides the various bureaus and details within the Bureau of Investigations, PAL Cadets have been assigned to the Legal Office, PAL Headquarters, and the PAL Armory Facility. PAL Cadet Arun Reddy is in charge of the project.

## PAL FOUNDATION FUND DRIVE

The PAL Foundation Fund Drive will begin in August. For the next four months, the PAL Telemarketing Staff will conduct its phone solicitations for donations to corporations, companies, and individuals. The PAL receives no federal, state, or local grants and depend on private donations to continue its work with the youth of San Francisco. Yearly, over 5,000 youths are actively involved in on-going PAL programs such as, baseball, boxing, judo, soccer, basketball, football, fishing, Law Enforcement



Limits for the kids at one of the PAL Fishing Program trips recently. The kid used wireline trolling methods for their catch.

Cadets, Junior Rifle, Pistol, Sailing, Girls Softball, Children's Fingerprinting, Children's Kiddy Kar Rides, and Track and Field. The PAL has the hearty endorsement of Chief Cornelius P. Murphy who states "During my career as a police officer I spent eleven years in juvenile assignments where I had a first-hand opportunity to see the results of the Police Activities League in action. PAL is community relations, crime prevention, and an opportunity for kids to participate in sports and other educational programs. PAL and sports go hand in hand, building character and leadership — two things our kids should not leave home without." San Francisco Mayor Dianne Feinstein states: "The San Francisco Police Activities League, known everywhere in our city as PAL, has involved our youngsters in worthy community activities and sports for the past 25 years — thereby contributing significantly to our children's leadership development, while at the same time promoting improved police relations and preventing crime. Some 200,000 youths have already participated in PAL-sponsored events, and I am proud to commend everyone responsible for making PAL an integral part of our community. San Francisco is deeply grateful to PAL for its efforts to add



Another striped bass for the dinner table. Officers Ed Collins poses with his star Pupil. it was the youngsters first fish of his life.

immeasurably to our overall quality of life, and we wish it continuing success." The President of the San Francisco Board of Supervisors, the Hon. John L. Molinari states "During my 14 years as an elected member of the San Francisco Board of Supervisors, I have been continually delighted with the high quality program and devoted staff and volunteers who comprise the San Francisco Police



(Left to right) Mila Etzler, Pat Kwan, Arun Reddy, and David Lazar with their striped bass catch aboard the PAL Fishing Boat. Also shown is a volunteer (middle).

Activities League. Since children are our city's greatest resource, the existence of organizations such as PAL offers these youth guiding principles that are so valuable to their development. Principles such as leadership, good sportsmanship, intellectual pursuit, and compassion for their neighbors and friends. Please know that I will do all I can to ensure the vitality of your (PAL) program." Dr. David Sanchez, Jr., President of the San Francisco Police Commission states: "This is just to tell you how I feel about the Police Activities League and the work it is doing for the youth of the City and County of San Francisco. It is an outstanding program and I would like you to know that I, as a San Francisco Police Commissioner, heartily endorse the program." San Francisco District Attorney Arlo Smith states: "Because San Francisco's young people are one of our most important resources, the entire community has benefitted greatly from the presence and influence of the San Francisco Police Activities League in the past 25 years. There is no doubt that PAL sports and other activities are also a crime prevention program. It is not only as a law enforcement official that I wholeheartedly endorse the PAL, but also as a citizen who is concerned



Coach Chris Torres with a team member's striped bass which he caught himself. All hands took fish home for the kitchen table.

about helping our young people." San Francisco Sheriff Mike Hennessey states: "While crossing a busy San Francisco Street recently, I heard my name called out above the loud street noises. A young man darted through traffic, grabbed my hand, and shook it vigorously. Before I could ask him who he was, he said "Sheriff Hennessey, I know you're a big supporter of the San Francisco Police Activities League. I want you to know that PAL turned my life around and for the first time I really felt like I had



PAL Fishing Coaches David Lui (right) and Lew Grissell (left), working a striped bass to land. The youths are learning the intricacies of catching striped bass in San Francisco Bay with wire line trolling. Surprisingly, the kids as young as 8 are able to crank the bass in.





For additional information  
Phone PAL: 567-3215

# POLICE ACTIVITIES LEAGUE

by Herbert P. Lee  
Executive Director



a choice in this world." This better than anything else I can say expressed the heart and soul of what PAL is all about. I am proud to offer my continued and wholehearted support to this outstanding community youth project, and to commend those who give so generously to make it work." Captain Paul A. Kotta, Commanding Officer of the Juvenile Division, states: "In the past, as the Commanding Officer of the Community Services Division, and now as the Commanding Officer of the Juvenile Division, I have been personally involved with this fine organization. Preparing our youth for the future as well as the present has been one of the primary objectives of our PAL, an objective constantly attained, I have attended and participated in PAL awards functions where the youths who received that highest awards rally typifies the PAL Cadets. I am proud to be associated with this fine organization. Keep up the good work."



Lucky guy Julio Estrada with the biggest striped bass of the season, a 26 lb. behemoth. The eleven year old PAL Baseball player captured his prize off of the South Tower of the Golden Gate Bridge while trolling with wire line. Estrada said he was "tired" after his ordeal, (the understatement of the year).

## PAL BASEBALL

(By Thelma Williams)

The Joe DiMaggio League teams (16 through 18 years old) were involved in three tournaments over the 4th of July weekend. Lera Electric played in Vallejo, the San Francisco Senators went to Yountsville, and Sapunar Realty competed in San Mateo. PAL Joe DiMaggio league games are continuing at this date to determine which team will advance to the playoffs. Standing to date are: Senators with a 10 and 1 record, Sapunar 9 and 2, Lera Electric 9 and 3, and Valente Marini 5-4-1. The top winner will earn the right to represent San Francisco in the Joe DiMaggio State Tournament August 1-5 in Yountsville.

In other PAL Baseball news, Playoffs for the CAL PAL League (15-16) are scheduled for July 31. A complete wrapup on this league will be featured in next month's column. The PAL Mission Boys Club, under head coach John Ferrari, was declared the city champions in a grueling and exciting game against runnerup San Francisco PAL Giants. League rules call for 7 innings. But this exciting championship game lasted 9 innings with a final score of 13 to 12. Our congratulations to Coach John Ferrari and the PAL Mission Boys Club Champions. We also add our congratulations to runnerup PAL Giants under head coach Chris Torres.

## PAL LETTERS OF APPRECIATION

Dear Herb: I would like to take this opportunity to thank you for providing the services of Cadets Pat Kwan, Barry Patel, Carlos Cordova and Stefanie Jefferson at our 40th Anniversary Celebration on May 31st 1985. It was a pleasure having such pleasant and conscientious young people assisting with the many behind the scenes duties that make an affair such as this a success. Please convey my thanks to them. Each and everyone is a credit to the Police Cadet Program. Fraternally, Bob Barry, President, San Francisco Police Officers Association. Dear Herb: Please transmit to Lynn Tracey (PAL Senior Cadet) my sincere appreciation for assisting us in the Homicide Section this week. Lynn, as usual, conducted herself as a professional, voluntarily responding on short notice and was very helpful. If I can be of assistance to you, please do not hesitate to contact me. Sincerely, s/s George Kowalski, Lieutenant of Police, Homicide Section. Dear Sergeant Lee: I would like to thank you and Inspector Earl O'Brien (retired), for making it possible for the children on my baseball teams to have such a good time fishing in the PAL Fishing Program. Altogether we caught fourteen striped bass with the smallest team member Julio Estrada (11) catching a fish weighing about 25 pounds. The children really enjoy going out on the PAL Boat and for many it's a new experience they will always remember. For the past four years my boys and girls (teams) have enjoyed successful fishing trips, thanks to the attention and care of the fishing crews. I think the PAL fishing trips are an excellent recreation and I hope it has many years of continued success. Thank you. s/s Chris Torres, Manager, PAL Giants. Dear Bill (Sgt. Bill Leet). Just a short note of thanks for the Hunters Safety Program you and your assistant took time to teach. I'm sure you made an impression on (sons) Chris and Beau Jr., that they will remember a lifetime. Thanks again for your time and interest. Beau Weill (Mr. Weill enclosed a check in the amount of \$50.00 as a donation to PAL).

To Cornelius P. Murphy, Chief of Police. Outstanding Police Work performed. Sir: I wish to call to your attention to the excellent police work performed by the members mentioned in the instance indicated herein. Although the actions taken by the members involved do not fall within the purview of the sections governing medals of valor, Meritorious Conduct or Police Commission Commendations, such actions demonstrate a devotion to duty which reflects credit both on the members involved and the Department as a whole. On Saturday 05-18-85, Officer Correa, Levin and Quon were assigned to drive a number of PAL Cadets throughout the City in a program designed to expose the cadets to the mechanics of police work. This program places the officers and cadets in an observer role. In the course of the evening a Potrero unit (3C4) was involved in an injury accident which disabled both officers. With those two officers disabled and a workload that evening unexpectedly heavier than normal, even for a Saturday night, assignments in the Potrero District were beginning to back up significantly. Although these officers could easily have taken it easy, they and the PAL Cadets immediately "pitched in" and helped. The cadets did a very professional job of traffic control at the accident scene, under the very capable supervision of officers Correa, Levin and Quon. These quick actions freed several Potrero units for other assignments. Even after the accident scene was cleared, Officers Correa, Levin, Quon and the Cadets riding with them continued to volunteer to handle assignments in the Potrero, significantly alleviating an unexpected manpower shortage. The diligence, devotion to duty, and professionalism displayed by Officers Correa, Levin, and Quon, as well as the enthusiasm, assiduity and zeal demonstrated by PAL Cadets Aldeguer, Cabrera, Clouse, Cordova, Foster, Johnson, and Tracey was in the highest tradition of the San Francisco Police Department. They are to be commended. s/s Gregory Corrales, Lieutenant. s/s approved: Roger W. Maloney, Captain. Ernie Galaviz, Director: Excellent work by our PAL Cadets. s/s SGT Herb Lee, Executive Director. Copies to each Cadet Folder Cadets Christine Aldeguer, Janet Clouse, Carlos Cordova, Rafael Cabrera, Lynn Tracey, Leslie Foster, and Eric Johnson.

## PAL BASEBALL:

In the just concluded PAL Intermediate (13-14) League, S.F. Boys Club completed a stirring come from behind extra inning thriller to prevail over the PAL Giants in the city championship game held at Sweeney Field. S.F. Boys Club, coached by John Ferrara, despite being down by 8 runs at one time, hung tough and came back to win 13-12 in 8-innings.

The PAL Giants, coached by Chris Torres and Enrique Estrada, have nothing to hang their heads about. After defeating the PAL Pirates to force a regular season tie for first place, they again defeated the Pirates in a one-game elimination to earn a spot in the city championship. These first year players have earned a lot of respect around the league with their hustle and enthusiasm. With the ascent of these and the other eleven teams in the league, we look forward to great competition next season.

In the Bantam League (11-12), play-offs continue this week at various city diamonds. In the east division the Bantam Giants take on the Bantam Bruins at Aptos on Monday, 5:30 PM, with the winner advancing to the city championship at Sunset playground on July 13, at 11:30 AM. In the west division, once-beaten Grattan awaits word on its semi-final opponent.

The first annual Pete Franceschi Bantam All Star game will be held on July 20, Silver Terrace playground, Silver Avenue & Elmira Street, at 11:30 AM. Hot dogs and soft drinks will be sold at the championship game and the all-star game. Tickets for Oakland A's games and S.F. Giant games, and various other articles will be raffled and taken home by lucky winners. All proceeds will be used to fund memento's for the players in the all star game and for future PAL Bantam League Youth Activities.

Remember, City Championship, July 13, 1985, Sunset playground, 28th Ave. & Moraga Street, at 11:30 AM; Pete Franceschi All Star Game, July 20, 1985, Silver Terrace playground, Silver Avenue & Elmira Street, at 11:30 AM. Come to the ball game, have a hot dog and soda, and enjoy, possibly, some of the potential future major leaguers.



PAL Cadet Sergeant Patrick Kwan with the very first striped bass of his young life. The ten pounder was caught off of the rockpile in San Francisco Bay using wireline trolling with two pound balls.



Head Coach Warren Crawford (right with hat) and his under 10 soccer team after a successful foray for striped bass in the PAL Fishing Boat recently. At left is Officer Ed Collins of Taraval, Captain of the Vessel. Collins volunteers his off duty hours for the PAL Fishing Program. He is also the President of the PAL.



Sgt. Herb Lee with Mila Etzler. This was eleven year old Mila's first fishing trip of her life.



More striped bass action aboard the PAL Fishing Boat. The scene was the "rockpile" off of Alcatraz.

(photos by Herb Lee)

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# SPORTS

## FIRST ANNUAL SAN FRANCISCO-SHANGHAI FRIENDSHIP BASKETBALL GAMES

What has 24 legs, slam dunks, and can eat enormous quantities of food with chopsticks?

According to San Francisco Board of Supervisors President **John L. Molinari**, the answer is the members of the City College of San Francisco varsity basketball team. They will be the athletic portion of a delegation Molinari is leading to the People's Republic of China to inaugurate the first annual San Francisco-Shanghai Friendship Committee Basketball Exchange.

The delegation will leave San Francisco on July 17 and spend eleven days playing basketball, touring, and spreading the word about San Francisco and its hoopsters in Shanghai, Hangzhou, Beijing and Hong Kong. The delegation returns July 28.

At the July 3 press conference announcing the basketball exchange, Mayor Dianne Feinstein introduced the CCSF team, and its head coach Brad Duggan, who has taken his team to conference championships in nine of the last eleven years. Mayor Feinstein urged the team to compete in the spirit of friendship and sportsmanship and to return with memories of a once in a lifetime experience.

The Mayor also unveiled a perpetual trophy that will reside in the home city of the winner of the best two out of three series to be held alternately in Shanghai and San Francisco. She also urged the CCSF players, Coach Duggan, and delegation leaders to "bring the trophy back with them."

Preparations for the trip began in February of this year when representatives of the Shanghai Municipal Commission for Sports and Physical Culture contacted San Francisco-Shanghai Friendship Committee Chairman Gordon Lau informing him of their interest in a basketball exchange in late July or early August.

In early spring, Lau met with Molinari, Peter Henschel of Mayor Feinstein's office, and CCSF Chancellor Hillary Hsu to discuss the possibility of sending the City College team to the People's Republic. Dates were agreed upon, and plans made to raise money during the spring to finance the exchange. Corporate and individual donors were generous with their donations and the costs of the trip were quickly covered.

Word of the basketball exchange reached team members in late May, when Coach Duggan held an informational meeting for players and their parents. A number of the

players have never been outside of California, and some of them have never even flown in an airplane. Nevertheless their questions covered subjects as exchange rates and the kind of weather that could be expected in China in summertime.

The team was briefed by Supervisor Molinari, Mr. Lau, and Coach Duggan as well as by San Francisco State University Professor Bill Paul, one of the first pioneers in Asian martial arts.

Coach Duggan and his assistant coaches Dave Roberts and Wilbur Jiggetts prepared the team to play in China by practicing and playing matches against teams under the international rules they could expect in China. The team also worked hard on physical conditioning in order to compensate for the difference between the cool climate in San Francisco and the warmer one in Shanghai.

Players like 6'4" Steve McIntosh, 6'10" center Dean Garrett, and sweet shooting 6'6" Lynell Peterson prepared themselves by reading about China, and answering the questions of KRON-TV news reporter working on a documentary about the trip.

Wide press coverage for the trip was guaranteed when San Francisco Chronicle columnist Herb Caen signed on to go along. Other members of the delegation include William S. Leong, Executive Director of the San Francisco Pretrial Diversion Project, James E. O'Connor, Vice-President of the Taxicab Division of Lorrie's Transportation Cooperative, Robert O. Johnson, Jr., former City College student and a vice-president of Greyhound Exposition Services, and Thomas J. Klitgaard, Vice-President and General Counsel of Tandem Computers. Mike Carson, president of the California Basketball Officials Association, and a teacher at McAteer High School in San Francisco is also going along as a referee. Jerry Shilgi, team academic advisor and the former Head Coach of Galileo High School's basketball team will be joining the delegation.

As the departure date approaches members of the delegation and the team continue to make last minute preparations including obtaining visas, getting gamma globulin shots, and trying on the blazers and uniforms provided by Levi Strauss & Company and the shoes provided by Converse. Some of the members of the team, and the larger members of the delegation also began wondering about how to fit themselves into their seats for the 16 hour flight.

## SFPD "Blue" Captures Another Softball Championship

by Bob Del Torre — Tactical Division

The SFPD "Blue" Softball Team continues to roll over opposing teams like an unstoppable bulldozer. Eight softball teams fell prey to S.F. in Concord on June 8 and 9.

S.F.'s first game saw Marin CHP losing a lopsided affair 14-0. The hot bats of **Dave Herman**, **Rich Dalton**, **Gary Delagnes**, and **John Mino** scorched Marin's defense. Pitcher **Jim Drago** held Marin to 0 runs, something unheard of in slowpitch softball.

The S.F. Sheriffs were victim #2, losing 13-2 to S.F. **Matt Hanley** went 3 or 4, **Al McCann** 3 for 4, **Terry Donovan** 2 for 2, and **Rich Dalton** 3 for 4. **Jack Minkel** was flawless in left field as his quickness and heads up playing constantly robbed the Sheriffs of sure base hits.

Game #3, S.F. manhandled Alameda Probation 13-0. **Joe McKenna** had a perfect day — 3 for 3 and scored 2 runs. **Al McCann** knocked out a 310 foul HR and hit 3 singles for a 4 for 4 day. **Jim Drago**, **Jerry Donovan**, **Matt Hawley**, and **Rich Dalton** all hit well.

Going into Game #4 S.F. was now 3-0 and had to face a talented Bart P.D. **Matt Hanley's** bat exploded for 4 hits including 2 hrs. **Mike Keyes** played outstanding in the outfield and offensively went 3 for 4 and scored 2 runs. **Jack Minkel** also played "like a man possessed" in the field catching everything hit to him. Jack also went 3 for 3 and scored 3 runs. **Ross Laflin** made 2 outstanding plays at the plate and went 2 for 2. All in all S.F. collected 15 hits and beat Bart P.D. 15-3.

On the next day S.F. started with Sacramento P.D. beating them 11-2. S.F.'s **Dave Herman**, **Mike Keyes**, and **John Mino** each collected 2 hits with pitcher **Jim Drago** holding Sacramento to a mere 2 runs.

San Jose P.D. was victim #6 as S.F. won 11-2. The hot bat of Shortstop **Rich Dalton** knocked out 3 hits in 3 at bats, while Rich also scored 3 runs. **Al McCann** had a great day as he had a single, a double, and a triple in 3 bats. **Steve Collins** and **Jerry Donovan** also collected 2 key hits apiece.

S.F. then played Sunnyvale P.D. and scored 7 runs in the first inning and continued the hitting attack until Sunnyvale succumbed to a 11-1 win by S.F. Once again the big bats for S.F. were **Jack Minkel**, **Matt Hanley**, and **Gary Delagnes**. Defensively **Gary Delagnes** was outstanding at third base. Gary was consistently knocking down "shots" at the third base line and moving down the runners with his throws to first base.

S.F. record now as 7-0. S.F. had scored 87 runs and gave up only 9 runs. That's only 9 runs scored against S.F. in 7 games — is there a better word than awesome?

The championship game pitted S.F. against San Jose P.D. San Jose jumped to a quick 6-0 lead. **Rich Dalton**, **Dave Herman**, **Al McCann**, **Jack Minkel**, **Mike Keyes**, and **Jim Drago** all got hits in the first two innings cutting the lead to 6-4.

**Rich Dalton** played dynamite at shortstop weakening San Jose's offense with superb defensive plays.

S.F. came back and eventually won the game 12-9 and took the Concord Championship.

Twenty six teams competed in the tourney with SFPD giving undefeated in all 8 games. Congratulations to SFPD Blue for a great team victory!

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OTHERS.....	1

At the end of the season (April 1st.), the three players with the most points will go to the Police Olympics to represent the department. To be placed on ladder, contact Mike Boyd 553-1123.

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# SPORTS

## 'TRI' A TRIATHLON

By Lucio A. Perez  
Co. D

Summer has arrived and the triathlon season is in full bloom. The triathlon is a triple-fitness sport that offers an aerobic, cardiovascular challenge during a combined swimming, bicycling and running competition. Contrary to popular belief, most triathlons are not the ultra-distance type that is televised by ABC Sports during the annual Bud Light Hawaii Ironman. This yearly affair consists of a 2.4 mile swim, 112 mile bicycle ride, and a 26.2 mile marathon in 90 degree heat.

The most commonly held triathlon features attainable, competitive distances that can be completed by anyone in fairly decent shape. Usually this contest has a 1500 meter or one mile swim (The longest Olympic sanctioned swim event), a 24-25 mile bicycle ride (The most common time-trial distance), and a 6.2 mile or 10K run (The most popular road race in the country.) Most of us have swum, biked or run during our youthful years and therefore only need some polishing up on technique in order to be competitive. The triathlon also features a unique facet of the sport and it is the ability to make a quick transition from swim-bike to bike-run. A triathlete must quickly change his clothing gear for the next event in order to shave valuable minutes from his overall time. It's better to knock off seconds and minutes during a transition than it is to do it during the actual race. Races have been won or lost in the transition pit on numerous occasions.

For the commonly injured single-sport swimmer, bicyclist or runner the triathlon provides some measure of relief. If you are injured during training from one sport, you can usually train in one of the others. Triathlon training also offers total body fitness and the muscular development of the upper and lower torso. Swimming develops the upper body and keeps the muscles supple and loose. Bicycling strengthens the quadriceps and calves that are not always used during running and helps prevent running injuries by providing a balanced development of the leg muscles. Running offers the most caloric-burning activity of the three and develops the hamstrings of the legs. This cross-training will allow you to improve in each of the three sports because of the amount of rest and recuperation your various muscles receive. As a result of triple training, your aerobic capacity and endurance will continue to rise.

This article is one in a series that will appear in this paper. Hopefully, the series will offer the novice or aspiring triathlete some insight on training, equipment, cost, diet, and racing strategy. This first article kicks off training for the swimming phase of the triathlon.

TYPE OF TRAINING: Swimming

EQUIPMENT AND COST:

Swim Cap (\$1-\$5), Goggles (\$6-\$10), Swim Trunks (\$10-\$20)

TRAINING AIDS: Kickboard (\$20), Hand Paddles (\$10), Pull-Buoy (\$10)

TRAINING AREA: 25 yard swimming pool or open water (fresh or salt water)

Swimming is definitely an area one must master to be efficient in order to complete a triathlon. If you can't swim, you drown. Most triathlons start off with the swim because you need to start this event fresh or you will endanger yourself. If the swim event occurred at any other time, you could cramp up or hyperventilate. Swim portions of most triathlons are usually well-stocked with lifeguards in case of an emergency. The swim phase also offers other perils that a triathlete should be aware of. The swim phase starts off with a mass start and all contestants hit the water like a bunch of lemmings. You should seed yourself properly among the pack, according to your swimming ability, in order to avoid being kicked in the face, punched in the head

and losing your goggles, or having an ace swimmer swim on top and over you in order to make time.

Swimming is 80% technique and it is crucial to master an efficient stroke in order to obtain maximum speed. The way you breath also insures that you will not tire or fatigue yourself during the swim. Bi-lateral breathing, or breathing on both sides, is the best way to go. This way of breathing allows you to swim in a straight line and keeps you stable in the water. A swimmer should also concentrate on the angle in which the hand enters the water (45 Degrees), the "S"-type pull pattern with the hand that propels the body through the water, and the exit and arm recovery of the arm. The legs are not used much except to keep the body horizontal in the water. Most of the blood used during the swim concentrates in the upper body where the oxygenated blood is needed for the muscles. That is why upon completion of the swim, as you exit the water, your legs feel weak and wobbly. It helps to breaststroke and really kick the legs during the last 100 yards of the swim, in order to pump some blood and feeling for the bike ride.

Training aids are available that will strengthen your stroke and technique. Hand paddles offer resistance and strengthen your stroke. A pull-buoy is used in conjunction with the



"The swimming event is the first phase a triathlete must conquer."

paddles so you let your legs float and concentrate on your stroking technique. Kickboards help you maintain a steady flutter kick and offer a welcome change of pace during swim training. Drag suits or drag swim trunks are also making the rounds. Drag-type clothing has several pockets sewn into the fabric that catches water while swimming and creates more resistance. When you remove such clothing and resume your swimming, you feel like greased lightning or Flipper the dolphin.

The type of water you swim in makes a difference. Fresh water is less buoyant than salt water and you tend to swim slower. Salt water is also warmer due to the salt content. (Unless you swim in some parts of the bay, where a chilly 53 degrees is common) If you swim in cold water, you should take precautions to avoid hypothermia. It is not advisable to swim in water below 60 Degrees without a wet-suit. Wearing two swim caps will help you retain heat since most of it (40%) escapes from your head. A brightly colored swim cap will help you maintain visibility in the water.

Most of your swim training should occur in a local 25 yard swimming pool, especially if you're just learning how to swim. A swimming pool normally has warm 80 degree water and a controlled environment in which to train. Many triathletes prefer to swim only in a pool, but an occasional open water swim doesn't hurt to simulate race conditions. The pool also offers a warm, pleasant, embryonic feeling that encourages relaxation. The pool also gives you the opportunity to work on speed by swimming intervals. Intervals are fast, frequent swims used to raise your anaerobic threshold and speed with a small amount of rest. A good interval to do would be 10X100 yards. Intervals should only be done once a week because they are strenuous. Weightlifting also strengthens your upper body and helps to promote fast swim times. Your swim training should also include

one continuous half-hour swim for endurance. It normally takes this long for an average swimmer to complete a mile long swim.

To learn the bio-mechanical specifics of swimming, you should enroll in a masters swim program offered at virtually every local swimming pool. The classes are normally held during the early morning hours and are convenient for police officers on any shift. Masters swimming offers expert coaching and the camaraderie of other swimmers. Books and video cassettes also offer instruction on swimming programs. Gold medal Olympian John Naber has produced a video on swimming techniques. You should seek out this advice and instruction due to the obvious, introductory brevity of this article. Stay tuned for the next upcoming article that will feature the fast sport of bicycling and its importance during a triathlon.

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## OLYMPIC RIFLE TEAM — WE DO IT ALL (WELL, ALMOST) 1 GOLD, 3 SILVER, 1 BRONZE, 16 TEAM MEDALS

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Despite a memorable cross current-down range-up range wind in the High Power event, Nakanishi took a gold in the Sharpshooter individual event — and at his first olympics too! Pennebaker took a silver in the individual Expert event — just one point short of the gold. Swiatko held together for the third place bronze in Sharpshooter. Their Blue team, with Ongpin, took the bronze in the team event.

The Gold team took a fifth in the team event but finished out of the running for individual medals.

The Small Bore event went much better as the wind had died. Pennebaker and Leet each took an individual silver in their respective classifications. The Blue team took third again and were beaten out by Petaluma P.D. by only one point. The gold team bettered their high power score and took the fourth place medal.

This is the first time that two teams participated for San Francisco and both were pleased with their performances since all members went home with medals. All eight are enthusiastic about participating at Newport Beach in '86.

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## THE LAST WORD

by Pete Maloney  
Editor



### CHRONICLE PRINTS STORY ABOUT CHILD ABUSE

The San Francisco Chronicle printed an article titled: "D.A. Fails to Pursue Child Abuse Cases, S.F. Group Claims", on Wed. July 3rd, 1985, written by Susan Milstein. While it stated the case well it failed the test of accuracy in one important point.

The increasing awareness of the public and work of children's advocacy groups added to the higher profile of medical professionals has inundated the available resources in abuse and neglect cases. A professional coalition met with District Attorney Arlo Smith and expressed their concerns making specific recommendations. The meeting apparently prompted Ms. Milstein's article.

The article with a minimum of statistics showed a tremendous disparity between San Francisco's performance and that of other California counties.

The S.F.P.D. Juvenile Bureau has responded to the challenge and under Captain Paul Kotta has continued to seek staff and logistical increases necessary to address the problem that at this time are apparently not forthcoming.

Likewise Mr. Smith says he wishes he had sufficient staff but has been turned down by the mayor's office.

The net result is an overwhelmed staff of assistant district attorneys and equally overburdened Juvenile Bureau investigators who have to deal with one of the most stressful aspects of police work without adequate resources. There is a strong feeling that the Chief of Police and the District Attorney's priorities need readjustment in this area.

While this maybe true, these demands will just cause another 'rob Peter to pay Paul' reallocation. All our tasks in law enforcement deserve full attention and need a shot in the fiscal arm.

Where Ms. Milstein's article fell short was in a two sentence paragraph quoting Inspector Jim Hampton. It was taken out of context and seemed to imply that his working partners in the district attorney's office callously prioritize their cases taking only those to trial that will improve their conviction percentage rather than vigorously pursuing all prosecutions. Jim assures me this is clearly not the case and the blame, if any, lies with the lack of resources.

That blame rests squarely on the dome of City Hall where our elected officials set the goals and fund the departments. If there was ever a cause without an opponent this should be it and I can only hope that they can be made to see its compelling message.

The victims of child abuse and molestation are among the least able to defend themselves and are usually victimized by those who are supposed to protect and nurture them. How much kinder is the murderer who puts an end to his victim's suffering than the abuser or molester who leaves his victim to a life of fear, anxiety, self loathing and the likelihood that they themselves will eventually victimize another child. The vicious cycle has to be interrupted; and the tragedy is we know how and aren't "Prioritizing" it high enough.

*Jim Hampton, an Inspector assigned to the Juvenile Bureau and my great and good friend, inspired and contributed to this column.*

*The Editor*

## ON THE STREET/Tom Flippin



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- Services of our experienced tour hosts

### TOUR PRICES - per person

<b>DOUBLE OCCUPANCY</b>
<b>\$444</b>
<b>TRIPLE OCCUPANCY</b>
<b>\$434</b>
<b>SINGLE OCCUPANCY</b>
<b>\$494</b>

\*Plus \$6.10 departure tax  
Extra Night rates: \$40 per room, Single or Double.  
\$50 per room Triple

FOR RESERVATIONS PLEASE RETURN COUPON  
WITH DEPOSIT OF \$100.00 EACH PERSON TO:

EMPIRE TOURS 594 HOWARD ST.,  
SAN FRANCISCO, CA 94105

NAME(S): \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_ PHONE: ( ) \_\_\_\_\_  
DEPOSIT ENCLOSED: \$ \_\_\_\_\_ FOR: \_\_\_\_\_ # OF PERSONS  
SIGNATURE: \_\_\_\_\_

### MOSCONE CENTER SHELL

300 5th St.  
SF CA.  
415/974-1088

### URBAN DEVELOPMENT DIVISION

"Serving Youth, Seniors, Family  
and the Community"

**August 23, 1985  
September 28, 1985  
October 26, 1985  
December 21, 1985**

Will have its famous Enchilada Luncheon  
NO-HOST REFRESHMENTS 11:30 a.m.  
on Fridays at 12 noon  
at Jamestown Community Center  
180 Fair Oaks Street, San Francisco, CA. 94110  
Corner of 23rd Street

This activity sponsored by the  
"AMIGOS" Advisory Board  
to help the following programs:  
LOS MAYORES DE CENTRO LATINO •  
JAMESTOWN COMMUNITY CENTER •  
SUMMER OF LOVE • STUDENT OPPORTUNITY SERVICE •  
MISSION RECREATION PROJECT •  
DONATION \$3.00  
PARKING IN YARD  
PLEASE POST  
CHUCK AYALA, Director

CYO URBAN DEVELOPMENT 180 FAIR OAKS STREET,  
SAN FRANCISCO, CA 94110 (415) 826-6880  
A United Way Agency

## PACIFIC COAST TITLE COMPANY

Our rate schedule is consistently lower  
than the industry average in Marin  
5 year short term rates and 3 year binders available



ONE OF MARIN COUNTY'S LARGEST INDEPENDENTLY OWNED TITLE  
COMPANIES  
FURNISHING PROMPT DEPENDABLE EFFICIENT TITLE & ESCROW SERVICE

<b>SAN RAFAEL</b>	<b>MILL VALLEY</b>	<b>NOVATO</b>
<b>454-6070</b>	<b>388-8740</b>	<b>892-8744</b>
900 Mission Ave.	110 Tiburon Blvd.	7460 Redwood Blvd.
<b>ROLFE CROKER</b>	<b>GARY FRUGOLI</b>	
President	Vice President Business Promotion	